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STATUTORY INSTRUMENTS

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**1997 No. 1891**

**ECCLESIASTICAL LAW, ENGLAND**

**The Parochial Fees Order 1997**

<i>Made (Sealed by the Church Commissioners)</i>	- -	<i>15th July 1997</i>
<i>Laid before the General Synod in draft</i>	- - - -	<i>11th July 1997</i>
<i>Laid before Parliament</i>		<i>31st July 1997</i>
<i>Coming into Force</i>	- -	<i>1st January 1998</i>

The Church Commissioners for England, in exercise of the powers conferred on them by section 1 of the Ecclesiastical Fees Measure 1986(1), hereby make the following Order, a draft of which has been approved by the General Synod in accordance with section 2(1) of the said Measure:—

1. The Table of Parochial Fees set forth in Part I of the Schedule to this Order is hereby established and contains particulars of the parochial fees which, subject to the provisions of section 3 of the said Measure, are to be payable to the persons therein named in relation to the respective matters therein specified.

2. Part II of the said Schedule shall apply in relation to the said parochial fees.

3. In the Schedule to this Order, unless the context otherwise requires—

“burial” includes deposit 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(2);

“churtyard” includes the curtilage of a church and a burial ground of a church whether or not immediately adjoining such church;

“cemetery” means a burial ground maintained by a burial authority;

“monument” includes a headstone, cross, kerb, border, vase, chain, railing, tablet, flatstone, tombstone or monument or tomb of any other kind.

4. The Parochial Fees Order 1996(3) is hereby revoked.

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(1) 1986 No. 2.

(2) 1925 No. 1 (15 & 16 Geo.5.)

(3) S.I. 1996/1994.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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5. This Order may be cited as the Parochial Fees Order 1997 and shall come into operation on the 1st January 1998.

The draft of this Order was approved by the General Synod of the Church of England on the 11th day of July 1997

*P. J. C. Mawer*  
Secretary General

THE COMMON SEAL of the Church Commissioners was hereunto affixed this 15th day of July 1997

*P. Locke*  
Secretary

## SCHEDULE

## PART I

## TABLE OF PAROCHIAL FEES

	Col. 1 Fee payable to incumbent  £.p	Col. 2 Fee payable to Parochial Church Council  £.p	Col. 3 TOTAL FEES PAYABLE  £.p
<b>BAPTISMS</b>			
Certificate issued at time of baptism	8.00	–	8.00
Short certificate of baptism given under section 2 Baptismal Registers Measure 1961(4)	6.00	–	6.00
<b>MARRIAGES</b>			
Publication of banns of marriage	9.00	4.00	13.00
Certificate of banns issued at time of publication	8.00	–	8.00
Marriage service	55.00	67.00	122.00
<b>FUNERALS AND BURIALS</b>			
<b>A. Service in church</b>			
Funeral service in church	33.00	28.00	61.00
Burial in churchyard following on from service in church	–	111.00	111.00
Burial in cemetery or cremation following on from service in church	–	–	NIL
Burial of body in churchyard on separate occasion	22.00	111.00	133.00
Burial of cremated remains in churchyard on separate occasion	22.00	33.00	55.00

(4) 1961 No. 2(9 &amp; 10 Eliz. 2)

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	Col. 1 Fee payable to incumbent  £.p	Col. 2 Fee payable to Parochial Church Council  £.p	Col. 3 TOTAL FEES PAYABLE  £.p
Burial in cemetery on separate occasion	22.00	–	22.00
<b>B. No Service in church</b>			
Service in crematorium or cemetery	61.00	–	61.00
Burial of body in churchyard	22.00	111.00	133.00
Burial of cremated remains in churchyard	22.00	33.00	55.00
<b>C. Certificate issued at time of burial</b>			
	8.00	–	8.00
<b>MONUMENTS IN CHURCHYARDS</b>			
Erected with consent of incumbent under Chancellor's general directions–			
Small cross of wood(*)	4.00	7.00	11.00
Small vase not exceeding 305mm×203mm×203mm (aprox. 12"×8"×8") (*)	8.00	16.00	24.00
Tablet, erected horizontally or vertically and not exceeding 533mm×533mm (aprox. 21"×21"), commemorating person cremated (*)	14.00	27.00	41.00
Any other monument (*)	31.00	63.00	94.00
Additional inscription on existing monument	22.00	–	22.00
<b>SEARCHES IN CHURCH REGISTERS, ETC.</b>			

