



Church of England (Miscellaneous Provisions) Measure 1992

1992 No. 1

PART I

MISCELLANEOUS PROVISIONS

2 Conduct of funeral services.

- (1) The performance of a funeral service in accordance with this section shall not require the consent or be subject to the control of the minister of the parish in which it is performed.
- (2) The minister of a parish may perform [^{F1}or arrange the performance of] a funeral service in any crematorium or cemetery situated in another parish if—
 - (a) the deceased person dies in the first-mentioned parish; or
 - (b) the deceased person was resident in the first-mentioned parish immediately before his death; or
 - (c) the name of the deceased person was on the church electoral roll of the first-mentioned parish immediately before his death.
- (3) Without prejudice to section 2 of ^{M1} the Extra-Parochial Ministry Measure 1967, a person licensed for the time being under that section to perform funeral services on premises forming part of or belonging to a university, college, school, hospital or public or charitable institution may perform a funeral service in any crematorium or cemetery if the deceased person was resident in any such premises or was employed by or enrolled as a student at the institution in question immediately before his death.
- (4) The minister of a parish situated wholly or partly in an area—
 - (a) which is chargeable with the expenses of a cemetery; or
 - (b) for the use of which a crematorium or cemetery has been designated by the bishop of the diocese concerned,

Changes to legislation: There are currently no known outstanding effects for the Church of England (Miscellaneous Provisions) Measure 1992, Section 2. (See end of Document for details)

shall, with respect to persons who are his own parishioners or who die in his parish or whose names are entered on the church electoral roll of his parish, where he is requested to do so, be under the same obligation [^{F2}(subject to subsection (4A))] to perform or arrange the performance of funeral services in the crematorium or cemetery as he has to perform or arrange the performance of funeral services in any churchyard of his parish.

[^{F3}(4A) Each of the following may perform a funeral service under an arrangement made under subsection (2) or (4)—

- (a) a clerk in Holy Orders who is authorised to officiate in accordance with the Canons of the Church of England;
- (b) a duly authorised deaconess, reader or lay worker.]

(5) Section 11 of the ^{M2}Cremation Act 1902 (incumbent not to be obliged to perform burial service) shall cease to have effect.

(6) In this section—

“minister”, in relation to a parish, means—

- (a) the incumbent;
- (b) in a case where the benefice to which the parish belongs is vacant (and paragraph (c) below does not apply), the rural dean;
- (c) in a case where a suspension period applies to the benefice to which the parish belongs, the priest-in-charge (if any); and
- (d) in a case where a special cure of souls in respect of the parish has been assigned to a vicar in a team ministry by a scheme under ^{M3} the Pastoral Measure 1983 or by his licence from the bishop, that vicar;

“suspension period” has the same meaning as in the Pastoral Measure 1983.

Textual Amendments

- F1** Words in s. 2(2) inserted (1.5.2019) by Church of England (Miscellaneous Provisions) Measure 2018 (No. 7), ss. 4(5), 17(3); S.I. 2019/67, art. 3(a)
- F2** Words in s. 2(4) inserted (1.5.2019) by Church of England (Miscellaneous Provisions) Measure 2018 (No. 7), ss. 4(6), 17(3); S.I. 2019/67, art. 3(a)
- F3** S. 2(4A) inserted (1.5.2019) by Church of England (Miscellaneous Provisions) Measure 2018 (No. 7), ss. 4(7), 17(3); S.I. 2019/67, art. 3(a)

Commencement Information

- I1** S. 2 wholly in force at 11.7.1992 see s. 19(2) and Instrument dated 11.7.1992 made by the Archbishops of Canterbury and York.

Marginal Citations

- M1** 1967 No. 2.
M2 2 Edw. 7 c. 8.
M3 1983 No. 1.

Changes to legislation:

There are currently no known outstanding effects for the Church of England (Miscellaneous Provisions) Measure 1992, Section 2.