
 STATUTORY INSTRUMENTS

2020 No.

ECCLESIASTICAL LAW, ENGLAND**The Care of Cathedrals (Amendment) Rules 2020**

<i>Made</i>	- - - -	***
<i>Approved by the General Synod</i>		***
<i>Laid before Parliament</i>		***
<i>Coming into force</i>	- -	1st July 2020

The Rule Committee, in exercise of the powers conferred by section 83 of the Ecclesiastical Jurisdiction and Care of Churches Measure 2018(a), makes the following Rules:

Citation, commencement and interpretation

- 1.—(1) These Rules may be cited as the Care of Cathedrals (Amendment) Rules 2020.
- (2) They come into force on 1st July 2020.
- (3) In these Rules, “the 2006 Rules” means the Care of Cathedrals Rules 2006(b).

Substitution of rule 28 of the 2006 Rules

2. The following rule is substituted for rule 28 of the 2006 Rules—

“Inventories

28.—(1) In carrying out its duties under section 24 of the Measure (duty of Chapter to compile and maintain inventory of objects), the Chapter shall—

- (a) make an entry in the inventory for each object within section 24(1)(a), (b) or (c) which the fabric advisory committee considers to be of architectural, archaeological, artistic or historic interest;
- (b) include in the inventory, or in a separate document kept with the inventory and to which the inventory refers, a photographic record of each object for which an entry is made in the inventory (unless the fabric advisory committee advises the Chapter that it considers it unreasonable for a photographic record of the object to be included);
- (c) where an object has been designated under section 24(4) (objects of outstanding architectural, archaeological, artistic or historic interest), record the designation in the entry for that object;
- (d) maintain the inventory, including by—

(a) 2018 No. 3.
 (b) S.I. 2006/1941.

- (i) adding an entry for each object to which sub-paragraph (a) applies which is discovered or acquired by the corporate body after the inventory has been compiled;
- (ii) making any necessary amendments to the entry for an object;
- (iii) recording any work of conservation carried out to an object;
- (iv) recording in the entry for an object, any sale, loan, other disposal or loss of the object;
- (v) correcting any errors in the inventory (including by removing an entry wrongly included in it) in the light of any advice, which may be general or specific, given by the fabric advisory committee.

(2) Any step required to maintain the inventory under paragraph (1)(d) shall be taken as soon as reasonably practicable after the Chapter becomes aware of the need for that step to be taken.

(3) The entry for an object shall describe the object and shall be such as to enable the object to be readily identified and located and, if necessary, to be distinguished from any other, similar object.

(4) The inventory shall be maintained in electronic form (but see paragraph (5)) and the Chapter shall ensure that—

- (a) it is stored securely;
- (b) the data continues to be retrievable;
- (c) a duplicate copy is maintained outside the cathedral precinct—
 - (i) on a separate server; or
 - (ii) on another separate storage medium; and
- (d) a paper copy is generated at such intervals as the Chapter determines.

(5) If on the 1st July 2020 the Chapter is maintaining the inventory in paper form it may continue to do so; but the Chapter must, as soon as it is reasonably practicable for it to do so, take steps so that the inventory is instead maintained in electronic form.

(6) While the inventory is being maintained in paper form under paragraph (5), the Chapter shall ensure that—

- (a) it consists of durable material;
- (b) it is stored securely;
- (c) a duplicate copy is kept in a place outside the cathedral precinct designated by the Chapter; and
- (d) a reproduction of the inventory in electronic form is generated as soon as practicable after 1st July 2020 and subsequently at such intervals as the Chapter determines.

(7) The Chapter shall ensure that—

- (a) no addition, amendment, record or correction is made in the inventory except by a person authorised by the Chapter; and
- (b) no entry in the inventory is deleted (with any loss or disposal of an object being dealt with under paragraph (1)(d)(iv)) except where a correction is made under paragraph (1)(d)(v) to remove an entry that was wrongly included.

(8) The Chapter shall determine which of the information contained in the inventory is to be—

- (a) accessible to the public; and
- (b) accessible only to persons authorised by the Chapter.

(9) Paragraphs (4) to (8) apply to a separate document containing photographic records under paragraph (1)(b) as they apply to the inventory.

(10) The Chapter and the fabric advisory committee shall, in carrying out their functions under section 24 or under this rule, have regard to any relevant guidance issued by the Commission under section 3(3) of the Measure.

(11) In this rule—

- (a) a reference to the Chapter in relation to a function includes a reference to a person authorised by the Chapter to exercise the function on its behalf;
- (b) a reference to an object includes a reference to a group of objects which has been designated as such by the fabric advisory committee.”

Updating of reference

3. In Schedule 2 to the 2006 Rules, in Form 20, for “under section 9(2)”, in both places substitute “under section 10(2)”.

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8th January 2020

EXPLANATORY NOTE

(This note is not part of the Order)

These Rules amend the Care of Cathedrals Rules 2006 (S.I. 2006/1941) by substituting a new rule 28 dealing with the compilation and maintenance by cathedral Chapters of inventories of objects that are considered to be of architectural, archaeological, artistic or historic interest. The new rule 28 updates and improves the existing rule in various respects. The principal changes include requiring the Chapter to keep the cathedral inventory up to date by adding entries, making amendments, recording conservation work, and by recording the sale, other disposal or loss of objects listed in the inventory (paragraph (1)(d) and (2) of new rule 28); requiring the inventory to be in electronic form (subject to transitional arrangements for inventories currently in paper form) (paragraphs (4) and (5)); making provision for the way in which inventories are stored and backed up (paragraphs (4) and (6)); providing for the Chapter to determine which parts of the inventory are to be accessible to the public and which parts are to be accessible only to authorised persons (paragraph (8)); enabling objects which form a specific group to be included as a single entry in the inventory (paragraph (11)(b)).

The new rule 28 comes into force on 1st July 2020.