STATUTORY INSTRUMENTS

1964 No. 1033

ECCLESIASTICAL LAW

The Legal Officers Fees Order 1964

Made (Approved by the Church Assembly)	*6th July* 1964
Laid before Parliament	*10th July* 1964
Coming into Operation	*1st September* 1964

We, the Fees Committee constituted in accordance with the provisions of section one of the Ecclesiastical Fees Measure 1962(a), in the exercise of the powers conferred by that section, do hereby order as follows:—

1. The Tables of Fees set forth in the Schedule to this Order are hereby established and contain particulars of the fees which are to be demanded taken and received by the respective legal officers named in the Schedule for the performance by them after the commencement of this Order of the duties of their offices in relation to the respective matters specified in the Schedule.

2. Save as otherwise provided in this paragraph the Tables of Fees set forth in the Schedule to this Order are established in substitution for the following Tables of Fees:—

(i) The Table commonly called "The Table of Fees fixed by Act of Parliament payable to certain Ecclesiastical Officers";

(ii) The Table of Fees recommended by the Convocation of Canterbury on the 27th day of April 1894;

(iii) The Table of Fees approved by Order of the Privy Council dated the 6th day of October 1908 (b);

(iv) The Table of Fees in the First Schedule to the Ecclesiastical Officers Remuneration Order No. 1 1953(c);

(v) The Table of Fees in Part I of the Second Schedule to the Ecclesiastical Officers Remuneration Order No. 1 1953, save that the fees numbered 3 to 6 and the Appendix to the Table shall continue to have effect;

(vi) The Table of Fees in the Schedule to the Ecclesiastical Officers Remuneration Order No. 2 1953 (d), save that the fees payable in connection with the Reorganisation Areas Measure 1944(e) shall continue to have effect.

3. A fee in the Tables of Fees set forth in the Schedule to this Order, which replaces a fee previously payable in respect of the same matter, is payable for the performance of the same duties as by law or custom were performed for the fee which is replaced. The Rules attached to the Table of Fees approved by Order of the Privy Council dated the 6th day of October 1908, and the Rules contained in the Third Schedule to the Ecclesiastical Officers Remuneration Order No. 1 1953 other than Rule 10, shall cease to have effect.

(a) 10 & 11 Eliz. 2. No. 1. (b) S.R. & O. 1908/879 (Rev. VI. p. 187: 1908, p. 315).
(c) S.I. 1953/1708 (1953 I, p. 593). (d) S.I. 1953/1709 (1953 I, p. 598)
(e) 7 & 8 Geo 6. No. 1.

4. A fee in a Table of Fees set forth in the Schedule to this Order may be increased by a sum for reasonable expenses of travel.

5. Where work for which a fee is payable by virtue of this Order is performed by or on behalf of some person other than the legal officer specified as receiving that fee it shall be payable to that other person.

6. This Order may be cited as the Legal Officers Fees Order 1964, and shall come into operation on the first day of September 1964.

Dated the thirteenth day of May 1964.

Conolly H. Gage.
J. R. Cumming Bruce.
G. G. Hartwright.

Approved by the Church Assembly the sixth day of July 1964.

John Guillum Scott, Secretary.

SCHEDULE

TABLE I

FEES RELATING TO THE CLERGY

Matter	Vicar General or Chancellor	Diocesan Registrar	Secretary to Bishop	Provincial Registrar	Secretary to Archbishop	Chapter Clerk	Total
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1. Ordination	—	1 1 0	4 4 0	—	—	—	5 5 0
2. Certificate of Ordination	—	—	2 2 0	—	—	—	2 2 0
3. Admission to Freehold Office	—	3 3 0 (See Provision 2)	6 6 0	(together with an additional fee of £1 1s. to the Archdeacon's Registrar if induction to a benefice)			9 9 0 or 10 10 0
4. Certificate of Institution or Collation ...	—	—	2 2 0	—	—	—	2 2 0
5. Presentation to a Benefice or Nomination to Perpetual Curacy if prepared by Secretary	—	—	3 3 0	—	—	—	3 3 0
6. Presentation to a Benefice or Nomination to a Perpetual Curacy if prepared by Chapter Clerk	—	—	—	—	—	3 3 0	3 3 0
7. Commission for Institution, Collation or Licence to Perpetual Curacy	—	—	1 11 6	—	—	—	1 11 6
8. Certified Copy of Letters Testimonial ...	—	—	0 10 6	—	—	—	0 10 6
9. Letters Dimissory or Letters of Request ...	—	—	3 3 0	—	—	—	3 3 0
10. Consent to hold Preferment under the Clergy Discipline Act 1892 or the Ecclesiastical Jurisdiction Measure 1963, fees for Provincial Registrar and Diocesan Registrars	—	0 10 6 each	—	4 4 0	—	—	5 5 0
11. Installation to Deanery	—	—	—	—	—	10 10 0	10 10 0
12. Installation to a Canonry or Prebend, whether Residentiary or Honorary, or to an Archdeaconry	—	—	—	—	—	5 5 0	5 5 0

