

# CHURCHYARD REGULATIONS 2013

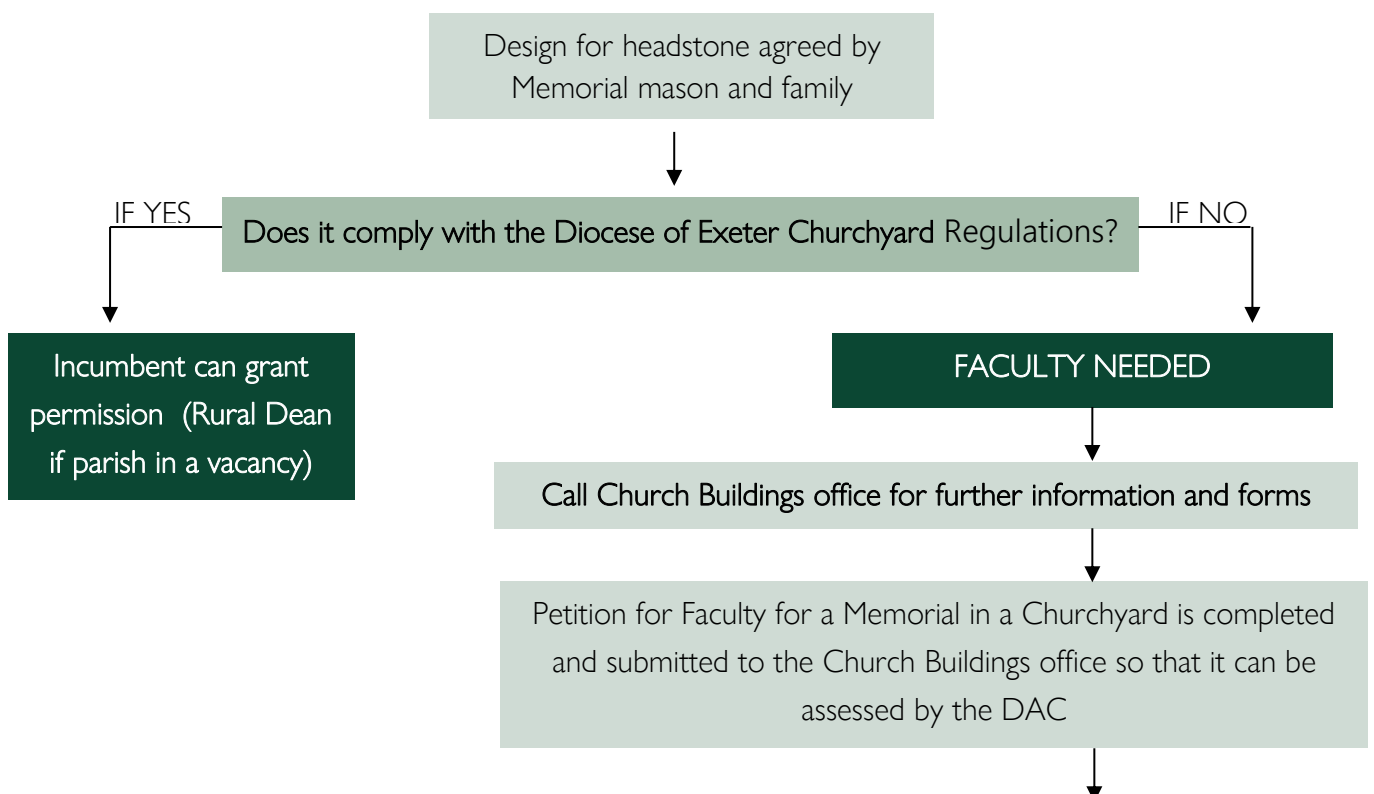
How to obtain a faculty for a memorial in  
a churchyard

The right of a parishioner in a churchyard (not closed by Order in Council) is confined to that of interment. The erection of a memorial over a grave remains a privilege, and strictly speaking, no memorial may be erected in a churchyard without the authority of the Chancellor of the Diocese in the form of a faculty.

In practice the Chancellor has delegated this authority:

- i) to the parish priest, who may normally grant permission for the erection of a memorial which conforms to these regulations; and
- ii) to the Archdeacon, who (with the consent of the Parish Priest) with the agreement of the Diocesan Advisory Committee, may permit an **individually designed and hand-crafted monument which is of artistic merit** but which does not conform to these regulations. This power is given to encourage variety and the improvement of aesthetic standards. Applications of this type should be submitted to the Church Buildings office.

Memorials which do not conform to these regulations, or cannot be permitted by the Archdeacon under his or her delegated power, must be specifically authorised by faculty.



An initial scrutiny is made of the application, and if any information appears to be missing, the office will ask the applicant to provide it in order that the application can be properly assessed

The application is added to the agenda for the next DAC meeting, and papers are sent to the relevant DAC specialists who will offer their Formal Advice which will then be discussed at the next committee meeting (DAC meets approximately every six weeks)

If the DAC is content, they will issue a Form that recommends (or does not object to) the works, to enable the applicant to petition for a faculty

If the DAC objects to a proposal, the applicant is still entitled to submit a petition for faculty, upon which the Chancellor (a judge) will make the final ruling

A letter will be sent to the applicant, along with the Form and petition for faculty, detailing the next steps to take

Applicant completes and displays public notices at the church for 28 days, and at the same time forwards to the Diocesan Registry all the relevant papers, including the fee

At the end of the 28 days, applicant takes down the public notices, completes certificate of publication on the reverse of one notice, and sends it to the Diocesan Registry immediately

The Registry will send the petition to the Chancellor of the Diocese for the final decision

IF YES

Are there any objections?

IF NO

The Diocesan Registry issues the faculty to the applicant and works may then proceed

The Chancellor will make his decision either by written representations or, in rare cases, a Consistory Court hearing