

Part Two: Pastoral Regulations

Pastoral Regulations

1. *The Clerical Ministry*

1.1 Authorisation

The Diocesan Bishop is ultimately responsible for the provision of ordained ministry in each parish, and it is by his authority that such ministry is undertaken.

An Area Scheme is in operation in Southwark pursuant to a scheme made under the Dioceses Measure 1978. This means that certain Episcopal functions are delegated to the Area Bishops.

No one may exercise his or her ministry without a valid licence or permission to officiate from either the Diocesan Bishop or the relevant Area Bishop.

When occasional help is required for holidays or in sickness for a period not exceeding six Sundays, such permission may be presumed in the case of a licensed Priest or Deacon from another Diocese in the Church of England.

1.2 Annual/Biennial Interviews

A brief outline of the scheme for Annual Ministerial Review is available at Part 3: Section E.

1.3 In-Service Training

All clergy and accredited lay ministers who carry the Bishop's licence are required to undertake appropriate in-service training. The Bishop has delegated his authority in this matter to the Director of Continuing Ministerial Education, whose name and address appears in the Diocesan Directory. Details of courses and other training provision may be obtained from the Director.

1.4 Absence

No Incumbent without an assistant Priest should leave his/her parish for more than a day without making suitable provision for pastoral needs. In particular, the Area Dean or his/her deputy should be informed of the arrangements and the principal funeral directors advised.

1.5 Illness

The procedure for actions to be taken in event of an illness of an Incumbent, Parish Priest or Priest-in-Charge are set out annually in the booklet 'Pay and Conditions of Service'. In addition, the following points should be noted:

- 1.5.1 The Area Dean will inform the Archdeacon if the Priest is unable to carry out duties for more than one Sunday because of his illness and the Archdeacon should discuss the situation with the Priest.
- 1.5.2 If the doctor recommends more than six Sundays off, or if more than six Sundays are taken off without prior notice to Area Dean or Archdeacon, the Archdeacon should undertake consultations, including a meeting with the PCC before recommending to the Bishop arrangements for the pastoral care of the parish. However, the responsibility for the parish remains with the churchwardens and the Archdeacon, and the situation is similar to an interregnum. Payments for the services of a person who is acting in place of the Incumbent should be made from normal parish funds.
- 1.5.3 A definite date for the Incumbent's return to parish responsibility should be agreed with the Archdeacon, who shall arrange to notify interested parties.

1.6 A Vacancy

During a vacancy the Bishop is responsible for the spiritualities of the parish. Sequestrators are appointed by the Bishop for the duration of the interregnum and are usually the churchwardens and the Area Dean. The Archdeacon will meet with the churchwardens and give them written guidelines on their duties, including the arrangement of church services, the continuance of parish life and the legal arrangements for appointing a new Incumbent. It is important that churchwardens work closely with any assistant staff and the Area Dean.

1.7 Assistant Staff and Training Posts

Each year the Diocesan Bishop, acting on advice from the Area Bishops and Archdeacons, will nominate a number of training parishes to which newly ordained stipendiary Deacons will be allocated in the following year. Curates appointed to these posts will be expected to serve a Title for a minimum of three years and a maximum of four years.

Newly ordained non-stipendiary (NSM) Deacons will serve their Titles in parishes selected by the Diocesan Bishop which will not normally be in the parish where they are worshipping as lay people. The length of a Title post for a non-stipendiary Curate shall be four years.

For pastoral reasons, before a NSM joins the staff of another parish the approval of the PCC of that parish should be obtained.

Assistant staff other than those in training posts will be allocated by the Area Bishop according to the Diocesan establishment.

1.8 Ordination Candidates

Those whom a local parish or Incumbent wish to commend as candidates for training for the ordained ministry should be referred in the first instance to the Diocesan Director of Ordinands. Selection takes place at two levels:

- (i) within the Diocese, involving interviews with an Assistant Director of Ordinands, and one of the Bishop's Examining Chaplains
- (ii) at a national Bishops' Advisory Panel organised by the Ministry Division of the Archbishops' Council.

