# **Buy Back of Interment Right Application 23/24**



If you need help lodging your form, contact us				
Email	cemeteries@northernbeaches.nsw.gov.au			
Phone	1300 434 434			
Cemeteries	Manly Cemetery Griffiths Street, Manly NSW 2095			
	Mona Vale General Cemetery 107 Mona Vale Road, Mona Vale NSW 2103			

Office use only			
Form ID	4141		
TRIM Ref.			
Last updated	July 2023		
Business unit	Property		
Application No.			
Receipt No.			

Privacy Protection Notice			
Purpose of collection	For Council to provide services to the community		
Intended recipients	Northern Beaches Council staff		
Supply	If you choose not to supply your personal information, it may result in Council being unable to provide the services you seek		
Access/Correction	Please contact Customer Service on 1300 434 434 to access or correct your personal information		

#### **Privacy Declaration**

Information collected on this form is held in accordance with the Privacy and Personal Information Protection Act 1998. Personal information is collected for a lawful purpose that directly relates to our primary function of providing cemetery/cremation services in accordance with the Cemeteries and Crematoria Act 2013. We will not collect any more information than is necessary to fulfil these functions. Except as necessary to carry out these functions, we will not disclose your personal information to anyone without your consent unless legally required to do so. We will take all reasonable steps to protect the security of any personal information held, be it stored in electronic or hard copy format. You may request access to your personal information held by us, except in the circumstances set out in Part 2, Division 3 of the Privacy and Personal Information Protection Act 1998.

### Part 1: Buy back of Interment Rights

#### 1.1 What Is An Interment Right?

When you "buy a grave or memorial niche" at Mona Vale or Manly cemetery you don't own the land, you are actually purchasing a right to use that site for a human burial in perpetuity.

The right or "Interment Right" as it is known allows the owner or any person they nominate to be buried in that burial site over which they are the registered owner or "Holder".

Only the Holder of the Interment Right can authorise the placement of a monument or inscription on that burial site.

An Interment Right for a memorial operates in a similar way except that it generally applies to the interment or placement of cremated human remains burial including burial of cremated human remains in a memorial garden or wall niche.

#### 1.2 Sale of Unused Interment Right back to Council

Council has a program to "buy back" unused Interment Rights at a set price, listed in the Fees and Charges schedule each year. Depending on the situation, it may first be necessary to transfer the rights if you are not currently the Interment Right Holder. Some or all of the following paperwork may be required in order to finalise this type of transfer.

#### 1.3 Council buyback of unused Interment Right - When the applicant is the current Rights Holder\*

- i. Attach proof of purchase such as copy of certificate/ receipt if available, proof of identity and Statutory Declaration on page 3 explaining why you no longer want the burial site or niche.
- ii. Complete the ATO "Statement by a Supplier" form on page 4 note YOU are the supplier and the relevant reason for not quoting an ABN is "The supplier is an individual and has given the payer a written statement to the effect that the supply is wholly of a private or domestic nature from the supplier's perspective". Note this form is NOT sent to the Tax Office, it is kept in Council's records for auditing requirements.
- iii. Provide details for payment to your bank account via electronic funds transfer (see below at 2.3).

### 1.4 Council buyback of unused Interment Right - When the applicant is NOT the current Rights Holder

If you are applying for a buyback of a grave, and you are not the Rights Holder, you must establish your claim to the burial rights first, by completing an "Application to transfer interment rights" - Form 4109.

## Part 1: Buy back of Interment Rights

### 1.5 Proof of Identity

Pension Card

Applicants who are not Council Ratepayers must produce two original identification documents, one of which must provide photo identification. These may include a passport, licence issued under Australian law (driver's licence or other government-issued licence), birth certificate/citizenship certificate, credit card, EFTPOS card, Medicare card, or membership to a registered club.

