



LEICESTER DIOCESAN REGISTRY

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REGISTRY UPDATE – February 2023

Welcome to our first Registry Update of 2023!

Faculty Fee 2023

As you may be aware, the statutory faculty fee increases annually at a rate set by General Synod. The fee for 2023 is now **£317**. The application forms on the [Diocesan website](#) should contain the revised - fee but please be aware of the fee increase if you are dealing with, for example, a grave space reservation that may have started in 2022!

If you require a copy of the current faculty application forms, these are available on the [Diocese of Leicester website](#), or contact us at the Registry and we will provide you with the updated forms.

Parochial Fees 2023

In addition to the rise in faculty fees, parochial fees have also increased for 2023. This covers the fees payable for:

- Baptisms
- Marriages
- Searches in Church Registers
- Funerals and burials
- Monuments in churchyards (not requiring a faculty)

Please see the [Table of Parochial Fees](#) for the full list of fees for 2023.

However, note that the Archbishop Council has proposed that this year's fees be reduced and will be proposing legislation to do this at February's General Synod. This is in recognition that the recent fee increases led by the Consumer Price Index are too high in light of factors such as cost of living pressures on fee payers and the likely increases in clergy stipends which will not be as high as inflation. So the proposal is that fees will be altered so that the increase above 2022 levels will be 5% (rounded up to the nearest pound).

Practically this will mean that, if the motion is passed, a fee for a marriage service for example will be £505 (currently £528, was £480 in 2022); and for a funeral £217 (currently £228, was £206 in 2022).

Marriage Law updates

- **Change to Minimum Age**

[The Marriage and Civil Partnership \(Minimum Age\) Act 2022](#) comes into effect on Monday **27 February 2023** and will raise the minimum age of marriage and civil partnership from 16 to 18 in England and Wales.

This means that from 26 February this year, 16 to 17-year olds will no longer be able to marry or enter into a civil partnership under any circumstances (including with parental or judicial consent).

The Act aims to protect children from forced marriages. The current law states that forced marriage is only an offence if the person uses a type of coercion, such as threats, to cause someone to marry, or if the person lacks capacity to consent to marry under the Mental Capacity Act.

However, the new Act expands the criminal offence of forced marriage in England and Wales meaning that coercion need no longer be proven - it will become an offence in all circumstances to do anything intended to cause a child to marry before they turn 18.

- **Online Decree Absolute**

Couples wishing to marry where one or both parties are divorced need to show a copy of the decree absolute (now known as a Final Order).

As the divorce process is now online, you should ask the person whose decree it is to forward you the email received from the court attaching the electronic PDF of the decree absolute. If this is not possible, you can ask for a screenshot or photograph of the email from their phone or computer to be emailed to you.

The digital decree absolutes may look different to ones you have seen before in that the seal of the court is now black and not raised as they used to be.

If you are in doubt as to the validity of the decree absolute you have been provided with, you can ask the person whose decree it is to provide confirmation from the Family Court that it is a valid document.

Protect Duty

In December, the Home Office announced details for the Protect Duty, to be known as "[Martyn's Law](#)" in tribute to Martyn Hett, who was killed alongside 21 others in the Manchester Arena terrorist attack in 2017.

This law would require premises to take steps to improve public safety and would place a requirement on those responsible for certain locations to consider the threat from terrorism and implement appropriate and proportionate measures depending on the size and nature of the activities that take place there.

The Protect Duty will apply to premises where a "qualifying activity" takes place which includes places of worship.

The statute will divide the duty into two tiers to be distinguished by their relative capacities known as 'standard' (maximum capacity of 100+) and 'enhanced' (maximum capacity of over 800+). However, please note that the Government intends all places of worship to fall under the standard tier, regardless of their capacity.

The standard tier requires duty holders to undertake simple yet effective activities to improve protective security and preparedness.

These activities include:

- Free training
- Raising awareness
- Completion of a preparedness plan

It is not yet known when the Protect Duty will become law. The Home Office have stated that there will be a period allowing for those within the Protect Duty's remit to prepare for its commencement. However, you may want to start considering whether your church and buildings will come within the standard tier and think about how you may plan to react in the event of an attack. There is a Home Office webinar for you to learn about Martyn's Law and ask questions on 9 March 11am-12.30pm. [Book a place.](#)

The law quoted in this update is as of January 2023. Please do get in touch if you have any queries at registry@stoneking.co.uk