For more information about ordination, please contact the Diocesan Director of Ordinands whose name and address appears in the Diocesan Directory.

1.9 Ordination of Women to the Priesthood - Extended Episcopal Care

Arrangements have been made for Extended Episcopal Care by way of what is known as the "Southwark Provision".

Briefly this provides for the Bishop of Fulham to act as Commissary of the Diocesan Bishop in carrying out certain Episcopal functions in relation to parishes which request this provision. In accordance with the relevant Act of Synod, the Diocesan Bishop will arrange for such Extended Episcopal Care if, following a consultation with those whose names are on the electoral roll, the Parochial Church Council (PCC) petitions him following a Resolution passed at a meeting:

- (a) of which not less than four weeks' prior notice was given
- (b) attended by at least half of the members entitled to attend
- (c) by a majority of at least two-thirds of those present and voting
- (d) with the Minister also being in favour of the Resolution (whether or not the Minister was present and voted).

If such a resolution is passed but these provisions are not fully satisfied (e.g. because the majority is less than two-thirds) the Bishop may make arrangements for Extended Episcopal Care if he thinks fit, but is not bound to do so.

A Petition for Extended Episcopal Care may only be made following the passing of either Resolution A or Resolution B pursuant to the Priests (Ordination of Women) Measure 1994.

In case of difficulty enquiries should be made of the Diocesan Registry.

2. *The Lay Ministry*

2.1 Shared Ministry

The shared ministry of clergy and laity is to be encouraged and fostered.

2.2 Accredited Lay Ministers

Accredited lay ministers are assessed and selected on the same basis as candidates for the ordained ministry (see section 1.8 above). The same procedure also applies to the placing of a newly accredited lay minister in his or her first post. Lay ministers will also be seen for an annual interview

(see section 1.2 above) and are required to undertake In-service Training (see section 1.3 above).

2.3 Church Army Officers

While the Church Army operates its own internal selection and development system, this is always done in close co-operation with the Diocese; in particular, newly commissioned Officers are placed in their first post at the direction of the Diocesan Bishop, acting on the advice of the Area Bishops. Officers will also be seen for an annual interview (see section 1.2 above).

2.4 London City Missioners

It is normally expected that the London City Mission (LCM) would be the employer, with responsibility for housing, insurance, pension and salary. A parish would meet expenses of office. An Incumbent should approach the Archdeacon before approaching LCM to settle terms of agreement, including possible contributions towards LCM's costs. If contributions towards salary and housing are proposed, the Archdeacon must be consulted. Incumbents must apply to the Bishop for permission to appoint an LCM.

A Missioner should have an annual review carried out by LCM and a representative of the Area Bishop. A Missioner's post should be reviewed every five years. Deanery Chapters are expected to invite Missioners to their meetings.

2.5 Readers

Readers are selected and trained in a three year course set up by the Diocese. Potential Readers are expected to have attended a Vocational Guidance Unit. Details of the Reader course may be obtained from the Director of Reader Training. Readers are normally licensed to the Incumbent of the parish in which they worship. A Reader may officiate at Morning or Evening Prayer and lead the Ministry of the Word at services of Holy Communion. He or she may preach at any service, assist in the distribution of the elements at Holy Communion and, in the absence of the clergy, read the Banns of Marriage. With the permission of the Incumbent, Readers may minister

in any parish in the Diocese and the Area Bishop may encourage them to serve elsewhere than in their home parish to give a more equitable spread of ministry.

Every year Incumbent and Reader are required to submit a report on the Reader's work to the Readers' Board prior to the pre-Lent Area Bishop's Re-licensing Service - a service that all Readers are expected to attend. PCCs are required to pay an annual fee to the Readers' Board for every Reader licensed to the parish. A Reader's licence expires automatically at the age of 70. If a Reader wishes to continue in active ministry they should apply for Permission to Officiate status (PTO). The Diocesan Registrar of Readers will send the Annual PTO form to the qualifying Reader automatically. The Area Bishop will be informed by the Registrar and a Certificate for Permission to Officiate issued in due course.