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	Col. 1 Fee payable to incumbent  £.p	Col. 2 Fee payable to Parochial Church Council  £.p	Col. 3 TOTAL FEES PAYABLE  £.p
Searching registers of marriages for period before 1 July 1837 (for up to one hour)	8.00	4.00	12.00
(for subsequent hour or part of an hour)	6.00	4.00	10.00
Searching registers of baptisms or burials (including provision of one copy of any entry therein) (for up to one hour)	8.00	4.00	12.00
(for each subsequent hour or part of an hour)	6.00	4.00	10.00
Each additional copy of an entry in a register of baptisms or burials	8.00	4.00	12.00
Inspection of instrument of apportionment or agreement for exchange of land for tithes deposited under the Tithe Act 1836 <sup>(5)</sup>	6.00	–	6.00
Furnishing copies of above (for every 72 words)	6.00	–	6.00

## PART II

### Burial on a separate occasion

1. In relation to the fee for a burial in a churchyard, “on a separate occasion” means on any occasion other than following on from a service in church, for example, the interment of cremated remains.

### Burial of infant

2. No fee is payable in respect of the burial of a still-born infant, or for the funeral or burial of an infant dying within the period of one year after birth.

<sup>(5)</sup> 1836 (6 & 7 Will. 4 c. 71).

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### **Funeral service**

3. If a full funeral service is held at the graveside the incumbent's fee is increased to that payable where the service is held in church.

### **Burial of cremated remains in churches or closed churchyards**

4. 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 are:

- (i) where burial is authorised by a general faculty, the same as those laid down in Part I of this Schedule for burial in a churchyard;
- (ii) where burial is authorised by a particular faculty, such sums as may be determined by the Chancellor, who shall specify the person or persons entitled to receive them.

### **Monuments in churchyards**

5. 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 person or persons entitled to receive them.

The incumbent's fee for an additional inscription on a small cross of wood, small vase or a tablet not exceeding 533mm×533mm shall not exceed the current fee payable to the incumbent for the erection of such a monument.

### **Monuments in churches**

6. Where a faculty is granted for the erection of a monument in a church or any additional inscription thereon, the fees payable to the incumbent and the Parochial Church Council or either of them shall be determined by the Chancellor who shall specify the person or persons entitled to receive them.

### **The incumbent's fees**

7. Unless the incumbent has signed a Deed of Assignment in favour of the Diocesan Board of Finance he may direct either generally or in particular cases that all or part of any fee which would otherwise be payable to him shall be payable to the minister performing the service or duty.

### **Reservation of grave space: vaults**

8. Payment of any of the fees prescribed by the Table in Part I of this Schedule 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, the fees payable to the incumbent and the Parochial Church Council or either of them shall be determined by the Chancellor who shall specify the person or persons entitled to receive them.

### **Searches in Church Registers, etc.**

9. The search fee relates to a "particular search" where the approximate date of the baptism, marriage or burial is known. The fee for a more general search of a church register is negotiable with the incumbent and the Parochial Church Council.

### **Services in crematoria and unconsecrated cemeteries**

**10.** The Church of England (Miscellaneous Provisions) Measure 1992(6) contains a provision which has the effect of requiring a minister of a parish, if requested, to perform a funeral service for defined parishioners in any appropriate crematorium or unconsecrated cemetery. The fees prescribed by the Table in Part I of this Schedule for such services (which are identical to the fees for services held in consecrated cemeteries) are mandatory except where a local authority or other crematorium authority has fixed charges for these services in which case the authority's charges will apply.

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### **EXPLANATORY NOTE**

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

Article 1 and Part I of the Schedule establish 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. The fees are in substitution for fees prescribed by the Parochial Fees Order 1996 (S.I.1996/1994).