STATUTORY INSTRUMENTS

# 1976 No. 1112

# ECCLESIASTICAL LAW
# The Parochial Fees Order 1976

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| *Made (Approved by the General Synod)* - | *15th July* 1976 |
| *Laid before Parliament* | *22nd July* 1976 |
| *Coming into Operation* | *1st January* 1977 |

We, the Church Commissioners for England, in exercise of the powers conferred on us by section 2(1) of the Ecclesiastical Fees Measure 1962**(a)** and all other powers enabling us in that behalf, do hereby order as follows:—

**1.** The Table of Parochial Fees set forth in the Schedule to this Order is hereby established and contains particulars of the parochial fees which, subject to the provisions of section 2(4) of the said Measure, are to be payable to the persons therein named in relation to the respective matters therein specified.

**2.** In this Order, unless the context otherwise requires—

"burial" includes burial in a vault and the interment or deposit of cremated remains;

"chancellor" means the judge of the consistory or commissary court of the bishop or archbishop of the diocese;

"incumbent" means the incumbent of any benefice as defined by the Interpretation Measure 1925**(b)**;

"churchyard" includes the curtilage of a church and a burial ground of a church whether or not immediately adjoining such church;

"monument" includes headstones, crosses, kerbs, borders, vases, chains, railings, tablets, flatstones, tombstones or monuments or tombs of any other kind.

**3.** The provisions of the Parochial Fees Order 1972**(c)**, other than those relating to searches in registers of baptisms, marriages and burials, are hereby revoked.

**4.** This Order may be cited as the Parochial Fees Order 1976, and shall come into operation on the 1st January 1977.

THE COMMON SEAL of the Church Commissioners was hereunto affixed this 18th June 1976. (L.S.)

*S. P. Osmond,*
Secretary.

Approved by the General Synod of the Church of England the 15th July 1976.

*W. D. Pattinson,*
Secretary General.

(a) 10 & 11 Eliz. 2 No. 1.
(b) 15 & 16 Geo. 5. No. 1.
(c) S.I. 1972/177 (1972 I, p. 648).

## SCHEDULE

### TABLE OF PAROCHIAL FEES

### PART I

| | Col. 1 Fee payable to incumbent | Col. 2 Fee payable to parochial church council | Col. 3 TOTAL FEES PAYABLE | Col. 4 See Part II para. 1 below | Col. 5 See Part II, para. 1 below |
|---|---|---|---|---|---|
| | £ p | £ p | £ p | £ p | £ p |
| BAPTISMS | | | | | |
| Certificate of baptism ... ... | 1·00 | — | 1·00 | — | — |
| Short certificate of baptism given under Section 2 Baptismal Registers Measure 1961(a) ... | 0·50 | — | 0·50 | — | — |
| MARRIAGES | | | | | |
| Publication of banns of marriage | 1·50 | 0·50 | 2·00 | *0·50* | — |
| Certificate of banns ... ... | 1·00 | 0·50 | 1·50 | *0·50* | — |
| Marriage service ... ... ... | 8·00 | 8·00 | 16·00 | *4·00* | — |
| FUNERALS | | | | | |
| Service in church before burial or cremation ... ... ... | 5·00 | 8·00 | 13·00 | *2·00* | *2·00* |
| Burial of body in churchyard immediately following service in church of same parish ... ... | — | 4·00 | 4·00 | — | — |
| Burial of cremated remains in churchyard on a date subsequent to that of service in church of same parish ... ... ... | 3·00 | 4·00 | 7·00 | — | — |
| Burial of body or of cremated remains in churchyard where no service previously held in church of same parish ... ... ... | 3·00 | 8·00 | 11·00 | *2·00* | *2·00* |
| Performing service in consecrated part of cemetery serving area of parish immediately following service in church of same parish | 2·00 | — | 2·00 | — | — |
| Performing service in consecrated part of cemetery serving area of parish where no service held immediately before in church of same parish ... ... ... | 7·00 | — | 7·00 | — | — |
| Certificate of burial ... ... | 1·00 | — | 1·00 | — | — |
| MONUMENTS IN CHURCHYARDS | | | | | |
| Erected with consent of incumbent under chancellor's general directions— | | | | | |
| Small cross of wood(*) ... ... | 1·00 | 0·50 | 1·50 | — | *0·50* |
| Small vase not exceeding 12″ × 8″ × 8″ (305mm × 203mm × 203mm)(*) ... ... ... | 2·00 | 2·50 | 4·50 | — | *0·50* |
| Tablet, erected horizontally or vertically and not exceeding 18″ × 18″ (457 mm × 457mm), commemorating person cremated(*) ... ... ... ... | 4·00 | 4·00 | 8·00 | — | *1·00* |
| Any other monument(*) ... ... | 9·00 | 10·00 | 19·00 | — | *2·00* |
| Additional inscription on any monument ... ... ... | 4·00 | — | 4·00 | — | — |

