

Changes to legislation: There are currently no known outstanding effects for the Church of England (Miscellaneous Provisions) Measure 1992, SCHEDULE 1. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 4.

AMENDMENT OF PAROCHIAL REGISTERS AND RECORDS MEASURE 1978

Commencement Information

- I1** Sch. 1 wholly in force at 1.1.1993 see s. 19(2) and [Instrument dated 7.9.1992 made by the Archbishops of Canterbury and York](#).

1 ^{M1}The Parochial Registers and Records Measure 1978 shall be amended as follows.

Commencement Information

- I2** Sch. 1 para. 1 wholly in force at 1.1.1993 see s. 19(2) and [Instrument dated 7.9.1992 made by the Archbishops of Canterbury and York](#).

Marginal Citations

- M1** 1978 No. 2.

2 In section 2 (registration of baptisms) for subsection (3) there shall be substituted the following subsection—

“(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for which a register book of baptisms has been provided by virtue of section 5 of this Measure or any enactment repealed by this Measure, the person by whom the ceremony was performed shall as soon as possible thereafter send a certificate signed by him, certifying when and where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.”

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- I3** Sch. 1 para. 2 wholly in force at 1.1.1993 see s. 19(2) and [Instrument dated 7.9.1992 made by the Archbishops of Canterbury and York](#).

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3 In section 3 (registration of burials) for subsection (2) there shall be substituted the following subsection—

“(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 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.”.

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I4 Sch. 1 para. 3 wholly in force at 1.1.1993 see s. 19(2) and [Instrument dated 7.9.1992 made by the Archbishops of Canterbury and York](#).

4 In section 5 (application of sections 1 to 4 to cathedrals, etc.) for the words from “the provision of register books” to the end there shall be substituted the following words—

- “(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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I5 Sch. 1 para. 4 wholly in force at 1.1.1993 see s. 19(2) and [Instrument dated 7.9.1992 made by the Archbishops of Canterbury and York](#).

5 For section 9 (which requires the bishop of a diocese to cause parochial registers and records to be inspected at intervals of not more than six years) there shall be substituted the following section—

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“9 Inspection of register books and records in parochial custody.

- (1) Every archdeacon shall cause the register books and records in parochial custody in his archdeaconry, including register books in use for the purpose of making entries therein, to be inspected and reported on periodically by such person or persons as he may appoint.
- (2) Before making an appointment under subsection (1) above the archdeacon shall consult the chief officer of the diocesan record office or, where the diocese has more than one such office, the chief officer of the appropriate office.
- (3) The archdeacon shall cause every inspection under this section affecting a particular parish to be begun not more than five years after the date on which the immediately preceding inspection affecting that parish was completed.
- (4) A report under this section shall be made to the archdeacon or to such person as he may designate for the purpose.
- (5) Any person carrying out an inspection under this section shall compile a list of the register books, and a list describing the records, which have been inspected by him under this section.
- (6) In the case of any inspection affecting a particular parish under this section any person carrying out the inspection may comply with subsection (5) above by certifying in writing that any such list previously compiled on an inspection affecting that parish, with such additions or omissions, if any, as are specified in the certificate is a list of the register books or a list describing the records, as the case may be, which have been inspected by him under this section.
- (7) The person in whose custody such books or records are shall allow any person carrying out an inspection under this section to have access to those books and records at any reasonable time and shall give him such facilities as he may reasonably require to enable him to carry out his functions under this section.
- (8) Any person carrying out an inspection under this section shall send a copy of any list or certificate compiled or issued by him thereunder to—
 - (a) the archdeacon,
 - (b) the chief officer of the diocesan record office or, where the diocese has more than one such office, the chief officer of the appropriate office,
 - (c) the minister concerned, and
 - (d) the parochial church council of the parish affected,with, in the case of the copy sent to such council, an instruction that it be inserted in or annexed to the inventory of articles appertaining to the parish church and the date or dates on which the inspection was carried out be inserted in the log book relating to the church.

In this subsection “minister” means an incumbent or priest in charge.

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- (9) Any expenses incurred by a person carrying out an inspection under this section in complying with the provisions thereof shall be paid by the parochial church council of the parish affected.”.

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- I6** Sch. 1 para. 5 wholly in force at 1.1.1993 see s. 19(2) and [Instrument dated 7.9.1992 made by the Archbishops of Canterbury and York](#).

- 6 After section 9 there shall be inserted the following section—

“9A Closure of old register books.

- (1) Any register book to which this section for the time being applies shall be closed and no further entries shall be made therein.
- (2) This section applies to any register book wherein the earliest entry has (at any time, whether at the coming into force of this section or subsequently) been in existence for one hundred and fifty years or more, other than a register book of marriages wherein the earliest entry was made on or after 1st July 1837.”.

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- I7** Sch. 1 para. 6 wholly in force at 1.1.1993 see s. 19(2) and [Instrument dated 7.9.1992 made by the Archbishops of Canterbury and York](#).

- 7 In section 10 (deposit of register books, etc. in diocesan record office)—
- (a) in subsection (2) after paragraph (a) there shall be inserted the following paragraph—
- “(aa) any register book to which section 9A of this Measure applies, and”;
- (b) in subsection (7) for the words from “kept” to the end there shall be substituted the words “ inserted in or annexed to the inventory of articles appertaining to the parish church concerned. ”

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- I8** Sch. 1 para. 7 wholly in force at 1.1.1993 see s. 19(2) and [Instrument dated 7.9.1992 made by the Archbishops of Canterbury and York](#).

