



## **THETFORD TOWN COUNCIL – GRANT OF EXCLUSIVE RIGHT OF BURIAL**

### **Grave deeds and ownership**

Many people believe that if they hold the Grave Deed this means they are the grave owner, but for Thetford Town Council to recognise the owner, that person must be specifically named on the deed, and registered with the council in the grave register.

### **Can more than one person own the right of burial?**

Yes. Legally, a number of people can jointly own the right of burial. This may be sensible in some circumstances, but you should bear in mind that before a grave can be opened for a burial, or a memorial placed or altered, all owners must agree in writing. This could cause problems if one or more of the joint owners are unavailable – perhaps on holiday, or there is a family dispute – and this permission cannot then be obtained.

All grave owners have a legal right to be buried in the grave, and permission from any other owner is not required. When there are a number of grave owners and one dies, the rights are shared by the remaining owners. The last surviving owner only can pass on the rights at death.

### **What does 'exclusive right of burial' mean?**

When a grave is 'purchased' this refers to the purchasing of the exclusive right of burial in a grave space and not the purchase of the land itself. This means that you do not own the land nor have any automatic right to place anything on that land, but have the exclusive right, during the period stated in the Grant of Exclusive Right of Burial, to say who can be buried in the grave. Also, provided that you do not, during your lifetime, transfer the right to another person, and provided that the period stated on the Grant of Exclusive Right of Burial has not expired, you can choose to be buried in the grave yourself.



### **Who owns the 'Grant of Exclusive Right of Burial'?**

A grant of exclusive right of burial is always issued to the grave owner(s). This should be kept in a safe place, as it will be needed should there be a further burial in the grave at some point in the future. No burials or changes to memorials can be authorised without the permission of the owner(s) of the exclusive right of burial.

### **Can I transfer the exclusive right of burial to someone else?**

Yes. The Exclusive Rights of Burial may be transferred at any time. However, this transfer must be carried out by the council and no other form of transfer can be recognised.

This can be quite a complex process and we advise you to speak with Thetford Town Council beforehand. You may also wish to consider getting your own legal advice before completing any forms. We can give guidance and advice but are not able to complete forms on your behalf.

### **What If I change address?**

Please notify us as it is important to keep our records up to date and contact you should the need arise.