



Ecclesiastical Fees Measure 1986

1986 No. 2

PART I **E**

Parochial Fees

1 Preparation of draft Parochial Fees Orders. **E**

- (1) The [^{F1}Archbishops' Council] may prepare a draft of an order (to be known as a "Parochial Fees Order") which prescribes the amount of the parochial fees to be paid to the persons specified in that order in relation to the matters so specified.
- (2) A draft order prepared under subsection (1) above may contain such incidental provisions as the [^{F1}Archbishops' Council] consider necessary or desirable.

Subordinate Legislation Made

P1 [S. 1](#): power conferred by s. 1 exercised by [S.I. 1991/1758](#)

Textual Amendments

F1 Words in [s. 1](#) substituted (1.1.1999) by [S.I. 1998/1715](#), arts. 1(2)(4), 4(4), [Sch. 2 para. 2\(1\)](#); [Instrument dated 14.10.1998 made by Archbishops of Canterbury and York](#)

Modifications etc. (not altering text)

C1 [S. 1](#): Functions of the Church Commissioners transferred (1.1.1999) to Archbishops' Council by [S.I. 1998/1715](#), [arts. 1\(2\)\(4\)](#), 3; [Instrument dated 14.10.1998 made by Archbishops of Canterbury and York](#)

2 Procedure for making Parochial Fees Orders. **E**

- (1) Every draft Parochial Fees Order shall be laid before the General Synod and if it is approved by the General Synod, whether with or without amendment, the draft order as so approved shall be referred to the [^{F2}Archbishops' Council].

Status: Point in time view as at 01/01/1999.

Changes to legislation: There are currently no known outstanding effects for the Ecclesiastical Fees Measure 1986, Cross Heading: Parochial Fees. (See end of Document for details)

- (2) Where a draft order is referred to the [^{F2}Archbishops' Council.] under subsection (1) above then—
- (a) if it has been approved by the General Synod without amendment, the [^{F2}Archbishops' Council.] shall, by applying their seal, make the order;
 - (b) if it has been approved by the General Synod with amendment, the [^{F2}Archbishops' Council.] may either—
 - (i) by applying their seal make the order as so amended, or
 - (ii) withdraw the draft order for further consideration in view of any amendment made by the General Synod;
 and a Parochial Fees Order shall not come into force until it has been sealed by the [^{F2}Archbishops' Council.].
- (3) Where the Standing Committee of the General Synod determines that a draft Parochial Fees Order does not need to be debated by the General Synod, then, unless—
- (a) notice is given by a member of the General Synod in accordance with its Standing Orders that he wishes the draft order to be debated, or
 - (b) notice is so given by any such member that he wishes to move an amendment to the draft order ^{F3} . . . ,
- the draft order shall for the purposes of subsections (1) and (2) above be deemed to have been approved by the General Synod without amendment.
- (4) The ^{M1}Statutory Instruments Act 1946 shall apply to a Parochial Fees Order sealed by the [^{F2}Archbishops' Council.] under subsection (2) above as if it were a statutory instrument and were made when sealed by the Commissioners and as if this Measure were an Act providing that any such order shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

- F2** Words in s. 2 substituted (1.1.1999) by S.I. 1998/1715, arts. 1(2)(4), 4(4), **Sch. 2 para. 2(1)**; Instrument dated 14.10.1998 made by Archbishops of Canterbury and York
- F3** Words in s. 2(3)(b) omitted (1.9.1995) by virtue of 1995 No. 2, s. 14; Instrument dated 26.7.1995 made by Archbishops of Canterbury and York

Modifications etc. (not altering text)

- C2** S. 2: Functions of the Church Commissioners transferred (1.1.1999) to Archbishops' Council S.I. 1998/1715, **arts. 1(2)(4), 3**; Instrument dated 14.10.1998 made by Archbishops of Canterbury and York
- C3** S. 2(3): Functions of Standing Committee transferred (1.1.1999) to Business Committee by S.I. 1998/1715, arts. 1(2)(4), 2, **Sch. 1**; Instrument dated 14.10.1998 made by Archbishops of Canterbury and York

Marginal Citations

- M1** 1946 c. 36.

3 Provisions as to persons to whom parochial fees are to be paid. **E**

- (1) During a vacancy in a benefice parochial fees which, but for the vacancy, would be paid to the incumbent of the benefice shall be paid to the diocesan board of finance or to such other person as the said board, after consultation with the bishop, may direct.

Status: Point in time view as at 01/01/1999.

Changes to legislation: *There are currently no known outstanding effects for the Ecclesiastical Fees Measure 1986, Cross Heading: Parochial Fees. (See end of Document for details)*

- (2) Where a licence of a chapel includes a provision fixing a fee for the solemnization of a marriage or any other matter for which a parochial fee is prescribed by a Parochial Fees Order then, notwithstanding anything in the licence, the fee to be paid in respect of that matter shall be the fee prescribed by the order, but any provision of the licence as to the person to whom the fee in respect of that matter is to be paid shall continue to apply and where the licence provides for the fee to be paid to two or more persons the fee prescribed by the order shall be payable to those persons in the same proportions as under the provisions of the licence.

Status:

Point in time view as at 01/01/1999.

Changes to legislation:

There are currently no known outstanding effects for the Ecclesiastical Fees Measure 1986,
Cross Heading: Parochial Fees.