Matter	Vicar General or Chancellor	Diocesan Registrar	Secretary to Bishop	Provincial Registrar	Secretary to Archbishop	Chapter Clerk	Total
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
13. Admission to Minor Canonry	—	—	—	—	—	3 3 0	3 3 0
14. Licence of Minister to Officiate	—	0 10 6	3 3 0 (See Provision 3)	—	—	—	3 13 6
15. Licence under the Colonial Clergy Act 1874	0 10 6	—	—	—	3 3 0	—	3 13 6
16. Permission under the Colonial Clergy Act 1874	—	—	—	—	3 3 0	—	3 3 0
17. Informal Permission under the Colonial Clergy Act 1874	—	—	—	—	1 1 0	—	1 1 0
18. Dispensation to hold two benefices—Archbishop's Secretary for Fiat and Bishop's Secretary for obtaining certificate of value, propulation, etc., and passing the Dispensation through the offices, including the fees £1 12s. 6d. to the Faculty Office	—	—	3 3 0	—	4 14 6	—	7 17 6
19. Licence of Non-residence or for Legalising House of Residence	—	0 10 6	1 1 0	—	—	—	1 11 6
20. Licence of Non-residence or for Legalising House of Residence, additional fee if Confirmation by Archbishop necessary	—	—	—	—	0 10 6	—	0 10 6
21. Resignation Instrument, when prepared by Secretary	—	—	3 3 0 plus 10s. 0d. Stamp Duty	—	—	—	3 13 0

Provisions relating to Table I

1. Save in the case of the fees for the Chapter Clerk which are payable out of Capitular Revenues the fees in this Table are the liability of the Archbishop or Bishop, and section 5 of the Ecclesiastical Fees Measure 1962 applies to them.

2. Fees payable in respect of Admission to Freehold Office are in substitution for fees previously payable in respect of the Collation, Institution and Induction to a Benefice, the Licensing of a Perpetual Curacy and the Collation to an Honorary Prebend or Canonry or to a Canonry. The fees are also payable in respect of Institution to a Deanery.

3. Fees payable in respect of a Licence of a Minister to officiate are in substitution for fees previously payable in respect of the licence of a Curate (including the fee payable for the copy of the licence for the Churchwardens) and licences of the Minister of a Peel District, a Lecturer, a Public Preacher, a Master of a School, a Minister of a Proprietary Chapel, a Minister under the Private Chapels Act and a Cemetery or Hospital Chaplain. The fee is also payable for a licence of a Curate of a Conventional District or for any other licences of a Minister to officiate.

TABLE II

FEES RELATING TO THE ADMISSION AND RESIGNATION OF BISHOPS

Matter	Vicar General	Registrar	Secretary to Archbishop	Total
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1. Confirmation, Consecration and Enthronement of Diocesan Bishop in the Province of Canterbury	15 15 0	152 15 6 (See Provision 1)	36 15 0	205 5 6
2. Confirmation, Consecration and Enthronement of Diocesan Bishop in the Province of York	15 15 0	132 13 0 (See Provision 3)	36 15 0	185 3 0
3. Confirmation and Enthronement only of Diocesan Bishop in the Province of Canterbury	15 15 0	131 15 0 (See Provision 2)	36 15 0	184 5 0
4. Confirmation and Enthronement only of Diocesan Bishop in the Province of York ...	15 15 0	111 13 0 (See Provision 3)	36 15 0	164 3 0
5. Election documeats for use by Chapter if prepared by Registrar	—	12 12 0	—	12 12 0
6. Consecration of Suffragan Bishop	—	43 11 6	52 10 0	96 1 6
7. Resignation of a Diocesan or Suffragan Bishop	—	—	28 17 0	28 17 0
8. Commission to hold Confirmation during vacancy	—	3 3 0	—	3 3 0
9. Commission to Ordain during vacancy	—	5 5 0	—	5 5 0

Provisions relating to Table II

1. The fees payable in the above Table are payable in respect of the work customarily done by the several Legal Officers therein specified in connection with the matters set out in the first column, and are the liability of the Diocesan Bishop, and section 5 of the Ecclesiastical Fees Measure 1962 applies to them.

