

Transfer of Ownership Grant of Probate Form

This 'Grant of Probate Form' must be delivered to the Worthing Crematorium, Cemetery Section, Horsham Road, Findon, Worthing, West Sussex BN14 0RG

This form must be completed in **BLOCK CAPITALS** in ink and be fully and accurately stated.

For assistance in completing this form or to request a hard copy please call 01903 872678 or email cemetery@adur-worthing.gov.uk

The fee for this service can be paid either over the telephone or via an online link. Receipts will be emailed following all forms of payment.

Guidance notes for completing a Transfer of Ownership Form using a Grant of Probate

Where there is an estate of value (typically exceeding £10,000) then the last Will and Testament of the deceased will be proven and registered in the High Court of Justice. Following this process the Court will issue a 'Grant of Probate'. This vests in the Executor¹ the Administration of the deceased's estate.

Transfer of the Exclusive Right of Burial (or grave ownership) is typically not specified in any Will but does form part of the residual/residuary estate of the deceased.

Either the original Grant of Probate or a copy bearing the impressed seal of the Court must be provided to the Cemeteries Service for the transfer of ownership to complete.

The Executor is then responsible for the transfer of the Exclusive Right of Burial to the rightful person(s) named in the last Will and Testament.

Where the Executor is not the rightful owner of the Exclusive Right of Burial, according to the Will, then this form must be submitted with the Form of Assent at the same time.

The requirement for this form 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. It is a procedure used by burial and crematoria authorities in England in accordance with the Local Authorities' Cemeteries Order 1977.

¹ Executor may also mean Trustee or Personal Representative. There may also be more than one Executor and where this is the case all Executors must complete this form.

Section 1. Details of Executor

Full name			
Full address and postcode			
Email		Telephone	

Section 2. Details of Grave

Name of deceased Owner			
Cemetery			
Grave & Section Number		Deed Number	

Section 3. Transfer of Ownership

I / We being the Executor(s)/Trustee(s) of the Will of the above named owner of the Exclusive Right of Burial proved in the presented sealed Grant of Probate apply for the transfer of the Exclusive Right 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 hereof.

Further, I understand that the ownership of the Exclusive Right of Burial will rest with the Executor named on the Grant of Probate unless there is a further transfer in accordance with any declaration made in the deceased's Will.

I have read, understood and agree with the above statement, the accompanying leaflet 'Exclusive Right of Burial – Your rights and responsibilities' and further agree to comply with the Cemeteries Regulations.

Signature of Executor		Date	
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