
STATUTORY INSTRUMENTS

2000 No. 2047

The Faculty Jurisdiction Rules 2000

PART II

PETITION AND PUBLIC NOTICE

Public Notice of Petition for a Faculty

6.—(1) As soon as a petitioner is ready to submit a petition for a faculty the petitioner shall fill in the public notice in Form No.3 in Appendix C (except where the petitioner is not the minister or a churchwarden or where the petition relates to exhumation or reservation of a grave space) and shall describe the works or proposals in the public notice in the same manner as they are described in the schedule to the petition.

(2) Notwithstanding paragraph (1) above any petitioner may, if he so wishes, consult the registrar for advice prior to completing any petition or public notice, and he should do so in respect of a public notice where the petition relates to a matter which is not within Appendix A.

(3) As soon as a petitioner has filled in the public notice he shall immediately—

- (a) send or deliver to the registry the petition and the documents required by rule 4(1)(b) and a copy of the completed public notice; and
- (b) display the public notice in accordance with paragraph (4) below save that if he is not the minister or a churchwarden he shall send the public notice to the registrar for directions about display; and
- (c) send a copy of the public notice to English Heritage or other grant making body in accordance with the terms of any previous grant.

(4) Subject to paragraph (3)(b) of this rule and rule 13(10) a copy of the public notice shall be displayed for a continuous period of not less than 28 days in accordance with paragraphs (a) to (d) of this paragraph.

(a) Display of the public notice shall take place as follows:

- (i) in the case of a petition relating to a parish church or its churchyard, display of the notice shall be at that parish church;
- (ii) in the case of a petition relating to a church or place of worship (or any churchyard belonging to it) which is not a parish church, display of the notice shall be at that church or place of worship and also at the parish church or parish churches of the parish;
- (iii) in the case of a petition relating to any other churchyard or consecrated burial ground, display of the notice shall be at the parish church (if any) and the churchyard or consecrated burial ground concerned.

(b) Display of the notice shall take place under paragraphs (a)(i) and (ii)—

- (i) inside the church on a notice board or in some other prominent position, and

- (ii) on a notice board outside that church or in some other prominent position (whether on the outside of the church door or elsewhere) so that it is readily visible to the public.
 - (c) Display of the notice shall take place in accordance with paragraphs (b)(i) and (ii) in respect of each church or place of worship where display is required under paragraphs (a) (i) and (ii).
 - (d) Display of the notice in accordance with paragraph (a)(iii) shall take place on a notice board outside the parish church (if any) and on a notice board or other suitable place at the churchyard or consecrated burial ground concerned to that it is readily visible to the public.
- (5) If on receipt of the petition and copy public notice the registrar considers that—
- (a) the works or proposals are not adequately described in the public notice, or
 - (b) a copy of the public notice should be displayed inside or outside any other church or place of worship in the parish concerned, or
 - (c) a copy of the public notice should be displayed in some prominent position elsewhere in the parish concerned (whether inside or outside a building) where it will be clearly visible to the public, or
 - (d) the public notice should be displayed for a longer period than is provided for in paragraph (4) of this rule

then the registrar may give such directions to the petitioners as are appropriate in the circumstances of the case.

(6) Upon the expiry of the period of 28 days required under paragraph (4) or such longer period as may be directed under paragraph (5)(d) of this rule the public notice or a copy thereof shall be returned to the registrar by the petitioners with the certificate of publication duly completed in accordance with Form No. 3 in Appendix C.