

Application and Agreement for Exclusive Right of Burial

Applicant's Details

Applicant's Full name: _____

Applicant's Full name: _____

Address: _____

Reserved Plot Details

Cemetery name: _____

Lawn / Area: _____ Row / Garden: _____ Plot: _____

Please turn over for Terms and Conditions

Office Use:

MAP ID: _____ INT ID: _____

Contact ID: _____ Res No: _____

Payment Date: _____ Invoice No: _____

Certificate Issue Date: _____

Deceased's Details

Deceased's Full

name: _____

Age: _____ Gender: _____ Date of

Death: _____

Last

Address: _____

If the application for an exclusive right of burial in part of the above names Cemetery is granted to the Applicant/Nominated Burial Rights Holder, that person, on payment of all applicable fees, obtains the following exclusive rights (**Exclusive Rights of Burial**):

- The exclusive right to be buried in the Reserved Plot/s; and
- The exclusive right to decide who else may be buried in the Reserved Plot site/s; and
- The exclusive right to apply for and arrange the installation of memorials/s on the Reserved Plot site/s;

and as proof of purchase, a Certificate of Purchase

of Exclusive Right of Burial (**Certificate of Ownership**), will be issued in the name of that person (the **Burial Rights Holder**).

The Exclusive Rights of Burial are granted subject to the following terms and conditions of purchase:

1. **Commencement of burial rights** – Council will not issue a Certificate of Ownership and the Exclusive Rights of Burial will not take effect until all applicable fees have been paid in full.
2. **Proof of Ownership/Authority** – the Certificate of Ownership constitutes proof of ownership of the Exclusive Rights of Burial. Any person wanting to exercise any exclusive right granted in relation to a Reserved Plot/s must, when requested by Council, provide satisfactory proof of ownership; authority to act and on behalf of the Burial Rights Holder, and an indemnity for payments of fees/other costs and liability;
3. **Transfer of rights** – Exclusive Rights of Burial may be transferred to a close relative of the Burial Rights Holder (in the manner provided by Council);
4. **Burials** – Burials cannot take place in the Reserved Plot unless prior written approval is obtained from Council by the way of:
 - a) Providing a signed copy of the “Application and Agreement for Exclusive Right of Burial” or Certificate of Ownership.
 - b) The Funeral Director submitting a Interment & Warrant Application.
5. **Memorials** – Memorials cannot be installed/erected on the Reserved Plot site without the Burial Rights Holder first obtaining a **Memorial Permit** from Council. The Burial Rights Holder can authorize someone else to arrange for memorials on his/her behalf – by an **Authority to Act on Behalf of Burial Rights Holder**. All applicants must satisfy Council as to their authority to act on behalf of the Burial Rights Holder, and may be required to indemnify Council against liability resulting from unauthorized and/or unlawful use of the exclusive burial rights;
6. **General obligations** – The Burial Rights Holders must comply with and observe all applicable statutes, regulations, bylaws, New Zealand Standards and Council’s directions/instructions in relation the Reserved Plot;
7. **Purchase back** – Council may, at its discretion, purchase back any unused plot on such terms and conditions as Council thinks fit.
8. **Forfeiture** – Any such application must be made in writing, and the amount payable shall be calculated as the purchase price applicable at the time of purchase, less the plot cancellation fee prescribed in the Council’s Fees and Charges.
9. **Termination of Burial Rights** – The Exclusive Rights of Burial lapse 60 years from the original date of purchase (being the date specified on the Certificate), without compensation or refund being payable by Council. The Burial Rights Holder’s rights will be extinguished if those rights are re-purchased by Council or transferred to another person.

I hereby confirm that I have read and understood the above
Terms and conditions and agree to be bound by them:

I hereby certify (as Applicant nominating a Burial Rights Holder)
explained the terms and conditions to the nominated Burial Rights
Holder and that she/he understands them and agrees to be bound by
Them.

.....
Applicant (where Applicant is the Burial Rights Holder)

.....
Applicant for and on behalf of nominated Burial Rights Holder