



# St. John's Archdiocese Inc.

## Cemetery Operations Standard

### Right of Internment

May 17, 2024

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**Right of Internment:** The 'Right of Internment' means a right for committal of human remains to a ground plot or columbaria in a niche in perpetuity. The Roman Catholic Archdiocese of St. John's (the "Archdiocese") shall be responsible for maintaining the ground, the columbaria, and ensuring the remains are forever undisturbed. Please be aware that the 'Right of Internment' is only available upon death. Reserve rights are not available. Also, note that a burial permit and/or cremation certificate is required, and all fees must be paid before any committals can be made.

**Requests for Internments:** A 'Committal Request Form' must be completed before any committals can be made in any cemetery plot or niche. This form is normally completed by the funeral home when a family arranges a funeral; however, this form can also be completed by a family when a committal is being arranged without the services of a funeral home. The 'Committal Request Form' must be signed by one or more members of the family who have the authority to grant permission for internment in the plot or niche.

**Succession Rights of Internment:** Succession rights of internment rest with the members of the immediate family of those in the plot or niche. Immediate family is defined as: spouse, parent, grandparent, step-parent, child, grandchild, step-child, sibling, step-sibling, and in-laws. If a family has specific instructions for the Archdiocese regarding who is permitted to be committed to the plot or niche, they should provide these instructions to the Archdiocese in writing as soon as possible. In the event of any dispute regarding committals to a plot or niche, the Archdiocese will treat these matters as an internal family matter to be resolved within the family. Families are advised to seek legal advice and are informed that the Archdiocese will not make a final decision on behalf of any family member.

**Transfer of Right of Internment:** If there are no committals to the plot or niche, a family may transfer the right of internment to another family, or relinquish their rights back to the Archdiocese. This transfer or relinquishment must be executed using the '**Statutory Declaration Form**' included in this standard package. In the case of rights being relinquished back to the Archdiocese, the Archdiocese will refund the monies paid at the time the right was granted, with no allowance for interest. In such cases, the family relinquishing the right must provide the original plot certificate or other proof of payment for the plot or niche. Before any refunds will be made, the family must remove any and all monuments from the plot. In the case of rights being transferred to another family, the signed '**Statutory Declaration Form**' must be received and processed by the Archdiocese before the transfer of rights is complete.

**Exchange of Rights to Ground Plot for Rights to Niche:** Reserved ground plot(s) can be exchanged for a reserved niche. Payments received for the ground plot(s) will be credited towards the fees for the niche. There will be no allowance for interest. Right of internment to the ground plot(s) must be relinquished before the reserve niche is assigned and confirmed.



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**STATUTORY DECLARATION FORM**

*This declaration is to be used when transferring the Right of Internment to another person or family when relinquishing the Right of Internment back to the Archdiocese.*

**Cemetery, Plot #, Certificate #:** \_\_\_\_\_

**Name & Address of Current Rights Holder:** \_\_\_\_\_

\_\_\_\_\_

**Name & Address of New Rights Holder (family name or Archdiocese):** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Name & Address of person/family with legal authority to transfer/relinquish Rights:**

\_\_\_\_\_

\_\_\_\_\_

The statements made above are true and shall be relied upon by the Archdiocese and its officers and employees. The persons signing this **Statutory Declaration** know that it is a criminal offence to sign a false affidavit.

I make solemn declaration, conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath by virtue of the Canada Evidence Act.

Dated at St. John's, Newfoundland & Labrador this \_\_\_\_\_ day of \_\_\_\_\_ in the year of **20**\_\_\_\_\_.

\_\_\_\_\_  
*Signature of the Person Transferring/Relinquishing Internment Rights*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Confirmation of Receipt by Roman Catholic Archdiocese*

\_\_\_\_\_  
*Date*

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**<https://www.rcsj.org>**

*Vox Clamantis in Deserto*

*"A Voice Crying in the Wilderness"*