



Ecclesiastical Fees (Amendment) Measure 2011

2011 No. 2

PART 3

GENERAL

4 Consequential amendments and repeals

(1) The 1986 Measure shall be further amended as follows—

- (a) section 3 is repealed; and
- (b) in section 10—

(i) at the beginning of the definitions there shall be inserted the following definitions—

““church” means a parish church, a place licensed for public worship by the bishop under section 29(1) or a building designated as a parish centre of worship by the bishop under section 29(2) of the Pastoral Measure 1983 (1983 No. 1) and, in relation to marriage only, a public chapel licensed for the solemnization of marriages under section 20 of the Marriage Act 1949 or an authorised chapel within the meaning of section 78(1)(a) of that Act, provided that the marriage takes place in accordance with the licence or as mentioned in section 78(1)(a), as the case may be, but does not include any church or chapel in or belonging to any extra-parochial place which is licensed by the bishop under section 21 of that Act and “churchyard” shall be construed accordingly;

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

(ii) the definition of “parish” shall be omitted, and

Status: This is the original version (as it was originally enacted).

(iii) for the definition of “parochial fees” there shall be substituted the following definition—

““parochial fees” means any fees prescribed in respect of any of the matters set out in Schedule A1.”.

- (2) The enactments referred to in Schedule 2 shall have effect subject to the amendments set out in that Schedule, being amendments consequential on Part 1.
- (3) In section 20(1) of the Marriage Act 1949 the words “provisions concerning the amount, appropriation or apportionment of dues and such other” are repealed.

5 Transitional provisions

- (1) Any member of the Fees Advisory Commission holding office on the coming into force of Part 2 shall continue in office until a new member is nominated or appointed in that member’s place.
- (2) Any incumbent holding office on the coming into force of this section who is entitled to receive a fee relating to any matter under a Parochial Fees Order shall, if he or she—
 - (a) has not assigned that fee to the diocesan board of finance of the diocese in which the benefice of which he or she is the incumbent is situated or, in the case of an incumbent of a benefice comprising a parish of which a cathedral is the parish church, to the corporate body of the cathedral, and
 - (b) notifies the bishop of the diocese in writing within the period of six months from the coming into force of this section that he or she wishes to preserve that entitlement,
 so long as he or she holds office, be entitled to receive the fee which would, apart from this subsection, be payable to the diocesan board of finance or the corporate body of the cathedral, as the case may be.
- (3) Any Parochial Fees Order in force on the coming into force of Part 1 shall continue in force until it is replaced or amended by a subsequent Parochial Fees Order.

6 Citation, commencement and extent

- (1) This Measure may be cited as the Ecclesiastical Fees (Amendment) Measure 2011.
- (2) This Measure shall come into force on such day as the Archbishops of Canterbury and York shall jointly appoint, and different days may be appointed for different provisions.
- (3) This Measure shall extend to the whole of the provinces of Canterbury and York except the Channel Islands and Isle of Man, but—
 - (a) may be extended to the Channel Islands as defined in the Channel Islands (Church Legislation) Measures 1931 and 1957, or either of them, in accordance with those Measures, and
 - (b) if an Act of Tynwald or an instrument made under an Act of Tynwald so provides, shall extend to the Isle of Man subject to such exceptions, adaptations or modifications as may be specified in the Act of Tynwald or instrument.
- (4) In this Measure “the 1986 Measure” means the Ecclesiastical Fees Measure 1986.