



# Parochial Registers and Records Measure 1978

1978 No. 2

## *Registration of baptisms and burials*

### **1 Provision of register books of baptisms and burials.**

- (1) A register book of public and private baptisms shall be provided for every parish or, in the case of a parish which has more than one parish church, for each such church, and a register book of burials shall be provided for every parish which has a burial ground in use or, in the case of a parish which has more than one such ground, for each such ground.
- (2) The register books referred to in subsection (1) above shall be provided by, and shall be deemed to belong to, the parochial church council of the parish.
- (3) Such register books shall be of durable material and the heads of information required by this Measure to be entered therein shall in the case of every such book provided after the commencement of this Measure be printed on every leaf thereof.
- (4) Every place of entry in every such register book shall be numbered progressively from the beginning to the end of the book, beginning with the number one, and every entry shall be divided from the following entry by a printed line.

### **2 Registration of baptisms.**

- (1) Where the ceremony of baptism according to the rites of the Church of England is performed—
  - (a) in the parish church of a parish or, in the case of a parish having more than one such church, any parish church thereof, or
  - (b) in any other place in a parish by a minister of the parish,the person by whom the ceremony was performed shall as soon as possible thereafter enter in the appropriate register book of baptisms the particulars required in Form No. 1 in Schedule 1 to this Measure and shall sign the register in the place provided.

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*Changes to legislation:* There are currently no known outstanding effects for the Parochial Registers and Records Measure 1978, Cross Heading: Registration of baptisms and burials. (See end of Document for details)

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- (2) Where the ceremony of baptism according to the said rites is performed in any place in a parish other than a parish church by a person who is not a minister of the parish, the person by whom the ceremony was performed shall as soon as possible thereafter send to the incumbent or priest in charge of the parish a certificate signed by him certifying when and where the ceremony was performed and containing the other particulars required in Form No. 1 in the said Schedule 1.
- [<sup>F1</sup>(3) Where the ceremony of baptism according to the said rites is performed in an extra-parochial place or an institution in respect of which a clerk in Holy Orders is for the time being licensed under section 2 of the Extra-Parochial Ministry Measure 1967 to perform any offices or services, then, unless the ceremony is performed in a church, chapel or institution for which a register book of baptisms has been provided by virtue of section 5 of this Measure or any enactment repealed by this Measure, the person by whom the ceremony was performed shall as soon as possible thereafter send a certificate signed by him, certifying when and where the ceremony was performed and containing the other particulars required in Form No.1 in the said Schedule 1, to the incumbent or priest in charge of—
- (a) in the case of a ceremony performed in an extra-parochial place, such of the adjoining parishes as the bishop in whose diocese that place is may direct; or
  - (b) in the case of a ceremony performed in such an institution, the parish in which the institution is.]
- (4) On receiving a certificate under subsection (2) or (3) above the incumbent or priest in charge shall enter particulars of the baptism to which the certificate relates in the appropriate register book of baptisms and shall add to the entry the following words “According to the certificate of received by me on the day of”.
- (5) In this section “minister”, in relation to a parish, means the incumbent of the benefice to which the parish belongs, a vicar in a team ministry for the area of that benefice, the priest in charge of the parish and any curate licensed to officiate in the parish.

#### Textual Amendments

- F1** S. 2(3) substituted (1.1.1993) by Church of England (Miscellaneous Provisions) Measure 1992 (No. 1), s. 4(1), **Sch. 1 para.2**; Instrument dated 7.9.1992 made by the Archbishops of Canterbury and York.

