# FAS-007

# Request for transfer of burial rights or relocation

Under the authority of the *Burials Assistance Act 1965*, the Department of Justice and Attorney-General is responsible for administering the **Funeral Assistance Scheme** (the Scheme) through the Coroners Court of Queensland (CCQ).

The Scheme allows for the Department to arrange a simple burial or cremation for eligible persons, who:

* have died in Queensland; and
* have no known next of kin who are willing or able to meet the cost of a funeral service.

**What is this form for?**

Following the completion of a funeral service via **burial**, approved applicants under the Scheme may apply to:

* Take over the **burial rights** at the cemetery where the deceased is buried, to allow for the grave site (also called a burial plot) to be marked with a headstone (or other permitted remembrance marker), and/or to prevent other persons being buried in the same plot; **or**
* **Relocate** the deceased, by exhuming their body from the current burial plot and transferring them to another authorised location (e.g. to a family, ancestral, or community burial plot).

If you live interstate or overseas, you may also use this form.

**Who can apply?**

This form is for **Individual** **applicants** who have been approved for assistance under the Scheme.

To make a request, you will need to fill in the form below and submit it to the **same Magistrates Court** where you made your original application.

Generally, the transfer of burial rights or relocation is *not* available for Agency applications (please contact your nearest Courthouse for further information).

If you did not submit the original application (or you believe that an application was made by an Agency on the deceased’s behalf with or without your knowledge), you may also use this form to make a statement outlining your circumstances, how you are related to the deceased, and why you wish to apply for consideration. You will need to submit this form to the **nearest Magistrates Court to where the deceased is currently buried**.

**Are there any restrictions or conditions?**

Under the Scheme, up to four (4) deceased persons may be interred in the same burial plot. CCQ can only approve your request if the deceased is the **sole occupant of the burial plot** (this information cannot be confirmed until enquiries are made with the local council and will result in your request being declined).

**You will need to confirm this with the local council before filling this form in.**

CCQ does not own the land associated with the burial plot and cannot authorise the transfer of any council-owned land (only the burial rights associated with the plot).

**What do I need to attach as supporting documentation?**

Local councils are responsible for the maintenance and governance of cemetery burial plots. It is **mandatory** for you to make enquiries with the relevant local council first, and **attach** a written letter to this form that clearly confirms:

1. The location where the deceased is buried (cemetery name and street address);
2. The occupancy of the burial plot (how many deceased are currently interred in the same grave); and
3. The burial plot registration number and row.

The local council letter must be **current** in order to be considered valid (e.g. dated no more than 7 days before you submit this request).

You can access a list of Queensland local councils and their contact information at this site:

<https://www.dlgrma.qld.gov.au/local-government-directory/local-government/local-government-directory.html>

**Will I need to pay for any costs associated with the transfer of burials rights or relocation?**

Yes, if your request is approved you will be responsible for **all** associated costs:

* To take over the **burial rights**,you will need to pay any outstanding costs incurred by the department for the funeral itself (these are recoverable in full by the department) **and** any fees charged by the local council (e.g. transfer of plot registration, multiple interment fee, grave re-opening fee, headstone/marker fee, engraving fee, administration fees).

*Each local council has their own regulations with regards to what type of headstone/memorial/engraving is possible at the grave site. You will need to enquire directly with them to make these arrangements.*

*Some local councils have a provision where the names of multiple deceased interred in a departmental plot may be engraved onto a plain headstone by the council after a certain period of time has passed. We encourage you to check with the relevant local council for more information with regards to such possible provisions and any fees that may apply.*

* To **relocate** the deceased, you will need to pay any outstanding costs incurred by the department for the funeral itself (these are recoverable in full by the department) **and** any fees charged by the local council (e.g. exhumation fee, administration fees) and funeral director/transfer service.

*CCQ does not make any arrangements with regards to the**receiving cemetery for relocation. You will also need to ensure that you make appropriate arrangements with the local council at the destination, organise the transfer, and pay any relevant fees.*

**How can I make my payment?**

CCQ will confirm any amount payable to the department in your outcome letter or email.

You will need to finalise any outstanding funeral costs directly with the Department of Justice and Attorney-General. Payment can be made via cheque, money/postal order, or in-person at any Magistrates Court (you will need to provide a receipt to prove that the full and correct payment was made).

