

Guidance for Transfer of Right of Burial

Meanings

- **Applicant** - The person requesting to become the lair holder
- **Lair** - Burial plot
- **Present lair holder** – Name of person who currently owns the lair (this person may be deceased)
- **Authorised person** - A member of Notary Public, Justice of the Peace or Commissioner for Oaths
- **Declared at** – Place/address of authorised person signature
- **Signature witness** – Witness to verify the authorised person's signature

Authorised Person

- [Justice of the Peace](#)
- [Find a Solicitor](#)
- [Notary Public](#)
- [East Lothian Councillors](#) (local councillors can provide this service for free)**

**If you live outside of East Lothian, any elected member of local authority can provide this service.

Further Information

- Burial and Cremation (Scotland) Act 2016 [Legislation](#)

Cost of Transfer

- £82.69



John Muir House
Haddington
East Lothian
EH41 3HA
bereavement@eastlothian.gov.uk

Declaration for Transfer of Right of Burial

THIS DOCUMENT MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC, JUSTICE OF THE PEACE OR PERSON OTHERWISE AUTHORISED TO COMMISSION OATHS

Please complete this form in blue or black ink and (except for signatures) entirely in CAPITAL LETTERS

I (full name of applicant)..... **INFORMATION REQUIRED BY APPLICANT**

of (address of applicant)..... **INFORMATION REQUIRED BY APPLICANT**

Email address..... **INFORMATION REQUIRED BY APPLICANT**..... Contact number..... **INFORMATION REQUIRED BY APPLICANT**.....

Relation to present lair holder..... **INFORMATION REQUIRED BY APPLICANT**

solemnly and sincerely declare being the legal successor to the Right of Burial for the following grave:

Lair..... **INFORMATION REQUIRED BY APPLICANT**..... Cemetery..... **INFORMATION REQUIRED BY APPLICANT**
(including section)

at present in the name of..... **INFORMATION REQUIRED BY APPLICANT**

of (address of former rightful owner)..... **INFORMATION REQUIRED BY APPLICANT**

.....
do hereby request the transfer of the said Right of Burial to myself, on payment of the appropriate fee, and I undertake to fully and promptly indemnify East Lothian Council against any expense, loss, injury or damage claims for action which may arise out of the transfer.



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If any other persons are equally entitled, I have obtained their consent that I should be

named so **INFORMATION REQUIRED BY APPLICANT** (present lair holder) had never assigned the benefit of the grave rights to any other person or specified any reservation for any particular person.

Signature of applicant..... **INFORMATION REQUIRED BY APPLICANT** Date:..... **INFORMATION REQUIRED BY APPLICANT**

Declaration in the presence of a Notary Public, Justice of the peace or Commissioner for Oaths (authorised person)

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declaration Act 1835.

Declared at..... **INFORMATION REQUIRED BY AUTHORISED PERSON** **INFORMATION REQUIRED BY AUTHORISED PERSON**
INFORMATION REQUIRED BY AUTHORISED PERSON **INFORMATION REQUIRED BY AUTHORISED PERSON** **INFORMATION REQUIRED BY AUTHORISED PERSON**
This....AUTHORISED PERSON.....day of.....AUTHORISED PERSON.....20.....AUTHORISED PERSON

Full name of authorised person..... **INFORMATION REQUIRED BY AUTHORISED PERSON**

Signature of authorised person..... **INFORMATION REQUIRED BY AUTHORISED PERSON**

Job title of authorised person..... **INFORMATION REQUIRED BY AUTHORISED PERSON**

Office Address..... **INFORMATION REQUIRED BY AUTHORISED PERSON**

Signature of Witness..... **INFORMATION REQUIRED BY WITNESS**

INFORMATION REQUIRED
This...BY WITNESS.....day of..... **INFORMATION REQUIRED BY WITNESS** **INFORMATION REQUIRED BY WITNESS**
.....20.....BY WITNESS

Full Name..... **INFORMATION REQUIRED BY WITNESS**

Address..... **INFORMATION REQUIRED BY WITNESS**