

CORONAVIRUS (COVID-19)

How does this affect my parish church?

The government's response to the outbreak of Coronavirus is changing rapidly. This brief note is intended to help parishes to think through some of the immediate legal consequences of the current situation.

This note is *not* intended to replace the extension [guidance](#) available from the Church of England.

Reference to a Rule in this document is a reference to the Church Representation Rules 2020.

Regular Services

All regular services can and should now be suspended, and church buildings closed.

The London College of Bishops has produced a helpful paper, "[The Eucharist in a time of Physical Distancing](#)," with reflections and advice about celebrating communion at home, including celebrating alone.

Advice about [Securing and caring for church buildings](#) while they are closed is available from the Archbishops' Council Cathedral and Church Building Division.

It is worth highlighting that the Archbishops have been clear that **worship outside** is also included in the suspension of all public worship. (In any event, Holy Communion must take place "in a consecrated building," unless otherwise permitted by the Bishop - Canon B 40. Similarly, marriages can normally only take place in an authorised building – The Marriage Act 1949).

Weddings

With public worship now suspended, it is **not possible to call banns** or to complete the calling of banns. It is *not* possible to call banns by written notice, in a live-streamed service or by posting online. You will need to apply for a **common licence**. Contact the Diocesan Registry (see below) for details.

The Faculty Office has issued helpful [guidance](#) about couples seeking to establish a Qualifying Connection through **habitual attendance** at public worship where that is not now possible.

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A marriage must take place **within 3 months of the completion of the calling of banns**. If the wedding is postponed, banns will need to be called again, or a common licence applied for.

Parochial church fees are due when the office is performed. If the calling of banns has not been completed, the fee should be refunded. If a service needs to be postponed or cancelled, the fees are not due until it takes place.

Annual Parochial Church Meetings (Part 9, Section A of the Church Representation Rules 2020), and Meetings of parishioners to elect Churchwardens (Churchwardens Measure 2001)

APCMs (which elect lay representatives on the PCC and Deanery Synod representative) and meetings of parishioners (which elect churchwardens) are usually held around this time of year, and must normally be held by **31 May** (Rule M1(1), s.4(1) Churchwardens Measure 2001).

The **Bishop has now extended the deadline for both meetings to 31 October 2020**. (Rule 78, section 10 Churchwardens Measure 2001). There are no provisions for these meetings to be held **by correspondence, digitally or "virtually"** and it would be **invalid** to attempt to do so. They can and should now be postponed.

In due course **notice of the new date** will need to be given in the usual way (Rule M2, s.5 Churchwardens Measure 2001).

Meetings of the PCC

There is no longer a requirement for PCCs to meet for a minimum number of meetings each year. They need only to hold "**sufficient meetings to enable the efficient transaction of its business**" (Rule M23(1)).

It is possible to hold **PCC meetings "virtually"** using video conferencing technology.¹ Extra care should be taken to ensure that all members are able to join in and participate. Ensure you are catering for those without technical knowledge and internet access, and check that the chosen conferencing software is stable and reliable.

It may be convenient for PCCs to conduct some essential **business by correspondence** - see Rule M29 for the procedure. Don't forget to report to the next meeting of the PCC about any business conducted in this way (Rule M29(3)).

The **Standing Committee** of the PCC also has powers to conduct the business of the PCC between meetings – but this should not replace normal PCC discussions and deliberations. See Rule M31 for limitations and restrictions.

¹ A discussion of some of the legal issues involved is available on the [Law and Religion UK](#) blog.

Annual financial statements

Audited annual financial statements should be **approved by the PCC** – Rule M5(6). If the PCC isn't meeting at the moment, it can nonetheless approve them by **correspondence** (see above).

Once approved and signed by the Chair of the PCC, the financial statements should be **published** – Rule M5(7). This can be done **electronically** – Rule M5(7)(a).

A copy of the financial statements should be **sent to the Secretary to the Diocesan Board of Finance** within 28 days of the APCM – Rule M5(8). As most APCMs are now delayed, this may not happen for some time.

It is worth noting that APCMs do not need to approve the financial statements or vote on them. They are simply **"provided"** so that the meeting can **"discuss"** them – Rule M5(1)(c).

Electoral Roll revisions

The current circumstances mean that it is **impossible to comply** with all of the requirements of the Church Representation Rules. A revision of the electoral roll is required annually (Rule 3(1)), with the process being completed at least 15 days but no more than 28 days before the APCM (Rule 4(10)). If the APCM will not now take place within a year of the previous meeting, one or other of these rules must necessarily be broken.

Individual PCCs will need to decide the best way to comply with the spirit of the Rules.

- If a revision of the electoral roll had already been completed or had nearly completed before the beginning of the "lock down," it may be appropriate to **continue with the process**: publish the revised roll in a suitable form (Rule 5(1)(a)) and provide the APCM, when it meets, with a report on the roll (Rule M5(1)). No further names should be added or removed from the roll until the APCM meets (except in very limited circumstances - Rule 5(4)).

- If a meaningful revision of the roll had not taken place before the "lock down", it may be better to **delay the revision** until nearer the new APCM date.

In most cases it will be impossible to comply with Rule 10 (**reporting the number of names on the electoral roll** to the secretary of the diocesan synod *no later than 1 July.*) Again, if a revised roll is available it may be sensible to report the number before 1 July. If not, it would be sensible to report the number as soon as the revision is completed.

Can we help?

Need some more advice? Contact the Diocesan Registry by telephone on 01722 432390 or e-mail us at registry@battbroadbent.co.uk.

9 April 2020

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