2. The Registrar of the Province of Canterbury shall be under a duty to make to the following persons or where applicable to the person carrying out the duties customarily performed by them the following payments out of the fee received by him in respect of the Confirmation, Consecration and Enthronement of a Diocesan Bishop:—

	£	s.	d.
The Registrar of the Archdeacon of Canterbury	12	12	0
The Apparitor General	5	15	6
Record Keeper	2	2	0
Rector of St. Mary le Bow	2	2	0
Parochial Church Council of St. Mary le Bow	3	3	0
Bishop's Advocate	3	3	0
Bishop's Proctor	4	4	0

3. The Registrar of the Province of Canterbury shall be under a duty to make the payments set out in the preceding provision out of the fee received by him in respect of the Confirmation and Enthronement only of a Diocesan Bishop save that the payment to the Apparitor General shall be a sum of £3 3s.

4. The Registrar of the Province of York shall be under a duty to make the same payments to the Apparitor General, the Record Keeper, the Bishop's Advocate and the Bishop's Proctor as are required to be made by the Registrar of the Province of Canterbury under the two preceding provisions on the occasions specified in those provisions.

TABLE III

FEES RELATING TO CHURCHES, CHURCHYARDS, ETC.

Matter	Vicar General or Chancellor	Diocesan Registrar	Secretary to Bishop	Total
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1. Consecration of a Church and Burial Ground or a Church without a Burial Ground	4 4 0	15 15 0	1 1 0	21 0 0
2. Consecration of a Cemetery or Burial Ground	3 3 0	11 11 0	1 1 0	15 15 0
3. Preparation and Registration of documents required under the Consecration of Churchyards Act 1867 for Consecration of additions to churchyards	—	7 7 0	—	7 7 0
4. Licence of Temporary Church in Ecclesiastical District, Mission Building or Room where Church is closed	—	0 10 6	2 12 6	3 3 0
5. Licence of Burial Ground until Consecration	—	2 2 0	—	2 2 0
6. Licence of Building for Marriages including settling area to which the licence should apply	—	1 1 0	9 9 0	10 10 0
7. Order for Licensed Chapel to come under Faculty Jurisdiction	—	1 1 0	2 2 0	3 3 0

Provision relating to Table III

The fees in this Table are payable by the person or body petitioning for the consecration or licence save that the fees in respect of the order for a Licensed Chapel to come under the Faculty Jurisdiction are payable by the Bishop and section 5 of the Ecclesiastical Fees Measure 1962 applies to them.

TABLE IV

FEES IN RESPECT OF DUTIES IMPOSED ON DIOCESAN REGISTRARS AND SECRETARIES TO BISHOPS BY MEASURES PASSED BY THE CHURCH ASSEMBLY

Measure	Matter	Fee	Payable by
Union of Benefices Measure 1923	(*a*) Appointment of Commission under S.3 ... (*b*) Registration of Order in Council under S.11(2)	£11 11s. to Secretary ... ... 15s. to Registrar	Church Commissioners in each case out of diocesan expenses fund.
Benefices (Transfer of Rights of Patronage) Measure 1930	Notices under S.2	£4 10s. to Secretary	In such proportions as may be agreed between the transferor and the transferee or in the absence of such agreement by the transferee.
Benefices (Exercise of Rights of Presentation) Measure 1931	Notice to Patron and Parochial Church Council under S.1	15s. to Secretary	Diocesan Board of Finance.
	Additional fee if Body of Advisers is consulted, Notices to be given	£4 10s. to Secretary	Person requiring consultation.
Clergy Disabilities Act 1870 (Amendment) Measure 1934	Recording of vacation of enrolment in Registry Copy of Record	15s. to Registrar	Clergyman.
Parsonages Measures 1938	Certificate of Bishop as to house or residence	£1 10s. to Secretary	Church Commissioners.
New Parishes Measure 1943	S.1(3) Scheme and map of the area to be filed in the Registry	15s. to Registrar	Church Commissioners.
	S.2(5) Scheme and map of the area to be filed in the Registry	15s. to Registrar	Church Commissioners.
	S. 3(3) Fee for Bishop's Licence	Fee for Bishop's Licence for a building £3 3s. to Secretary and 15s. to the Registrar	Parochial Church Council.
	S. 5(1) Order for marriage	15s. to the Registrar	Parochial Church Council.
	S. 9(2) Patronage agreement to be registered in the Diocesan Registry	£8 8s. to Secretary if agreement is prepared by him Registrar 15s. or 9d. per folio if registered at length	Person declared by agreement to be patron.

