

Perpetual interment rights

An interment right is a contract with a cemetery operator that allows burial to take place in a particular location.

Interment rights have also been known as burial rights, burial licences, grants or interment licences.

In NSW there are two type of interment rights; perpetual or renewable. This quick guide only references perpetual interment rights—there is a separate guide for renewable rights.

Perpetual interment right

A perpetual interment right allows for remains to be left in place forever. These rights can apply to both cremated and non-cremated remains.

Holders can transfer or bequest perpetual interment rights (see the quick guide *Transfer or bequest of an interment right*). If the right holder dies without bequeathing the right, it forms part of the personal estate.

A perpetual right can be held by a single person, or jointly by two or more people (so they can be buried together).

All interment rights issued before 2018 are perpetual unless specified in the original terms. From 2018 consumers have a choice between perpetual or renewable rights.

Operators must specify on a certificate of interment right whether the right is perpetual or renewable.

Certificate of interment right

A cemetery operator must issue a certificate every time an interment right is granted, renewed or transferred.

The certificate must make clear that the right is perpetual. It must also contain the:

- name of the person granted the right
- location of the interment site
- number of persons whose remains can be interred
- names of the people who can be interred, or the name of a person that can nominate whose remains can be interred.

Some cemetery operators will issue a contract note when an interment right is purchased. This can form part of the certificate or be separate.

Register of interment rights

The cemetery operator keeps a register that includes all the contact details of interment right holders and secondary contacts.

It is important that contact information on a cemetery operator's register is kept up to date.

It is the responsibility of the interment right holder to inform the cemetery operator of any change in contact details.

More information

Cemeteries & Crematoria NSW is a statutory body created under the *Cemeteries and Crematoria Act 2013*, providing a strategic and coordinated approach for operators providing interment services in NSW.

For general information visit the website at: www.industry.nsw.gov.au/ccnsw

Email: ccnsw.info@cemeteries.nsw.gov.au

For more detailed information please contact your preferred cemetery operator.