**All cheques must be made payable to the Department of Justice and Attorney-General.**

The relevant local council that manages the cemetery will organise payment of any fees with you directly (payment is not made for these fees via the department).

**Need help?**

If you need extra help completing this form, please contact your nearest Magistrates Court for general assistance, or to

book in a short face to face information session (15-30 minutes, at the Magistrates Court's discretion).

Unless there are exceptional circumstances, this should be the closest Magistrates Court to where the deceased is buried, or the closest Magistrates Court to your place of residence.

*Note: Brisbane Magistrates Court is unable to accept applications at this time; please choose the next closest*

*Courthouse in your area.*

Further information is also available online at <https://www.courts.qld.gov.au/courts/coroners-court/funeral-assistance>.

**Ready to apply?**

If you are comfortable with the information provided above, and would like to make a request for transfer, please carefully read and complete the relevant sections of the form below and submit at the **closest Magistrates Court to where the deceased is buried.**

A full list of Magistrates Court locations is available at <https://www.courts.qld.gov.au/contacts/courthouses>.

**Please mark all form boxes with an** 🗷

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  | I have read the attached document, and fully understand the inclusions and restrictions of the request to transfer burial rights or relocation that I am requesting under the Scheme. |
|  |
|  |  |  | I confirm that I understand that in order for my request to be processed, I will need to pay back all expenses paid by the department against the approved application for funeral assistance before any other relevant fees charged by third parties (e.g. local council, funeral directors, transfer services). |
|  |
|  |  |  | I confirm that I have spoken to the local council where the deceased is buried and obtained a written letter confirming the details listed on page 2 of this form.  |

*If you haven’t yet spoken to the local council yet, please stop here to obtain their confirmation letter and then return to complete this form.*

**D1. Applicant personal details**

|  |  |
| --- | --- |
| **Your family name/s** (Please enter in CAPITALS) |  |

|  |  |
| --- | --- |
| **Your first and middle names** (please enter in full, do not use initials) |  |

|  |  |
| --- | --- |
| **Your relationship to the deceased** (e.g. wife, husband, daughter, son, friend) |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Your email address** (our main contact method - please ensure this is correct and clear if handwritten) |  | **Your best** **contact number** |  |

**D2. Deceased personal and burial details**

|  |  |  |  |
| --- | --- | --- | --- |
| **Family name/s** (Please enter in CAPITALS) |  | **First and middle names** (please enter in full, do not use initials) |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Date of death**(DD/MM/YYYY) |  | **Date of burial** (DD/MM/YYYY) |  |

|  |  |
| --- | --- |
| **Local council name** |  |

|  |  |
| --- | --- |
| **Cemetery name** (please include street address if known) |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Plot registration number** |  |  **Row number** |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Is the deceased named in section D1 the sole occupant of this plot?** |  | **Have you attached a copy of the local council letter confirming this?** |  |

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**D3. Request for transfer of burial rights**

*Please only complete if required*

|  |  |  |
| --- | --- | --- |
|  |  | **I would like to request for the burial rights for the departmental plot (details above) to be transferred from the Department of Justice and Attorney-General to my own name.**  |

 I confirm that the original burial and funeral arrangements were made by the Department of Justice and

 Attorney-General under the CCQ Funeral Assistance Scheme (and/or any previous iterations of the

 Scheme).

**D4. Request for relocation**

*Please only complete if required*

|  |  |  |
| --- | --- | --- |
|  |  | **I would like to request for the deceased to be exhumed from the current departmental burial plot and transferred to another location (a.k.a. relocation).** |

 I confirm that the original burial and funeral arrangements were made by the Department of Justice and

 Attorney-General under the CCQ Funeral Assistance Scheme (and/or any previous iterations of the

 Scheme).

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|  |  |
| --- | --- |
| **Any additional comments?** |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Your signature** |  |  **Signed on date** (DD/MM/YYYY) |  |

**Your request is now complete**

Please **submit your completed form over the counter** at the **closest Magistrates Court to where the deceased is currently buried** (additional details in the first part of this form, from page 3).

Most complete and correct forms will be processed by the Coroners Court of Queensland in 5 – 10 business days (dependent on local council turnaround times).

You will be notified of the outcome by email, to the address provided in your application (your notice will only be posted if you do not provide an email address, or it is not correct).

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