	S. 22 Substitution of new church for Parish Church	15s. to Registrar	Church Commissioners.
	S. 22(4) Declaration of Bishop	£1 10s. to Secretary ... ... 15s. to Registrar	Diocesan Board of Finance or Parochial Church Council.
	S. 23(2) Order in Council altering boundaries to be filed in the Registry	15s. to Registrar	Diocesan Board of Finance or Parochial Church Council.
	S. 27 Order in Council confirming Schemes to be registered in Diocesan Registry	15s. to Registrar	Diocesan Board of Finance or Parochial Church Council.
Episcopal Endowments and Stipends Measure 1943	Filing of Order in Council with Registry ...	15s. to Registrar	Church Commissioners.
Incumbents (Disability) Measure 1945 ...	S. 3(1) Bishop's notice in writing to the Committee	15s. to Secretary	Diocesan Board of Finance.
	S. 5(1) Preparing Licence of Assistant Curate in special form	£1 10s. to Secretary and 15s. to Registrar	Diocesan Board of Finance.
	S. 5(2) Determination of appointment of Curate	15s. to Secretary ...	Diocesan Board of Finance.
	S. 5(3) Record of every exercise of foregoing powers by the Bishop to be filed in the Registry	15s. to Registrar for each document	Diocesan Board of Finance.
	S. 6(1) Preparation of Resignation if required. Declaration of avoidance as set out in the second Schedule	£3 10s. to Secretary	Diocesan Board of Finance.
	S. 6(3) One copy of the declaration to be filed in the Registry	15s. to Registrar	Diocesan Board of Finance.
	S. 12(1) and (2) Notices and varying or revoking notices	£2 10s. to Secretary and 10s. 6d to Registrar	Diocesan Board of Finance.
Pastoral Reorganisation Measure 1949 ...	S. 5(12) Church Commissioners to file copy of Order in Diocesan Registry	15s. to Registrar	Church Commissioners.
	S. 8(1) Bishop to notify the Patron and P.C.C. of vacancy and opinion	15s. to Secretary for each notice	Diocesan Board of Finance.
	S. 8(3) To file copy of every notification in the Registry	15s. to Registrar	Diocesan Board of Finance.
	S. 12(7) To file copy of notice of order received from Commissioners in Registry	15s. to Registrar	Church Commissioners.
	S. 6(1) To draw and engross Bishop's Direction, to publish Direction	£1 10s. to Secretary	Diocesan Board of Finance.

Measure	Matter	Fee	Payable by
Benefices (Suspension of Presentation) Measure 1953	S. 1(1) To obtain consents of Patron and Diocesan Committee S. 1(3) Further consents of Patron and Diocesan Committee S. 1(4) Drawing up notice of determination of suspension period and service thereof S. 1(6) Preparing copies of notices and service on Patron, Churchwardens and Sequestrators	£8 8s. inclusive fee to Secretary	Sequestrators.
Representation of the Laity Measure 1956	Advising Bishop as to exercise of powers under Rule 31 of the Rules for the Representation of the Laity	£1 10s. to Secretary	Party applying to Bishop.
	Application to Bishop under paragarph 17 of Appendix II	£1 10s. to Secretary	Party applying to Bishop.
Parochial Church Councils (Powers) Measure 1956	Application to Bishop under S. 9(2) ...	£1 10s. to Secretary	Party in default.
	Appeal to Bishop under S. 9(3)	£1 10s. to Secretary	Party appealing to Bishop.

TABLE V

MISCELLANEOUS FEES

Matter	Vicar General or Chancellor	Diocesan Registrar	Secretary to Bishop	Secretary to Archbishop	Archdeacon or Official	Archdeacon's Registrar	Total	Payable by
1. Episcopal Visitation	£ s. d. 0 4 0	£ s. d. 1 18 0	£ s. d. —	£ s. d. —	£ s. d. —	£ s. d. —	£ s. d. 2 2 0	Parochial Church Council.
2. Archidiaconal Visitation	—	—	—	—	0 2 0	0 19 0	1 1 0	Parochial Church Council.
3. Investigating Title in case of change of patronage since the last presentation	—	—	Fee based on Schedule II to the Solicitors' Remuneration Order	—	—	—	—	Patron.
4. Sequestration of a Benefice on a vacancy	0 10 6	3 3 0	—	—	—	—	3 13 6	Sequestrators.
5. Appointment of Rural Dean ...	—	—	1 1 0	—	—	—	1 1 0	Bishop.
6. Retaining fee for Secretary to Archbishop of Canterbury	—	—	—	1,500 0 0	—	—	1,500 0 0	Archbishop.
7. Retaining fee for Secretary to Archbishop of York	—	—	—	800 0 0	—	—	800 0 0	Archbishop.
8. Retaining fee for Secretary to Diocesan Bishop	—	—	1 1 0*	—	—	—	—	Bishop.

* Per parish or ecclesiastical district in the diocese, including each parish which forms a separate parish in cases where a scheme of union provides for the union of benefices but not of parishes with a minimum of £250.

Provision relating to Table V

Section 5 of the Ecclesiastical Fees Measure 1962 applies to the fees that are the liability of the Archbishop or Bishop.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order establishes tables of fees payable to ecclesiastical legal officers for nearly all matters contained in existing tables of fees established by statute or under statutory powers or by the Convocations, and also certain other matters, but court fees and fees in respect of faculties or archdeacons' certificates in lieu of faculties are not contained in these tables.