(a) 9 & 10 Eliz. 2, No. 2.

(*) See Part II, para 4.

| | Col. 1 Fee payable to incum-bent | Col. 2 Fee payable to parochial church council | Col. 3 TOTAL FEES PAY-ABLE | Col. 4 See Part II, para. 1 below | Col. 5 See Part II, para. 1 below |
|---|---|---|---|---|---|
| | £ p | £ p | £ p | £ p | £ p |
| MISCELLANEOUS | | | | | |
| Inspection of instrument of apportionment or agreement for exchange of land for tithes deposited under Tithe Act 1836(a) | 0·50 | — | 0·50 | — | — |
| Furnishing copies of above (for every 72 words) ... ... | 0·50 | — | 0·50 | — | — |

## PART II

1. *Clerks and Sextons*

Any of the persons specified below shall in relation to a particular parish be entitled to be paid the sum specified in column 4 for performing a clerk's duties or in column 5 for performing a sexton's duties, and the sum shown in column 2 as payable to the parochial church council shall be reduced accordingly:

(i) any clerk or sexton employed in that parish immediately before the coming into operation of this Order;

(ii) any other church servant employed in that parish immediately before that date who under the terms of his employment carried out the duties of a clerk or a sexton and was entitled to fees payable in respect of such duties.

Where there is no person entitled as above to the sum specified in column 4 or column 5 or either of them such sum or sums shall be payable to the incumbent of that parish if he was incumbent thereof immediately before the coming into operation of this Order.

2. *Burial of still-born infant*

No fee shall be payable in respect of the burial of a still-born infant.

3. *Cremated remains in churches or closed churchyards*

Where cremated remains are buried in or under a church or in a closed churchyard, the fees payable to the incumbent and the parochial church council shall be—

(i) where burial authorised by a general faculty, the same as those laid down in Part I of this table for burial of cremated remains in churchyard;

(ii) where burial authorised by a particular faculty, such sums as may be determined by the chancellor.

4. *Monuments in churchyards*

The fees marked (*) include fees for the original inscription. Where a monument in a churchyard is erected, or an additional inscription on a monument is made, under the authority of a particular faculty, the fees payable to the incumbent and the parochial church council or either of them shall be such sums as may be determined by the chancellor who shall specify the persons entitled to receive them.

5. *Monuments in churches*

Where a faculty is granted in connection with the erection of a monument or tablet in a church or any additional inscription thereon, such fees shall be payable as may be determined by the chancellor who shall specify the persons entitled to receive them.

(a) 1836 c.71.

6. *The incumbent's fees*

The incumbent may direct either generally or in particular cases that any fee which would otherwise be payable to him shall be payable to the minister performing the service or duty.

7. *Reservation of grave space: vaults*

Payment of any of the fees prescribed by this table does not confer any right to construct a new vault or an exclusive right to a grave or vault. Where a faculty is granted conferring rights for a period specified in the faculty, such fees shall be payable as may be determined by the chancellor who shall specify the persons entitled to receive them.

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## EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order, which replaces in part the Parochial Fees Order 1972, establishes a new table of fees payable for certain matters in connection with baptisms, marriages and burials, for the erection of monuments in churchyards and for other miscellaneous matters.

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