### 3 Registration of burials.

- (1) Subject to subsection (4) below, the minister officiating at a burial according to the rites of the Church of England shall as soon as possible after the burial has taken place enter in the appropriate register book of burials the particulars required in Form No. 2 in Schedule 1 to this Measure and shall sign the register in the place provided.
- [<sup>F2</sup>(2) Subject to subsection (4) below, where a burial according to the said rites takes place in an extra-parochial place or an institution in respect of which a clerk in Holy Orders is for the time being licensed under section 2 of the Extra-Parochial Ministry Measure 1967 to perform any offices or services, then unless the burial takes place in the burial ground of a church, chapel or institution for which a register book of burials has been provided by virtue of section 5 of this Measure or any enactment repealed by this Measure, the minister officiating at the burial shall as soon as possible after the burial has taken place send a certificate signed by him, certifying when and where the

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burial took place and containing the other particulars required in Form No.2 in the said Schedule 1, to the incumbent or priest in charge of—

- (a) in the case of burial in an extra-parochial place, such of the adjoining parishes as the bishop in whose diocese that place is may direct; or
  - (b) in the case of a burial in the burial ground of such an institution, the parish in which the institution is.]
- (3) On receiving such certificate the incumbent or priest in charge shall enter particulars of the burial to which the certificate relates in the appropriate register book of burials and shall add to the entry the following words “According to the certificate of received by me on the day of”.
- (4) Subsections (1) and (2) above shall not apply in relation to a burial which takes place in a cemetery to which an Act incorporating the <sup>M1</sup>Cemeteries Clauses Act 1847 applies or in a cemetery provided and maintained by a burial authority within the meaning of section 214 of the <sup>M2</sup>Local Government Act 1972.
- (5) In this section “minister” means any person who is authorised to bury the dead according to the rites of the Church of England.

#### Textual Amendments

- F2** S. 3(2) substituted (1.1.1993) by Church of England (Miscellaneous Provisions) Measure 1992 (No. 1), s. 4(1), **Sch. 1 para.3**; Instrument dated 7.9.1992 made by the Archbishops of Canterbury and York.

#### Marginal Citations

- M1** 1847 c. 65.  
**M2** 1972 c. 70.

## 4 Corrections of errors in register book of baptisms or burials.

- (1) A person required to register a baptism or a burial under this Measure who discovers an error in the form or substance of an entry made in the register book of baptisms or burials, as the case may be, shall not be liable to any penalty under the <sup>M3</sup>Forgery Act 1913 by reason only that within one month after the discovery of the error he corrects the erroneous entry in the presence of the persons specified in subsection (2) below by entry in the margin of the register book, without any alteration of the original entry.
- (2) The persons referred to in subsection (1) above are—
  - (a) in the case of an erroneous entry in a register book of baptisms, either or both of the parents of the child to whom the entry relates or, in the case of the death or absence of both of them, the churchwardens of the parish to which the register book belongs; and
  - (b) in the case of an erroneous entry in a register book of burials, two persons who were present at the burial to which the entry relates or the churchwardens of the parish to which the register book belongs.
- (3) Any such marginal entry as is referred to in subsection (1) above shall be signed by the person by whom the entry is made and shall be attested by the persons in whose presence the entry is required to be made, and the person by whom the entry is made shall add the date when it is made.

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#### Marginal Citations

**M3** 1913 c. 27.

### 5 Application of ss. 1 to 4 to cathedrals, etc.

The preceding provisions of this Measure shall, so far as applicable and with the necessary modifications, apply in relation to

- [<sup>F3</sup>(a) the provision of register books of baptisms or burials for—
- (i) any cathedral or collegiate church; or
  - (ii) any other church or chapel which does not belong to a parish; or
  - (iii) any institution in respect of which a clerk in Holy Orders is for the time being licensed under section 2 of the Extra-Parochial Ministry Measure 1967 to perform any offices or services;
- (b) the registration of baptisms performed in any such church, chapel or institution; and
- (c) the registration of burials which take place in any burial ground belonging to any such church, chapel or institution]

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#### Textual Amendments

**F3** Words in s. 5 substituted (1.1.1993) by Church of England (Miscellaneous Provisions) Measure 1992 (No. 1), s. 4(1), **Sch. 1 para.4**; Instrument dated 7.9.1992 made by the Archbishops of Canterbury and York.

**Changes to legislation:**

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