|  |  |
| --- | --- |
|  | OFFICE USE ONLY |
| Approved by (name) |       |
| Date |       |
| CRM updated Y/N |       |
|  |

**Transferring right of interment**

This form is to be used when:

* **Transferring the right of interment (ROI) to another person(s)**

The variation being made is in accordance with the provisions of the granting of right of interment (ROI), subject to provisions of the *Cemeteries and Crematoria Act 2003 (Vic)* and Regulations made under this Act.

It is important that you complete all the appropriate sections and provide the necessary documents of identification and evidence, as detailed in the form below.

Transfer is not effective until the transfer variation form has been approved and processed by the Greater Metropolitan Trust (GMCT). Please allow 10 business days for this process to complete.

All fees and/or costs incurred by the ROI holder and/or their representative in relation to the gathering of documentation for this request shall be borne by that party and will not be transferred to GMCT.

Holders of right have specific rights and responsibilities under law.

It is important that new holders of right advise us of any change of address/contact details, as we may need to contact you in the future regarding maintenance or access.

|  |
| --- |
| Certified photo identification must be provided with every application (i.e., Passport or front and back of a driver’s license) for each person named. (Should neither of these forms of I.D. be available, you may present a signed statutory declaration of your identity and signature) |

|  |
| --- |
| **Location details (must be provided)** |
| Cemetery: |       |
| Area: |       |
| Row: |       |
| Grave number: |       |

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| **SECTION 1** |

I/We request the Trustees of the GMCT transfer this ROI. I/We agree that if the Trustees record the transfer, I/We will indemnify them against any actions that arise from the transfer.

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| **Consent of current holder(s) of ROI or their legal representative(s)** |
|  |  |  |  |  |
| I/We are the current holder(s) of ROI | [ ]  | Yes | [ ]  | No |
| I/We are the legal representative(s) of the holder(s) of ROI | [ ]  | Yes | [ ]  | No |
| The previous holder(s) of ROI are deceased | [ ]  | Yes | [ ]  | No |



**Current ROI holder / Legal representative 1:**

|  |  |  |
| --- | --- | --- |
| Title:       | Given names:       | Surname:       |
| Street address:       |
| Suburb/town:       | State:       | Postcode:      |
| Telephone: (home)       | (mobile)       |
| Email address:       |
| Signature: | Date:    /    /      |
| Deceased: | [ ]  | Yes | [ ]  | No | If yes, is the estate finalised? | [ ]  | Yes | [ ]  | No |

**Current ROI holder / Legal representative 2:**

|  |  |  |
| --- | --- | --- |
| Title:       | Given names:       | Surname:       |
| Street address:       |
| Suburb/town:       | State:       | Postcode:      |
| Telephone: (home)       | (mobile)       |
| Email address:       |
| Signature: | Date:    /    /      |
| Deceased: | [ ]  | Yes | [ ]  | No | If yes, is the estate finalised? | [ ]  | Yes | [ ]  | No |

**Current ROI holder / Legal representative 3:**

|  |  |  |
| --- | --- | --- |
| Title:       | Given names:       | Surname:       |
| Street address:       |
| Suburb/town:       | State:       | Postcode:      |
| Telephone: (home)       | (mobile)       |
| Email address:       |
| Signature: | Date:    /    /      |
| Deceased: | [ ]  | Yes | [ ]  | No | If yes, is the estate finalised? | [ ]  | Yes | [ ]  | No |

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| **IMPORTANT**: If the person(s) signing this application is not the registered holder of right of interment, documentary evidence must be supplied to support the application (See ‘required documentation’). |

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| **SECTION 2** |

**Consent of person(s) holder of right is being transferred to:**

**Person 1:**

I wish to take over the ROI of this location (to have ROI transferred to me)

|  |  |  |
| --- | --- | --- |
| Title:       | Given names:       | Surname:       |
| Street address:       |
| Suburb/town:       | State:       | Postcode:      |
| Telephone: (home)       | (mobile)       |
| Email address:       |
| Signature: | Date:    /    /      |