- 8 After section 12 there shall be inserted the following section—

“12A Faculty not required for deposit of register books, etc. in diocesan record office.

A book or record may be deposited in the diocesan record office in pursuance of this Measure without a faculty.”.

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I9 Sch. 1 para. 8 wholly in force at 1.1.1993 see s. 19(2) and [Instrument dated 7.9.1992 made by the Archbishops of Canterbury and York](#).

9 In section 20 (searches of certain register books) after subsection (3) there shall be inserted the following subsections—

“(3A) Where a search is made under subsection (1) or (2) above or, in the case of a register book of marriages wherein the first entry was made before 1st July 1837, under the said section 63 the person having the custody of the register book or the chief officer may require the search to be made in an authenticated photographic copy of the register book; and for the purposes of this subsection a copy shall be regarded as authenticated if it bears a certificate signed by the person who had the custody of the register book or the person who was the chief officer, as the case may be, at the time the certificate was issued to the effect that it is a true copy of the register book.

(3B) Where a search is required under subsection (3A) above to be made in an authenticated photographic copy of a register book, the person making the search may request the person having custody of the register book (the “custodian”) or chief officer to allow the search to be made in the register book on the grounds that the copy is not accurate or that the quality of reproduction of the copy is not adequate for the purpose of the search; and thereupon the custodian or chief officer, if satisfied that the grounds for the request are reasonable or if directed to do so by the archdeacon under subsection (3C) below, shall allow the search to be made in the register book, but only under the supervision of the custodian or chief officer or other person designated by the custodian or chief officer for the purposes of this subsection.

(3C) Where a search is required under subsection (3A) above to be made in an authenticated photographic copy of a register book and a request made under subsection (3B) above is refused, the person making the search may refer the matter to the archdeacon of the archdeaconry in which the parish to which the register book belongs is situated; and thereupon the archdeacon, if satisfied that the grounds for the request are reasonable, may direct the custodian or chief officer to allow the search to be made in the register book.”.

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I10 Sch. 1 para. 9 wholly in force at 1.1.1993 see s. 19(2) and [Instrument dated 7.9.1992 made by the Archbishops of Canterbury and York](#).

10 In section 25 (interpretation) after the words “that is to say—” there shall be inserted the words “burial” includes the disposal of cremated remains; ”.

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I11 Sch. 1 para. 10 wholly in force at 1.1.1993 see s. 19(2) and [Instrument dated 7.9.1992 made by the Archbishops of Canterbury and York](#).

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- 11 In Schedule 1 to the said Measure (forms) for Form No. 2 there shall be substituted the following form—

“No. 2

Register of Burials in the Parish of
in the Diocese of
in the†

<i>Entry No.</i>	<i>Christian name and surname*</i>	<i>Address</i>	<i>Date of Death</i>	<i>Age</i>	<i>Date of burial</i>	<i>Date of disposal of cremated remains</i>	<i>Plan ref. No.</i>	<i>Officiating Minister”</i>
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†Insert appropriate local government area

*In block capitals.

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I12 Sch. 1 para. 11 wholly in force at 1.1.1993 see s. 19(2) and [Instrument dated 7.9.1992 made by the Archbishops of Canterbury and York.](#)

- 12 For Schedule 2 (provisions which apply to register books and records retained in parochial custody under section 11(3)) there shall be substituted the following Schedule—

“SCHEDULE 2

PROVISIONS WHICH APPLY TO REGISTER BOOKS AND RECORDS RETAINED IN PAROCHIAL CUSTODY UNDER SECTION 11(3)

- 1 Every register book or record to which this Schedule applies shall be kept in a wood-lined, rust-proofed, vented steel cabinet, the door of which is fitted with a multi-lever lock or in a fire-proofed muniment room conforming so far as practicable to British Standard Specification Number 5454 or any new British Standard which supersedes it.
- 2 The cabinet or muniment room shall be situated within the appropriate parish church or other place of public worship, positioned where there is least risk of damage to any such book or record in the event of a flood or an outbreak of fire, and made secure in all other respects against flood, fire and theft.
- 3 The temperature and relative humidity in such cabinet or muniment room shall be checked at least once a week by means of a maximum-minimum thermometer and a hygrometer, each of which shall be kept in the cabinet or muniment room. Records of all readings shall be kept for a period of not less than twelve months and be made available for inspection at any reasonable time by the archdeacon in whose archdeaconry the parish is situated or by such person or persons as he may appoint.

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- 4 The hygrometer shall be one conforming to British Standard Specification Number 3292 or any new British Standard which supersedes it.
- 5 The temperature in the cupboard or muniment room shall not be allowed to rise above 18 degrees Celsius and the difference between the maximum and minimum temperatures during any week shall not be allowed to exceed 10 degrees Celsius.
- 6 The relative humidity in the cupboard or muniment room shall not be allowed to fall below 50 per cent or to rise above 65 per cent.
- 7 Subject to paragraph 3 above, nothing, except books or other documents, shall be kept in the cupboard or muniment room in which any register book or record to which this Schedule applies is for the time being kept.
- 8 Without prejudice to the preceding provisions, the person or persons having the custody of any such book or record shall take all such steps as are reasonably practicable to ensure that the book or record is protected against theft, loss and damage.”.

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I13 Sch. 1 para. 12 wholly in force at 1.1.1993 see s. 19(2) and [Instrument dated 7.9.1992 made by the Archbishops of Canterbury and York](#).

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