

1. Applicant

Family Name		First Name	
Home Address (N ^o , Street, P.O. Box, Municipality, Province, Country, Postal Code)			
Phone number - Home	Phone number - Work	Phone number - Cellular	E-mail
Relationship with the deceased			

2. Exhumation required

Cemetery where exhumation will take place			
Name of the deceased to be exhumed		First Name	
Place and date of death	Year / Month / Day	Place and date of burial	Year / Month / Day
Reason for transfer			
<input type="checkbox"/> Said deceased did not die of a contagious disease.			
<input type="checkbox"/> The place where the body of said deceased is presently buried is clearly identified. Indicate the lot number: _____.			

3. Transfer requested

<input type="checkbox"/> In another lot in the same cemetery. Indicate the lot number: _____.
<input type="checkbox"/> To another cemetery. Indicate the name of the cemetery: _____ and the lot or niche number _____.

4. Declaration

<input type="checkbox"/> I am the executor of the above named deceased. If not, the executor must give permission by signing below:
_____ Signature of executor
<input type="checkbox"/> I am the legatee of the lot in which the decedent lies. If not, the legatee must give permission by signing below:
_____ Signature of legatee
<input type="checkbox"/> No member of the deceased family or of the estate objects to this exhumation.
I, the undersigned applicant, declare that I meet the conditions listed above, I certify that the deceased body will be buried as indicated and I have full authority to make this request on _____.
_____ Signature of applicant

Permission of the ecclesiastical authority

Authorization granted according to the said request and for ecclesiastical purposes In conformity with the "Loi sur les inhumations et exhumations, L.R.Q. I-11, art. 16 (3)."

Done and signed in Gatineau, this _____.

(SEAL)

_____ Signature of the Ordinary of Gatineau

With this authorization, you have first to report yourself to the National Public Health Director (Directeur national de santé publique), and to a judge of the Superior Court of Quebec (Law on funeral activities, art. 56.)

- Original to the applicant
- Copy to Chancery

REQUEST FOR EXHUMATION OF A BODY

Procedure to follow

1. Ecclesiastical Authorization

The requesting party must first complete the appropriate request form and return it to the Diocesan Chancery to obtain the required ecclesiastical authorization. The fees for each request is fifty dollars (\$50.00) and payment must accompany the form. If there is more than one body to be exhumed, a separate form must be completed for each exhumation.

In certain circumstances, the requesting party may be required to prove that no one (deceased family member, estate, executor, legatee or lot owner) objects to the requested exhumation.

For all other details related to this request and the required ecclesiastical authorization, please contact the Chancery of the Diocese of Gatineau:

180 Mont-Bleu Boulevard
Gatineau, Québec J8Z 3J5
Phone: 819-771-8391
Fax: 819-778-8969

2. Civil Authorization for exhumation of a body

For the exhumation of a body, the requesting party must also make sure to obtain civil authorization. With the ecclesiastical authorization, the petitioner must go to the Superior Court of Quebec Directeur national de la santé publique, in the judicial district where the exhumation is to take place, to obtain the civil authorization (*Loi sur les activités funéraires, art. 56*). It should be noted that some judicial districts may require that the application for exhumation in Superior Court be made by a lawyer.

For more information on the procedure to follow and the fees payable, contact the office of the Superior Court of Quebec.

3. Exhumation

With the ecclesiastical and civil authorizations (as the case may be), the requesting party contacts the person in charge of the cemetery where the exhumation will take place, in order to establish the procedures.

For information on the procedure and the fees charged, contact the office of the cemetery administrator or the corporation of the cemetery where the deceased is buried.

September 2021

REQUEST FOR EXHUMATION OF A BODY

Reasons for denying a request

The Roman Catholic Archbishop of the Diocese of Gatineau, represented by his Chancellor, **always grants permission to exhume a body** provided that a request is justified, that the applicant proves his or her right and that third parties who also have rights do not object.

However, **permission to exhume may be denied**, even if the request appears justified:

- a) When the requesting party does not justify his or her right to exhume.
- b) When the rightful claimants object to the exhumation without the requesting party proving that his or her right outweighs that of the objectors: for example, a requesting party initially waived his or her right by agreeing to have a person buried in a lot that is not his or her own.
- c) When an exhumation request is threatened with civil action by the objectors to the exhumation for breach of rights or contract: for example, one of the objectors is the rightful grantee of the lot in the church cemetery in which a deceased person is buried; the grant contract and cemetery regulations, approved and authorized by the Roman Catholic Archbishop of Gatineau, give him the exclusive right to bury in that lot. He then has the right to control the exhumations in his plot.
- d) When the deceased has specifically requested a cemetery for his burial (respect for last wishes).
- e) When family members initially agree that a deceased person should be buried in a particular location, but dissent arises after burial.
- f) When a place of burial has been determined by law¹ because the decedent did not specifically indicate a cemetery for burial and those responsible for the burial did not agree, and still do not agree at the time of the exhumation request.

September 2021

¹ Canon law resolves the issue by stipulating where the deceased is to be buried, canon 1180 - §1: *"If the parish has its own cemetery, the faithful deceased are to be buried there, unless another cemetery has been legitimately chosen by the deceased himself or by those whose duty it is to care for his burial."*

AFFIDAVIT

I, the undersigned, _____, domiciled and residing
at _____, district of _____, declare the
following

- 1.- I am the applicant;

- 2.- I request that the body of _____ currently
buried in lot _____ of the _____
cemetery located at _____ be exhumed for burial in
lot _____ of the _____ cemetery
located at _____;

- 3.- All of the facts alleged in this petition are true to the best of my personal
knowledge.

Signature

Solemnly declared before me at _____

this _____ day of _____

Commissioner of Oaths for the district of _____