

Ongar

Town Council



TRANSFER OF EXCLUSIVE RIGHT OF BURIAL Guidance Notes for completion of form

A request to transfer Exclusive Right of Burial is made where the current registered owner is now deceased. It is important for the transfer to be made and a new owner registered as no applications for memorials (including to the deceased owner), further interments etc. can be granted until this is done. Transferring the ownership protects the interest of the owners in future.

The Exclusive Right forms part of the estate of the deceased. The transfer is usually made either to a named beneficiary in a Will, or to a single surviving next-of-kin/beneficiary, or, if there are several surviving next-of-kin/beneficiaries, the ownership is registered to one of them with the agreement of the others.

No more than three people can be registered as the owner/s of the Exclusive Right.

Completing the Transfer of Exclusive Right of Burial form

Section 1 Enter the grave or plot number.

Section 2 Enter the name of the person currently registered as the owner of the grave or plot.

Section 3 Enter the last address of the registered owner.

Section 4a Write in the FULL name (first names and surname) of the person to be registered as the new owner.

Section 4b Write in the address of the new owner, telephone number and email address.

Section 5 Enter the amount of the remittance

DECLARATION

Delete the statements which do not apply.

If the deceased left a Will, please enclose a copy of the Will and if Probate was obtained a sealed copy for registration and strike out options (c), (d) and (e).

If Probate was not obtained it will be necessary for a Statutory Declaration to be sworn which the Council will draw up on your behalf.

If Letters of Administration were granted, please enclose a sealed copy for registration and strike out options (a), (b), (c) and (e).

If the estate was of insufficient value to be proved or for Letters of Administration to be taken out, please strike out options (a), (b), (c) and (d). If item (e) applies, it will be necessary to swear a Statutory Declaration before a Magistrate or Commissioner for Oaths which the Council will draw up on your behalf.

Other next-of-kin/beneficiaries

If you are the only surviving next of kin of the current registered owner, delete (b) and (c).

If you are the sole surviving beneficiary of the estate of the owner (not necessarily next of kin), delete (a) and (c).

If you are the Executor of the Will of the deceased, delete (a), (b) and (c) and provide a sealed copy of the Probate for registration.

If there are other next-of-kin besides the new owner, delete (a) and (b) and ask them to complete the sections at the end of the form.

As mentioned above, no more than three people can be the registered owner/s and it may be necessary for other next-of-kin or beneficiaries to sign the Form of Renunciation.

Read the remainder of the Declaration carefully and sign and date it.

Form of Renunciation by next-of-kin/beneficiaries

Fill in the names and addresses of all other next of kin or beneficiaries (please print clearly) and ask them to sign and date the form in the presence of a witness to renounce their interest and title in the Right of Burial in the plot being registered in the name of the new owner.

Please do not hesitate to contact the Council if you need any help or advice.