

# NEWPORT PARISH COUNCIL

## Assent of Executor or Administrator

### Details of Executor or Administrator

Full name (Print)

Address including postcode

Telephone

Email

Signature

Date

### Details of grave ownership

Full name of deceased grave owner

Grave number

and granted by deed number

at Newport Cemetery

### Assent of ownership

I/we being *(delete as appropriate)*

- a) Executor/s of the above named grave owner proved in
- b) Administrator/s of the estate of the above named grave owner and acting under Letters of Administration granted by

Name and address of Probate Registry

Date of Grant of Probate or Letters of Administration

do hereby assent to the transfer of the Rights of Burial in the above named grave, together with all the title and interest therein subject to the conditions in which it was held immediately before the transfer thereof to:

Full name of new owner (Print)

Address including postcode

# NEWPORT PARISH COUNCIL

## Statutory Declaration

### Details of person making the declaration

Full name (Print)

Address including postcode

### Details of the declaration

I do solemnly and sincerely declare that

purchased the Exclusive Right of Burial at Newport Cemetery for

Grave number

and granted by deed number

(Explain the reason for transfer of the Right):

I hereby declare that I will indemnify Newport Parish Council and their officers against all actions, proceedings, losses, costs, damages, claims or expenses of any nature whatsoever (including the exhumation of any burial) should it subsequently be proved my claim is unfounded and that I have no title to exercise the Rights of Burial in this grave, and I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declaration Act 1835.

**Signature**

**Dated**

Declaration in the presence of a Magistrate or Commissioner for Oaths

Declared at

Address of Magistrate or Commissioner of Oaths

Before me

Dated

Signature of Magistrate or Commissioner of Oaths

## Guidance on completing a Statutory Declaration

A statutory declaration is a legal document and is required by the Council as evidence of the ownership of a grave belonging to a deceased person. A declaration is needed if a grant of probate or letters of administration is not required for their estate and you want the grave ownership transferred to you. Only the registered grave owner may authorise burials or a memorial for a grave.

If there are other possible applicants who do not wish to be included in the ownership of the burial rights, you should include written statements from any siblings, the partner of the deceased and/or any other person with an interest in the grave, consenting to the assignment of the rights to you. Any such documents relied upon will need to be attached to the statutory declaration.

The statutory declaration should be signed by the applicant in the presence of a magistrate, an authorised court official or a commissioner for oaths.

The requirement for a statutory declaration exists to ensure that burial rights are assigned only to the rightful owner(s) and serves to protect both the owners of those rights and the Council.

There is a fee for the transfer of grave ownership.

### Examples for the reasons for the for declaration

#### **A) Surviving husband/wife:**

That said Jane Wilson died intestate, leaving an estate of insufficient value for which it was required by law to apply for Grant of Letters of Administration and that I Harry Smith am her lawful surviving husband and lawful next of kin. I am therefore the present rightful owner of the said Right of Burial.

#### **B) Surviving children:**

The said Jane Wilson died a widow intestate leaving an estate of insufficient value for which it was required by law to apply for Grant of Letters of Administration and that Jonathan Wilson, and myself the said Clare Jones (nee Wilson) are his only lawful surviving children and next of kin and therefore the present rightful owners of the said Right of Burial.

#### **C) Surviving children, only one to take over the ownership:**

The said Jane Wilson died a widow intestate leaving an estate of insufficient value for which it was required by law to apply for Grant of Letters of Administration and that Jonathan Wilso , and myself the said Clare Jones (nee Wilson) are his only lawful surviving children and next of kin and therefore the present rightful owners of the said Right of Burial but that Jonathan Wilson wishes that the exclusive Right of Burial be vested solely in my name as Clare Jones and has given his consent in the Form of Renunciation attached hereto which I declare to be genuine.

# NEWPORT PARISH COUNCIL

## Form of Renunciation

I/we, the undersigned hereby renounce all my/our interest and title in the Right of Burial described in the Register as Deed of Grant No \_\_\_\_\_ Dated \_\_\_\_\_ issued for grave number \_\_\_\_\_ in the Newport Cemetery, and desire that the said Right of Burial shall be vested in:

### New Owner

Full Name (Print)

Signature of New Owner

Date

Full address including post code

### Current owners/s

Please provide the details of all persons with a claim to ownership of the grave.

Name	<input type="text"/>	Name	<input type="text"/>
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Address	<input type="text"/>	Address	<input type="text"/>
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Signature	<input type="text"/>	Signature	<input type="text"/>
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Date	<input type="text"/>	Date	<input type="text"/>
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**This form should be attached to a Statutory Declaration form before the declaration is made. Reference to this form should be made within the declaration.**