



LEICESTER DIOCESAN REGISTRY

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REGISTRY UPDATE – January 2021

There were so many changes in 2020 that as soon as we wrote an update, it needed updating! But law and practice move on and we thought that it was high time to issue our first update of 2021.

Changes to marriage law

Relevant Nationals post-Brexit

- As of 01 July 2021, the law will change so that banns or common licences will no longer be available to EEA/Swiss nationals (who are not British or Irish citizens) unless they have EU Settlement Scheme settled status. Those without settled status will need to follow the Superintendent Registrar's Certificate route.
- There are transitional provisions for banns and common licences in process as at 01 July 2021, so please do get in touch with us registry@stoneking.co.uk to request a guidance note.

Marriage Law consultation

- 04 January was the deadline for contributions to the Law Commission's proposals for an extensive change to marriage law. Its brief was to propose a system that would be simple, fair and lower costs to couples, whilst respecting individuals' wishes and beliefs. Matters up for discussion were legal preliminaries, who should conduct weddings (including non-religious belief organisations), wedding vows and venues, marriage registration and the implications of non-compliance. We'll keep you updated on what transpires as a result of the consultation responses.

Marriage registers – still no news...

- The GRO have a ministerial agreement to implement the changes in 2021 but this is dependent on there being enough time in Parliament to debate the legislation. What we do know is that it will not be implemented at Easter as the GRO have agreed with Church House that this is a good time to avoid!

Faculties

Grave spaces

- Please make sure that you use the new(ish) application form, which can be downloaded from the [Diocesan website](#) or requested from registry@stoneking.co.uk It has some new questions, in particular around how much space is left in the churchyard and current rates of burials over the last three years.
- Also, bear in mind when you are speaking with anyone who would like to reserve a space, that the maximum length of a reservation will be 25 years, unless there are exceptional circumstances. The faculty can be renewed nearer the time but it is for the petitioner to keep an eye on the expiry date, not the PCC or the Registry. The length of grant has been decided

upon so as to provide balance between a petitioner reserving space in advance and the rights of parishioners to burial in the churchyard.

Additions to List B

- **Gardens of Remembrance** During the pandemic, the Chancellor has granted an Additional Matters Order to permit the establishment of a reserved area in any consecrated burial ground for the burial of cremated remains under List B (Archdeacon's consent). Conditions apply and the order expires 31 December 2021, after which you will need to submit a faculty to retain the area and establish parish churchyard regulations concerning the area e.g. size and nature of memorial stones, inscriptions and any display case for a Book of Remembrance.
- **Wall and pew heaters** Anticipating demand as old heaters start needing replacing, the replacement of heating systems comprising wall mounted gas heaters/electric heaters/under-pew heaters in the same locations and positions now falls under List B. Again, conditions apply, so please consult your Archdeacons or drop us a line registry@stoneking.co.uk.

Public notices

- **Chancellor's direction** Because of the more limited way that we can get out and about, the Chancellor's additional directions for publicising faculty petitions still apply. Therefore, please make use of other notice boards and your social media for posting public notices and think of anyone who may want to comment or oppose the petition to whom a copy ought to be sent personally. When you submit your certificate of publication, please email registry@stoneking.co.uk to let us know where and to whom you posted the notice.
- **Confidentiality** Do remember that documents submitted in support of faculty applications submitted using the Online Faculty System under the new Rules (from 01 April 2020), can be made public through the OFS during the notice period. We consider that the PCC's resolution is an important document to be made public. Therefore, when uploading PCC minutes, please be mindful of the other matters minuted and if necessary consider uploading either a copy of the relevant resolution, or a redacted copy of the minutes instead.

Other news

- **The Energy Footprint Tool** has been developed by the CofE as an easy-to-use way of calculating your church's carbon footprint based on the energy you use to heat and light your buildings. It is accessed through the online parish returns system and to review your church and/or hall's energy use during 2020, you'll need to have to hand all of your electricity and oil/gas bills for that year. It will be available by March and you can [learn more about it here](#).
- Additionally, the CofE's Cathedrals and Church Buildings Division has produced guidance on how churches can plan [a path to net zero carbon](#), from possible 'quick wins' to more complex measures.
- **Gift aid on small donations** Treasurers may not have had to handle much cash over the last months but when they do, they may be concerned that those who donate cash regularly e.g. by means of an envelope scheme, have stored up their gifts to donate in one lump sum once they return to church, which will be ineligible for the Gift Aid Small Donations Scheme (GASDS). Well, we have heard that HMRC appear to be happy for church Treasurers to assess whether these lump sums are in fact a series of separate donations and, if so, make a claim under GASDS accordingly.

The contents of this update are current as of its sending but do remember that we are always happy you hear from you with any queries: email registry@stoneking.co.uk