



Parochial Registers and Records Measure 1978

1978 No. 2

Making register books and records available for purposes of exhibition, research, etc.

16 Making register books and records in parochial custody available for certain purposes.

- (1) Subject to subsection (2) below, any person having the custody of any register books or records in parochial custody may deposit any of them for a limited period in a diocesan record office or other suitable and safe place approved by the bishop of the diocese in which they are for the purpose of exhibition or research or for the purpose of enabling copies or lists to be made of them or copies of any part thereof.
- (2) The power conferred by subsection (1) above on a person having the custody of such books or records may be exercised at the request of any other person, but, whether or not any such request is made, the first mentioned person, if not the parochial church council concerned, may exercise that power only with the consent of that council.
- (3) Where a request for the deposit in accordance with subsection (1) above of any such books or records is made to the person having the custody of them, then—
 - (a) if that person refuses or fails to comply with the request, or
 - (b) where subsection (2) above applies, the parochial church council refuses to consent to the deposit being made,the bishop of the diocese in which such books or records are, on the application of the person who made the request and after giving the parochial church council concerned and any other person who has the custody of them an opportunity to make representations to him, may order them to be deposited for a period specified in the order in a diocesan record office or other suitable and safe place approved by him for any of the purposes mentioned in subsection (1) above.
- (4) Before approving a place as a suitable and safe place for the purposes of this section the bishop of a diocese shall consult the chief officer of the diocesan record office or,

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where the diocese has more than one such office, the chief officer of the appropriate office.

[^{F1}16A Making electronic register book of services available for certain purposes

- (1) Any person who has the custody of an electronic register book of services may, for a limited period and in the manner approved by the bishop of the diocese concerned, make the register book available for the purpose of exhibition or research or for the purpose of enabling a copy to be made of the register book or any part of it.
- (2) The power conferred by subsection (1) may be exercised at the request of any person; but, whether or not such a request is made, the power may be exercised only with the consent of the parochial church council concerned.
- (3) Where such a request is refused or the parochial church council refuses to give its consent, the bishop of the diocese concerned may, on the application of the person who made the request, order the register book to be made available for the period and in the manner specified in the order.
- (4) Before exercising the power under subsection (3), the bishop must give the person who has the custody of the register book and the parochial church council concerned an opportunity to make representations.]

Textual Amendments

- F1** S. 16A inserted (16.11.2023) by [Church of England \(Miscellaneous Provisions\) Measure 2020 \(No. 1\)](#), ss. 8(3), 16(3); S.I. 2023/1264, art. 2

17 Making certain books and records in diocesan record office available for exhibition or research.

- (1) Subject to the provisions of this section and of section 18(1), where a request in that behalf is made to the chief officer of a diocesan record office, he may authorise such of the register books or records in his custody by virtue of this Measure as may be specified in the authorisation to be transferred to, and deposited for such period as may be so specified in, a suitable and safe place for the purpose of exhibition or research.
- (2) Where a request under this section is made by the parochial church council of the parish to which the register books or records in question belong, the chief officer shall issue the authorisation requested if he is satisfied that the place of deposit specified in the request is a suitable and safe place.
- (3) Where a request under this section is made by any person other than the parochial church council of the parish to which the register books and records in question belong, the chief officer may issue the authorisation requested only with the consent of that council.

18 Provisions ancillary to ss. 16 and 17.

- (1) The period during which any register books or records may be deposited in any place by virtue of any provision of section 16 or 17 of this Measure shall not exceed one year; but the person by whom that period was fixed shall have power, exercisable with the consent of the parochial church council concerned, to extend that period for

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a further period, not exceeding one year; and the said power may be exercised from time to time before or after the expiration of any extension of a period of deposit.

(2) The expenses arising out of the transfer, deposit and return of register books and records in pursuance of any provision of the said section 16 or 17 shall be paid by the person at whose request the deposit is made.

(3) Before—

- (a) any person agrees to comply with a request for the deposit in accordance with section 16(1) of this Measure of any such register books or records as are referred to therein, or
- (b) a bishop makes an order under section 16(3) of this Measure on the application of the person who made such request, or
- (c) the chief officer of a diocesan record office issues an authorisation under section 17 of this Measure at the request of any person other than the parochial church council of the parish to which the books and records described in the request belong,

he may require the person who made the request to effect with the Ecclesiastical Insurance Office Ltd. or such other insurance office as may be agreed between that person and that council insurance against risks of loss of, or damage to, the register books and records while in transit to or from the place in which they are to be deposited in accordance with the request, order or authorisation, as the case may be, or while so deposited in that place, for such sum as may be so agreed.

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