P**erson 2:**

I wish to take over the ROI of this location (to have ROI transferred to me)

|  |  |  |
| --- | --- | --- |
| Title:       | Given names:       | Surname:       |
| Street address:       |
| Suburb/town:       | State:       | Postcode:      |
| Telephone: (home)       | (mobile)       |
| Email address:       |
| Signature: | Date:    /    /      |

**Person 3:**

I wish to take over the ROI of this location (to have ROI transferred to me)

|  |  |  |
| --- | --- | --- |
| Title:       | Given names:       | Surname:       |
| Street address:       |
| Suburb/Town:       | State:       | Postcode:      |
| Telephone: (home)       | (mobile)       |
| Email address:       |
| Signature: | Date:    /    /      |

**Required documentation:**

**Holder(s) of right is authorising transfer**

* Certified photo identification (i.e. Passport or front and back of a drivers license) for each living person named in this application. Should neither of these forms of identification be available, you may present a signed statutory declaration of your identity and signature.

**Holder(s) of right is deceased**

* Certified photo identification (i.e. Passport or front and back of a drivers license) for each living person named in this application. Should neither of these forms of identification be available, you may present a signed statutory declaration of your identity and signature.

**Proof of current holder(s) death**

* If the deceased holder(s) of right are not registered as deceased with GMCT, proof of death is required via a certified copy of the current holders death certificate.

**Evidence of right to inherit (one of the following is required)**

* A certified copy of a will clearly stating the person(s) who will inherit the holder of right, or residual estate.
* A certified copy of a letter signed by the executor authorising the transfer into their name.
* In rare circumstances where a will or letters of administration are not available, GMCT will consider the death certificate of the deceased holder of right to show the next of kin under rules of intestacy.

**Additional supporting documents**

* A certified copy of the power of attorney must be provided if relevant.
* Executors: A certified copy of the will that appoints them as the executor or sole beneficiary of the estate.
* Executors: Where there is no will, a certified copy of letters of administration from the Supreme Court appointing them as executor.

**Declining being a holder of right**

* Certified photo identification (i.e. Passport or front and back of a driver’s license) and a statutory declaration declining inheritance of holder of right.

**If a holder of right, beneficiary of a will, or next of kin entitled to inherit under rules of intestacy cannot be found or contacted**

* The family will need to provide GMCT with evidence of diligent enquiry with a statutory declaration as outlined above before they can make an application to update the ROI as per the above.

**Who can sign this application**

**Current holder(s) of right of interment**

* If there is more than one current holder of right, all holders must sign.

**Power of attorney for the living holder(s) of right**

* **Relevant beneficiaries of a deceased holder(s) will**

If there is more than one beneficiary of a will, multiple people may jointly inherit the right of interment. In this case each person entitled to inherit will be required to become a joint holder of right or formally decline to be a holder of right.

* **Executor of a will (time limited)**

While an estate is open an executor can sign the ‘*Current ROI holder / Legal representative’* on behalf of a deceased holder of right. After an estate is closed the executor’s role ends.

*Please note: the role of the executor is to facilitate the beneficiaries of the estate becoming the new holder(s) – Executors do not automatically have the right to become a holder of right unless entitled as a beneficiary of a will, or under the rules of intestacy (inheritance).*

* **Next of kin to the deceased via rules of intestacy (inheritance)**

In rare circumstances where a will or letters of administration are not available, GMCT will consider the death certificate of the deceased holder of right to show the next of kin under rules of intestacy. For intergenerational holder updates, death certificates for multiple persons may be required to establish entitlement.

Multiple people may jointly inherit the right of interment, such as in cases where there are multiple children of a deceased holder of right. In this case each person entitled to inherit will be required to become a joint holder of right or formally decline to be a holder of right.