## Part 2: Details of Site and Applicant

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2.1 Burial Site Or Memorial Site Location Details						
Grave D	enomination					
Section			Site No/s			
OR	Memorial Niche Section		Site No/s			
Is there	a monument on the site?	Yes	No			
2.2 App	licant Details					
Name						
Address						
Postal a	ddress					
Phone			Mobile			
Email			DOB			
2.3 Bar	k Details					
Bank						
Branch			BSB			
Account Name			Account No			
2.4 Proof of Identity						
Are you a ratepayer? Yes No - Council Officer to tick and initial at least two types of ID sighted - one must be photo ID.						
Passport		Drivers Licence				
Birth Certificate		Credit Card				
EFTPOS Card		Medicare Card				
Club Membership Card		Tertiary Education Card				

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Healthcare Card

# **Statutory Declaration**

## Oaths Act 1900, Nsw, Eighth Schedule

Buy Back Of Burial or Niche Interment Right for the Mona Vale or Manly Cemetery							
I/ We							
Of address,							
do hereby SURRENDER the Intermen	nt or Niche Right/s for the following buris	al site/s and/or memorial niche/s to	Northern Beaches Council				
Grave Denomination							
Section		Site No/s					
and/or Memorial Niche Sectio	n	Site No/s					
For the following reason/s:							
And I make this solemn declaration of	conscientiously believing the same to be	true, and by virtue of the provision	s of the Oaths Act 1900.				
Declared at:		on (date)					
(Signature of Declarant):							
in the presence of an authorised witr	ness (Justice of the Peace), who states:						
I, (name of authorised witness)		a (qualification of authorised witness)					
,	ning the making of this statutory declara	* '					
1. I saw the face of the person OR I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had a special justification for not removing the covering, and							
2. I have known the person for at least 12 months OR I have not known the person for at least 12 months but I have confirmed the person's identity							
using an identification document a	and the document I relied on was:						
(describe identification relied on)							
Signature of authorised witness		Date:					
Office use only							
CODE: Mona Vale 40061000/4203							
Stone Orchard updated	,	Confirmation letter sent					
New Vendor ID / Refund reg raised?		O Documents scanned					

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### Statement by a supplier

Complete this statement if you: **HOW TO COMPLETE THE STATEMENT** ■ are an individual or a business ■ Print clearly in BLOCK LETTERS using a black pen only. ■ have supplied goods or services to an other enterprise (the ■ Use BLOCK LETTERS and print one character in each box. payer), and ST ■ are not required to quote an Australia business number (ABN). Payers must withhold 46.5% of the total payment it makes to ■ Place X in ALL applicable boxes you for a supply that you make as part of your enterprise you carry on in Australia, unless an ABN has been guoted or there is no need to quote an ABN. Section A: Supplier details Your name? Your address? Suburb/town Your reason/s for not quoting an ABN? Place |X| in the appropriate box/es. The payer is not making the payment in the course of carrying on an enterprise in Australia. The supplier is an individual aged under 18 years and the payment does not exceed \$120 a week. The payment does not exceed \$75, excluding any goods and services tax (GST). The supply that the payment relates to is wholly input taxed. The supplier is an individual and has given the payer a written statement to the effect that the supply: is made in the course or furtherance of an activity done as a private recreational pursuit or hobby, or |X| is wholly of a private or domestic nature (from the supplier's perspective). The supply is made by an individual or partnership without a reasonable expectation of profit or gain. The supplier is not entitled to an ABN as they are not carrying on an enterprise in Australia. The whole of the payment is exempt income for the supplier. Section B: **Declaration** Under pay as you go (PAYG) legislation and guidelines administered by the Tax Office, the named supplier is not quoting an ABN for the current and future supply of goods or services for the reason or reasons indicated. Name of supplier (or authorised person) Signature of supplier (or authorised person) Daytime phone number Date Penalties apply for deliberately making a false or misleading statement.

Do not send this statement to the Tax Office.
Give the completed statement to any payer that you are

supplying goods or services to. The payer must keep this document with other records relating to the supply for 5 years. Payers can check ABN records of suppliers by visiting www.abr.business.gov.au or phoning 13 72 26 24 hours a day, 7 days a week.