

# Statutory Declaration

Transfer of Deed Title for Grave \_\_\_\_\_ in \_\_\_\_\_ Cemetery

Payment Receipt: \_\_\_\_\_

Application Date: \_\_\_\_\_

We have received your application and payment to transfer the Deed Title of the above grave will be required. All sections must be completed overleaf and sworn before a solicitor. Any forms completed by other family members supporting your application must be witnessed and should be provided with this form before you submit your paperwork to the office.

Please provide a brief explanation on page 4 for transferring the rights of the grave into your name

**You will be accepting the ownership of the grave if**

- The grave owner is deceased and you have rightful entitlement
- The current grave owner wishes to assign their rights over to you.

Cemetery Office: 9:00am to 12:00pm  
Address: Nuneaton & Bedworth Borough Council  
Town Hall, Coton Road, Nuneaton CV11 5AA.  
Tel: 024 7637 6357  
Email: cemetery@nuneatonandbedworth.gov.uk



# STATUTORY DECLARATION

## *Statement to accept ownership and transfer of a grave*

Grave No:	Grant:
Cemetery:	Current Owner
Date of Purchase	Lease Term

**Proposed Owner :**  
*Please include Title*

Address:

Post Code:

Tel No(s).

Relationship to Current Owner

Email Address:

Signed:

Date:

### **Rights and Responsibilities of a Grave Owner**

Nuneaton and Bedworth Council retains ownership of the land at all times. We will accept **ONE** grave owner. All other Executors/ Next of Kin with equal rights will be required to renounce their rights. The person who is registered as the owner of the Exclusive Rights of Burial to a grave has certain rights and responsibilities for the leased period.

#### **You have the right to:**

- Be buried in the grave if space is available –Including cremated remains
- Authorise future burials in the grave where space is available or for the interment or scattering of cremated remains
- Place an inscribed memorial on the grave or give permission for an additional inscription to be added. (A new owner is established when the current grave owner has recently been interred in the plot to allow their inscription to be added to the headstone.)

#### **You are responsible for:**

- Providing consent and signing paperwork for all future interments
- Ensuring the memorial is in a safe condition and pay for repairs required should the council deem the memorial as unsafe
- Notifying the council of any change of address so we may contact you at the end of a burial lease term, memorial lease term or other matters relating to your grave.
- To abide and adhere to all Cemetery Regulations including Memorial Regulations as required by the council

## The Proposed Owner

*I wish to Transfer the Right of Burial of said grave into my name. The current registered owner is deceased/ wishes to assign their rights and understand that I need to contact a solicitor to sign this form.*

By signing this application form, you will be regarded as understanding the rules and regulations set for the cemeteries and having had an opportunity to raise any concerns before signing this form.

*I hereby certify that the particulars are correct to the best of my knowledge, and understand that I will become the Owner of the Exclusive Rights of Burial and that any memorial that may be placed on the grave shall be kept in good repair at the expense to me. I also understand that on a Lawn Section, items will not be allowed on the grave in front of the headstone. I understand that I will be responsible for updating contact details and change of address should the council wish to contact me*

### **PLEASE SELECT ONE OF THE TWO OPTIONS:**

*The Exclusive Right of Burial in the grave which was granted to*

\_\_\_\_\_ died on \_\_\_\_ / \_\_\_\_ / \_\_\_\_\_

*The current grave Owner* \_\_\_\_\_ *wishes to assign their rights*

### **Please read and confirm the statement below:-**

- *I* \_\_\_\_\_ *(proposed owner) declare to be the new rightful owner of the Exclusive Right of Burial.*
- *I hereby indemnify Nuneaton and Bedworth Borough Council and all its Officers and Members against any claim relating to the grave, its ownership, or the Exclusive Rights of Burial which may arise and is not the result of any breach of contract or obligation or negligence of the Council.*
- *I make this declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835*

**\*Signed** \_\_\_\_\_ **Date** \_\_\_\_\_

*All original supporting documentation has been provided and supporting letters included by those wishing to relinquish their rights to the above grave.*

## Please select as appropriate

You may select more than one option      Application Date \_\_\_\_\_

**WILL AVAILABLE – EXECUTOR WISHING TO TAKE ON OWNERSHIP :**

*The current grave owner has left a last Will and Testament dated \_\_\_\_\_ which was not revoked in which I/we were appointed as Executor(s).*

*Name of joint Executor if applicable : \_\_\_\_\_*

*I understand only one person will be able to take ownership and the other will complete a form of assent.*

**WILL AVAILABLE – NO EXECUTORS NAMED; EXECUTORS WISH TO PASS ON RIGHTS OR NO NEED FOR PROBATE. PLEASE MARK WHICH STATEMENT APPLIES:**

*The current grave owner has left a Will dated \_\_\_\_\_ which was not revoked and did not appoint Executors or appointed Executors who have not taken up / are incapable of taking up the appointment.*

*The current owner left a will which was not replaced or revoked with an estate of insufficient value for which it was not required to apply for probate/administration. I am either the proposed executor or next-of-kin, therefore would be entitled to such grant of probate had it been necessary*

**PROBATE OR LETTERS OF ADMINISTRATION GRANTED:**

*I have been granted probate of the said \_\_\_\_\_ (current owner's) estate.*

**OWNER PASSED AWAY WITHOUT LEAVING A WILL :**

*The current grave owner dies not having left a valid Will and Testament.. I am the rightful next of kin wishing to take on ownership of the grave*

**OTHER : E.g., accepting the reassignment of a grave from a living grave owner**

**PLEASE STATE THE RELATIONSHIP AND CONFIRM YOU AGREE :**

*Mr relation to the current owner is \_\_\_\_\_*

*To the best of my knowledge and belief the deed relating to the Exclusive Right of Burial has not been sold or transferred to any other person.*

- Please explain in your own words the reason for transferring the deed title to your name if required

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*Documents Provided*

*Declared at \_\_\_\_\_ in the County \_\_\_\_\_*

*before (Name) \_\_\_\_\_*

*Name & address of solicitor / Commissioner of Oaths*

\_\_\_\_\_

\_\_\_\_\_

**Official Business Stamp is required**