

MEMORANDUM BY THE ARCHBISHOPS' COUNCIL

INTRODUCTION

1. The Parochial Fees Order 2002, which came into effect on 1 January 2003, increased fees by 4% in line with the forecast increase in average earnings.
2. The reduction of the maximum dimension for cremation tablets in the 2001 Fees Order had created problems, as the reduced maximum dimensions were smaller than the usual dimensions for cremation tablets in some churchyards. Accordingly, in the 2002 Order, the wording was changed so that a lower fee should apply to any tablet, plaque or marker commemorating a person whose remains have been cremated, where that memorial is permitted in accordance with rules, regulations or directions made by the chancellor, including those relating to a particular churchyard or part of a churchyard. However, in the case of a monument in a churchyard which is erected under the authority of a *particular* faculty, the Order provided, as formerly, for the Chancellor to determine the fees and to specify the person or persons entitled to receive them.
3. The 2002 Order was approved by Synod at the July 2002 Sessions after a brief debate. During the debate the Revd Chris Lilley proposed various amendments to the 2002 Order, including a 50% increase in the fee for marriage services, and a 100% increase in the fee for funeral services. These amendments were lost.
4. During the debate, the Archdeacon of Surrey asked the Archbishops' Council, through its committees, to consider two proposals before a fresh Order came to the Synod in 2003. These were:
 - (i) Whether parishes might have the discretion to charge and determine churchyard maintenance fees; or
 - (ii) If that were not possible, whether the present system of a single national fee should perhaps be changed to allow PCCs, possibly in discussion with dioceses, to determine what is an appropriate burial fee in the light of their particular costs and in the light of charges made at local authority cemeteries.
5. Following this debate, the Ministry Division asked the Legal

Advisory Commission for an opinion on a number of legal issues regarding parochial fees, including those which arose from the Archdeacon of Surrey's proposals. It was clear from the Commission's work that there were substantial differences of view on important questions regarding the scope and legal effect of the existing provisions on parochial fees in the Ecclesiastical Fees Measure 1986. Given the lack of any clear consensus on these matters, the Commission's general view was that it would only be possible to secure a proper fee income for the Church if the existing legislation was amended or replaced.

6. Consideration is, therefore, being given as to how it might be possible to amend or replace the existing legislation, in the context of the other work and competing priorities facing the 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.

7. The 2002 Fees Order has attracted very little adverse comment.

THE CURRENT DRAFT ORDER

The Increase from 1 January 2004

8. Last year the Council took the view that there might be scope for different levels of increase in fees for funeral services and marriages, but that there was very limited scope for increases in the level of funeral fees.

9. Accordingly, DRACSC carried out substantial consultations with organisations that have an interest in the level of parochial fees. These include professional associations of funeral directors, burial and cremation authorities, and 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, and the Association of Family History Societies. In addition, a small number of clergy and members of Family Life And Marriage Education Network (FLAME), including the joint chairs of the trustees, were asked for their views on increases in the fees for marriage services as shown below.

	Incumbent's Fee	PCC Fee	Total Fee
Current fee	£78	£84	£162
(i) 4% increase(in line with forecast Average Earnings)	£81	£87	£168
(ii) 50% increase	£114	£126	£240
(iii) 100% increase	£156	£168	£324

10. After debate, DRACSC unanimously recommended to the Archbishops' Council an increase of 4% (in line with the forecast increase in average earnings) from 1 January 2004 for all fees (including those for banns of marriage) except for marriage services. For these it recommended a 50% increase (from £162 to £240).

11. The 50% increase in marriage fees was accepted by some of those consulted, as it would have produced a figure broadly comparable with the average figure charged by registrars for marriages at "approved premises". (Costs for services at approved premises vary according to local authority area, with many approaching £300, when fees for the notice of the marriage and the marriage certificate are included. This compares with a basic cost for a Register Office wedding of just under £100.) However, others strongly urged for an increase of no more than that in the cost of living.

12. The Council agreed with DRACSC's recommendation of a general increase of 4%, but rejected the proposal for a 50% increase in marriage fees. Instead it decided to increase the marriage fee by 10% from £162 to £180. In coming to this view, the Council was mindful that the number of Church of England marriages has been continuing to fall (both as a figure and as a proportion of the total number of marriages). Occasional offices are a very important part of the Church's outreach. Although it is possible for fees to be waived in certain circumstances, the Council had concerns that efforts to encourage people to make use of what the Church has to offer could be damaged if increases in fees were too high.

13. The Council was sympathetic to the argument that there might be a case for further above inflation increases in the fees for marriages in the future, but saw that as something which would need to be decided in the light of circumstances at that time, including, not least, the marriage law review and changes likely to flow from that.

CONCLUSION

14. The General Synod is, therefore, invited to approve the draft Parochial Fees Order 2003 (GS 1509) which the Council has submitted.

15. If it is so approved in the terms proposed by the Council, the Council will make the Order by sealing it. It will thereafter need to be laid before both Houses of Parliament. 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. In the latter case, the 2002 Order would remain in force until replaced by a new Order which had been approved by the Synod and sealed by the Council; the first occasion on which such an Order could be brought to the Synod would be at the February 2004 Group of Sessions.

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