

Draft Order laid before the General Synod under section 2(1) of the Ecclesiastical Fees Measure 1986, for approval by the General Synod.

S T A T U T O R Y I N S T R U M E N T S

2019 No.

ECCLESIASTICAL LAW, ENGLAND

**The Parochial Fees and Scheduled Matters Amending Order
2019**

<i>Made</i>	- - - -	***
<i>Laid before Parliament</i>		***
<i>Coming into force</i>	- -	***

In accordance with section 2(1) of the Ecclesiastical Fees Measure 1986(a) (“the Measure”) a draft of this Order has been laid before, and approved by, the General Synod.

The Archbishops’ Council, in exercise of the powers conferred by sections 1(1) to (4) and (6) and 2 of the Measure, makes the following Order:

PART 1

Citation, commencement and interpretation

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Parochial Fees and Scheduled Matters Amending Order 2019.

(2) It comes into operation on 1st January 2020.

(3) In this Order “the Measure” means the Ecclesiastical Fees Measure 1986.

PART 2

Amendment of Scheduled Matters

Amendment of Part 1 of Schedule A1 to the Measure

2.—(1) Part 1 of Schedule A1 to the Measure (table of matters to which Parochial Fees relate) is amended as follows.

(a) 1986 No. 2; relevant amendments were made by S.I. 1998/1715, the Ecclesiastical Fees (Amendment) Measure 2011 (2011 No. 2), S.I. 2012/993 and S.I. 2014/813.

(2) In the heading “FUNERALS AND BURIALS OF PERSONS AGED 16 YEARS OR MORE” for “16” substitute “18”.

(3) Under that heading, under “B. No service in Church”—

(a) after “Funeral service in crematorium or funeral service (including burial of body or burial or other lawful disposal of cremated remains) in cemetery” insert—

“Funeral service in premises belonging to funeral director, whether taking place before or after burial or cremation

Cremation immediately preceding or following on from funeral service in premises belonging to funeral director”.

(b) after “Burial of cremated remains in churchyard or other lawful disposal of remains (committal only)” insert—

“Burial of body, or burial or other lawful disposal of cremated remains, in cemetery (committal only)”.

Amendment of Part 2 of Schedule A1 to the Measure

3.—(1) Part 2 of Schedule A1 to the Measure (explanatory notes on Part 1) is amended as follows.

(2) In paragraph 1, omit “In relation to the fee for a burial in a churchyard,”.

(3) For the cross-heading to paragraph 2 substitute “Burial of child”.

(4) In paragraph 2, for “16 years” substitute “18 years”.

(5) In paragraph 6, for the definition of “cemetery”, substitute—

““cemetery” means any burial ground other than a churchyard”.

PART 3

Parochial Fees

Period for which fees are prescribed

4. This Part prescribes parochial fees for the period 1st January 2020 to 31st December 2024.

Base figures

5. In this Part “the base figure” for a matter listed in the first column of the table in Schedule 1 is the amount specified in respect of that matter in the second column of the table for the diocesan board of finance or (as the case may be) in the third column for the parochial church council.

Prescribed fees

6.—(1) Parochial fees are payable to a diocesan board of finance and to a parochial church council in respect of each of the matters listed in the first column of the table in Schedule 1 as follows.

(2) The fee payable in the calendar year 1st January to 31st December 2020 is the base figure for that matter—

(a) increased by the percentage by which the Consumer Prices Index (CPI) for August 2019 is greater than that for August 2018, and

(b) rounded up to the nearest £1.

(3) The fee payable in each subsequent calendar year is the fee payable for that matter in the preceding calendar year (“Year A”)—

- (a) increased by the percentage by which the Consumer Prices Index (CPI) for August in Year A is greater than that for August in the calendar year preceding Year A, and
- (b) rounded up to the nearest £1.

(4) But where there is no increase in the Consumer Prices Index (CPI), the percentage for the purposes of paragraph (2) or (3) is to be treated as zero.

Supplementary

7.—(1) Schedule 2 contains incidental provisions that apply in relation to the parochial fees prescribed by article 6.

(2) Article 6 is subject to section 1(8) of the Measure (which provides that where the relevant parish is a parish of which a cathedral is the parish church, any fees which would, apart from that subsection, be payable to the parochial church council or to the diocesan board of finance, are instead payable to the corporate body of the cathedral).

The draft of this Order was approved by the General Synod on
Church House, Westminster

J. Philips
Clerk to the Synod

The Common Seal of the Archbishops' Council was affixed on



Church House, Westminster

Name
Name

SCHEDULES

SCHEDULE 1

Article 5

Parochial Fees: base figures

<i>Matter</i>	<i>Diocesan board of finance</i>	<i>Parochial church council</i>	<i>Total</i>
	<i>£.p</i>	<i>£.p</i>	<i>£.p</i>
BAPTISMS			
Certificate issued at time of baptism	0	14.00	14.00
Short certificate of baptism given under Section 2 Baptismal Registers Measure 1961	0	14.00	14.00
MARRIAGES			
Publication of banns of marriage	0	30.00	30.00
Certificate of banns issued at time of publication	0	14.00	14.00
Marriage service in church (*)	207.00	248.00	455.00
FUNERALS AND BURIALS OF PERSONS AGED 18 YEARS OR MORE			
<i>A. Service in church</i>			
Funeral service in church, whether taking place before or after burial or cremation (*)	106.00	89.00	195.00
Burial of body in churchyard immediately preceding or following on from service in church	13.00	300.00	313.00
Burial or other lawful disposal of cremated remains in churchyard immediately preceding or following on from service in church	13.00	121.00	134.00
Burial of body, or burial or other lawful disposal of cremated remains, in cemetery immediately preceding or following on from service in church	28.00	0	28.00
Cremation immediately preceding or following on from service in church	28.00	0	28.00
Burial of body in churchyard on separate occasion	41.00	300.00	341.00
Burial of cremated remains in churchyard or other lawful disposal of remains on separate	41.00	121.00	162.00

occasion

Burial of body, or burial or other lawful disposal of cremated remains, in cemetery on separate occasion	55.00	14.00	69.00
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B. No service in church

