

**GENERAL SYNOD
DRAFT PAROCHIAL FEES ORDER 2007**

MEMORANDUM BY THE ARCHBISHOPS' COUNCIL

INTRODUCTION

1. Under the Ecclesiastical Fees Measure 1986¹ ("the 1986 Measure"), most of the fees that the Church of England can charge in respect of marriages and funerals are set out annually in a draft Parochial Fees Order. In general, the fees charged in connection with burials in cemeteries and services in crematoria, monuments in churchyards and searches in church registers are also fixed by this Order. The draft Order is agreed by the Archbishops' Council and laid before the General Synod for its approval; the final Order is also subject to a right of veto by each House of Parliament.
2. In 2005, parochial fees produced around £45m, of which almost £16m contributed towards the cost of paying stipends to the clergy - which represented 8.3% of the total stipends bill. The remainder was raised for PCCs and payments for extras, such as flowers and the services of third parties such as organists and bell ringers.

The Increase from 1 January 2007

3. The Parochial Fees Order 2006, which came into force on 1 January 2007, increased fees by 5% in line with the recommended increase in the National Stipends Benchmark, except for the fee for a marriage service, which was increased by 10%.
4. These increases had been recommended to General Synod by the Archbishops' Council. The 2006 Order was approved by the Synod at the July 2006 Group Sessions after a short debate.
5. In the debate some concern was expressed about the level of fees for burials.

THE CURRENT DRAFT ORDER

The Increase from 1 January 2008

6. At its March meeting this year the Council's Deployment, Remuneration and Conditions of Service Committee (DRACSC) (which has responsibility for making recommendations to the Archbishops' Council on matters of policy to do with parochial fees) considered the concerns expressed in the 2006 Synod debate. DRACSC decided to carry out the annual consultation this year on the basis of a range of increases from 3% to 10%, and to indicate in the consultation that it would be considering whether to recommend a higher than usual increase in burial fees.
7. Those consulted included professional associations of funeral directors, burial and cremation authorities, the National Society of Memorial Masons, the Ecclesiastical Law Association, the Churches Main Committee, the Council for the Care of Churches, the General Register Office, the Association of Family History Societies, as

¹ As amended by the National Institutions of The Church of England (Transfer of Functions) Order 1998.

well as the Bishop of Hereford and the chairman of the Family Life And Marriage Education Network (FLAME).

8. At its May meeting DRACSC, in the light of further information and the responses to the consultation, decided unanimously to recommend to the Council a 3% increase in the level of fees generally, in line with the recommended increase in stipends, but an increase of 10% in the fees for burials.
9. The Archbishops' Council has accepted the recommendation made by DRACSC, particularly in the light of the increasing costs associated with maintaining churchyards.

Parochial Fees Primary Legislation Review Group

10. This group was set up by DRACSC last year, to provide the November 2007 meetings of DRACSC and the Archbishops' Council with
 - draft legislation which makes clear the breadth of the Council's power to set fees and create a statutory instrument to enable minor changes in the scope of fees to be made by order; and
 - draft guidance on good practice to address the practical problems and questions that arise in relation to fees.
11. The group has now met five times, and intends to present draft legislation and draft guidance to DRACSC and the Council as requested. It is expected that draft legislation will come to Synod in February 2008.

Conclusion

12. Under the Ecclesiastical Fees Measure 1986, as amended by the National Institutions of the Church of England (Transfer of Functions) Order 1998, the draft Order has to be laid before General Synod. Where the Business Committee determines that a draft Parochial Fees Order does not need to be debated by the Synod, the draft Order shall be deemed to have been approved by the General Synod without amendment unless notice is given by a member of General Synod that he or she wishes the draft Order to be debated.
13. The General Synod is, therefore, invited to approve the draft Parochial Fees Order 2007 (GS ABCD) which the Council has submitted.
14. If it is so approved, the Council will make the Order by sealing it. It will thereafter need to be laid before both Houses of Parliament in accordance with legal requirements. If Synod amends it, the Council has the option of *either* sealing the Order as amended by Synod *or* withdrawing the Order for further consideration. The effect of the latter would be that the 2006 Order would remain in force for the time being, as a new Order cannot become law until it has been sealed by the Council.

Published by the General Synod of the Church of England and on sale at the Church House Bookshop, 31 Great Smith Street, London SW1P 3BN