

Transfer of Pre-Purchased Exclusive Right of Burial Application



(This application is for the transfer of a pre-purchased burial or ashes plot ahead of the time the actual plot is required for interment.)

Applicant:

Current Holder: Executor / Assignee

Plot Owner Details:

(Details of Person who is the current Holder of the Exclusive Right of Burial):

Full Name: _____

Address: _____

Phone: _____ Mobile: _____ Email: _____

Plot Details:

Certificate Number of current Exclusive Right of Burial: _____

Name of Cemetery: _____

Plot Location Details: _____

New Plot Owner Details:

(Details of Person who will be the new Holder of the Exclusive Right of Burial):

Full Name: _____

Relationship to plot owner: _____

Address: _____

Phone: _____ Mobile: _____ Email: _____

Declaration:

I hereby agree to the transfer of the Certificate of Exclusive Right of Burial for the named cemetery and plot set out above to the New Plot Owner, also as set out above.

Transferor Signature (or person authorised to make decisions on behalf of the current Holder of the Certificate of Exclusive Right of Burial): _____ Date: _____

Details of transferor (where not the Holder):

Full Name: _____

Contact: _____

I hereby confirm that as the new named Holder of the Certificate of Exclusive Right of Burial for the named cemetery and plot set out above, I have read and understood the terms and conditions overleaf and agree to be bound by them.

Terms and Conditions for Pre-Purchase of Exclusive Right of Burial

General Matters

1. The Council will not issue a Certificate of Exclusive Right of Burial until the prescribed fee set out in the Council's schedule of Cemetery Fees is paid in full.
2. The application fee only relates to the purchase of the exclusive right of burial and administration associated with processing the application. Other fees will be payable at the time of interment.
3. A Certificate of Exclusive Right of Burial for a plot will be issued with the person's name who is to be interred in that plot and that person becomes the Holder of the exclusive right of burial.
4. A person cannot be the Holder of more than one exclusive right of burial.
5. An exclusive right of burial cannot be purchased for a burial plot if that burial plot is to be used only for an ashes interment.
6. Exclusive rights of burial may not be on-sold by the Holder of the right to any other party apart from the Council. Only the Council may sell exclusive rights of burial for Council administered cemeteries.
7. The Holder of an exclusive right of burial may designate an assignee to administer the right of burial if the Holder is no longer able to. This assignee will be considered the primary person able to make decisions regarding the exclusive right of burial if the Holder is deceased or incapacitated. If no assignee is designated or available, the executor of the estate of the Holder will have responsibility for decisions regarding the exclusive right of burial. (The Council may satisfy itself as far as practicable that a person is eligible to make any such decisions.)

Burials

8. The Holder of an exclusive right of burial must comply with any conditions imposed by the Council before a burial may take place.

Natural Burial Areas

9. There is no option for purchasing plots in designated natural burial areas except at the time a plot is required and used. At this time the adjoining plot space can be purchased and a Certificate of Exclusive Right of Burial issued in the name of the person on the Application and Agreement for Exclusive Right of Burial form.

Transfer of Rights

10. The Holder of an exclusive right of burial may transfer that right to a close relative subject to the approval of the Council and on payment of any prescribed transfer fee.
11. An assignee or executor of an estate can transfer ownership of an exclusive right of burial, or change the parties named as holding an exclusive right of burial, by completing an Application and Agreement to Vary an Existing Exclusive Right of Burial Form.

Unwanted Exclusive Right of Burial

12. Where the Holder of the exclusive right of burial (or assignee or executor) no longer wishes to use the exclusive right of burial, the Council may at its discretion purchase the right back. This shall be on such terms and conditions as Council thinks fit, provided that the price refunded shall not be less than the original purchase price. Exclusive rights of burial that have been bought back may be resold by the Council.

Duration of Burial Rights

13. If after 60 years no burial has taken place in a purchased plot, the exclusive right of burial will revert back to the Council with no entitlement for refund of the original purchase price. The Council may resell the plot to the original Holder in the first instance if no burial has taken place and if the Holder wishes to retain that plot.
14. If the Holder of the right is unable to be located, then the exclusive right of burial reverts back to the Council in accordance with section 10 of the Burial and Cremation Act 1964 with no right of refund. Such plots may be resold by Council.

Record No. 2095069