Funeral service (including burial of body) at graveside in churchyard	106.00	300.00	406.00
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Funeral service (including burial or other lawful disposal of cremated remains) in churchyard	106.00	121.00	227.00
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Funeral service in crematorium or funeral service (including burial of body or burial or other lawful disposal of cremated remains) in cemetery	195.00	0	195.00
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Funeral service in premises belonging to funeral director, whether taking place before or after burial or cremation	195.00	0	195.00
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Cremation immediately preceding or following on from funeral service in premises belonging to funeral director	28.00	0	28.00
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Burial of body in churchyard (committal only)	41.00	300.00	341.00
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Burial of cremated remains in churchyard or other lawful disposal of remains (committal only)	41.00	121.00	162.00
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Burial of body, or burial or other lawful disposal of cremated remains, in cemetery (committal only)	28.00	0	28.00
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<i>C. Certificate issued at time of burial</i>	0	14.00	14.00
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MONUMENTS IN CHURCHYARDS

Permitted in accordance with rules, regulations or directions made by the Chancellor including those relating to a particular churchyard or part of a churchyard (but excluding a monument authorised by a particular faculty) including inscription on existing monument—

Small cross of wood (†)	13.00	31.00	44.00
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Small vase not exceeding 305mm x 203mm x 203mm or tablet, plaque or other marker commemorating a person whose remains have been cremated (†)	13.00	60.00	73.00
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Any other monument (†)	13.00	127.00	140.00
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Additional inscription on existing monument	13.00	14.00	27.00
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SEARCHES IN CHURCH REGISTERS
ETC.

Searching registers of marriages for period
before 1st July 1837—

for up to one hour	0	30.00	30.00
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for each subsequent hour or part of an hour	0	30.00	30.00
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Searching registers of baptisms or burials
(including provision of one copy of any
entry therein)—

for up to one hour	0	30.00	30.00
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for each subsequent hour or part of an hour	0	30.00	30.00
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Each additional copy of an entry in a register of baptisms or burials	0	14.00	14.00
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Inspection of instrument of apportionment or agreement for exchange of land for tithes deposited under Tithe Act 1836	0	0	0
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Furnishing copies of above (for every 72 words)	0	14.00	14.00
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SCHEDULE 2

Article 7(1)

Incidental provisions

Certificates and certified copies

1.—(1) — The fee for a certificate issued at the time of baptism is for a certified copy of the entry in the register book of baptisms giving the particulars required in Form No 1 in Schedule 1 to the Parochial Registers and Records Measure 1978(a).

(2) The fees payable for a certified copy of an entry in a register book of baptisms issued at any other time are the fees prescribed for searching registers of baptisms or burials and, if applicable, for each additional copy of an entry in a register of baptisms or burials.

(3) Any fee prescribed under the heading “SEARCHES IN CHURCH REGISTERS ETC.” for a copy of an entry in a register or of an instrument or other document, is for a certified copy; and where provision of a copy is included in the fee for searching a register, that fee includes the provision of a certified copy.

Costs and expenses included in prescribed fees

2. Where a matter is marked (*) in the table in Schedule 1, any costs and expenses incurred in relation to that matter in respect of routine administration (including arranging dates and times and the making of entries in registers), making the church available and lighting it are included in the fee prescribed as payable to the parochial church council.

Parish church cathedrals

3. Where section 1(8) of the Measure applies, paragraph 2 applies as if the reference to the parochial church council were to the corporate body of the cathedral.

Approval of inscriptions

4. The fees prescribed for matters marked (†) in the table in Schedule 1 include fees in respect of the approval of the original inscription by the incumbent.

Burial Laws Amendment Act 1880

5. In the case of a burial under the Burial Laws Amendment Act 1880(b), the fees payable are those prescribed in respect of a funeral service (including burial of body) at graveside in churchyard.

Banns published by layman

6. Where a lay person publishes banns under section 9(2) of the Marriage Act 1949(c), the fees prescribed in respect of the publication of banns of marriage are payable.

Registers in custody of churchwardens

7. Where a churchwarden allows a search to be made in a register of baptisms or burials or gives a copy of an entry in such a register under section 20(1) of the Parochial Registers and Records

(a) 1978 No. 2.

(b) 43 & 44 Vict. c.41.

(c) 12, 13 & 14 Geo. 6 c. 76.

Measure 1978, the fees prescribed in respect of such searches and to the giving of such copies are payable.

EXPLANATORY NOTE

(This note is not part of the Order)

The Order amends Schedule A1 to the Ecclesiastical Fees Measure 1986 (which sets out the matters in respect of which parochial fees may be prescribed) so that funeral and burial fees are no longer payable in respect of persons aged 16 or 17, and so that fees may be prescribed in connection with funerals that are held in funeral directors' premises. It also amends the definition of "cemetery" Schedule A1 so that it includes burial grounds other than those that are maintained by a burial authority.

The Order goes on to prescribe the parochial fees payable for the period 1st January 2020 to 31st December 2024 in connection with marriages, funerals and burials and the erection of monuments in churchyards and in respect of other, miscellaneous matters.