Readers co-operate with the clergy in ministry of the Word and Sacrament, and in pastoral care. After appropriate training, Readers may officiate at funerals.

For further information reference may be made to the 'Regulations for the Southwark Diocesan Association of Readers' which may be obtained from the Registrar of Readers, and 'Guidelines for Incumbents and Readers' in Part Three: Section C of this Handbook. Both documents are also available from the Diocesan website at www.southwark.anglican.org/ministry/readers/downloads

2.6 Southwark Pastoral Auxiliaries

Southwark Pastoral Auxiliaries (SPAs) are lay men and women who are commissioned to undertake specific pastoral tasks. They serve on a voluntary basis.

The Diocesan SPA Council holds overall responsibility for policy issues relating to SPA ministry, selection and training, and the oversight of matters relating to SPAs and their interests. Each Archdeaconry has a representative on the SPA Council, who handles questions relating to the ministry of serving SPAs in that area.

SPAs are nominated and supported by their parishes. They are trained for and commissioned to an essentially pastoral ministry. At the end of training, an Agreement is established with details of their work in their local parish and/or the wider community (e.g. hospitals, local caring agencies, prisons etc.). A named Incumbent or other minister (e.g. hospital chaplain) maintains oversight and shares an annual review of work and needs with the auxiliary.

Further details of SPA ministry and training can be obtained from each Area Mission Team training officer, Vocational Guidance Units or the SPA Council. (Addresses of the officers of the SPA Council are listed in the Diocesan Directory and are also on the Diocesan website at www.southwark.anglican.org/ministry/southwark-pastoral-auxiliary).

2.7 Other Lay People

Lay people may read the Scripture at divine service and lead the prayers, providing they are competent to do so, clearly audible and carefully rehearsed.

Lay people other than Readers may not preach unless permission from the Area Bishop is obtained beforehand.

Named lay people may be given permission to assist in the administering of the Holy Communion. Application for such permission must be made to the Archdeacon, following the approval of the PCC.

3. *Ecumenical*

3.1 Canons B43 and B44

Ecumenical relationships are governed by Canons B43 and B44, in accordance with the Church of England (Ecumenical Relations) Measure, 1989. See also the very useful Code of Practice, “Ecumenical Relations (Canons B43 and B44)”, published by the General Synod of the Church of England.

3.2 Church Representation Rules

Changes to the Church Representation Rules, which came into effect on 01 Jan 2001, have considerable ecumenical implications. For example, members of Churches not in

communion with the Church of England who have been baptised in the name of the Holy Trinity may declare themselves to be also members of the Church of England and have their names entered on the electoral roll. On that basis they may also be elected to a PCC, or to a Deanery or Diocesan Synod or to General Synod.

3.3 Holy Communion

Members of other Christian denominations may receive Holy Communion in accordance with the terms of Canon B15A. At those special services where Christians of other denominations are likely to be present a specific invitation in such terms would be appropriate.

3.4 Reception into the Church of England

Roman Catholics, Old Catholics and Orthodox (who are already baptised and confirmed) should normally be admitted at a public service. This can often be at a Confirmation, immediately after the act of confirming, or at a Communion Service. A short form of reception is available from the Area Bishop, or from Bishop's House. Names of those so received should be entered in the Confirmation register.

Free Church members wishing to be received into the Church of England must first be baptised (if not already baptised) and confirmed.

3.5 Sharing of Buildings

Church of England buildings may be shared for worship purposes with other Churches under the provisions of Canon B44 or the Sharing of Church Buildings Act, 1969. (See Part Three: Section D)

3.6 Further information

The Archdeaconry Ecumenical Officers and the Deputy Diocesan Secretary (Pastoral) are available and should normally be consulted on ecumenical matters especially when there is doubt.

4. Church Services

4.1 Holy Communion

- 4.1.1 The Book of Common Prayer (BCP), Common Worship (CW) and such other rites authorised under Canons B2 and B5 (e.g. Common Worship: Times and Seasons and Common Worship: Festivals) provide a wide measure of choice to meet local needs. Statutory services should be within this wide choice.
- 4.1.2 Normally unused consecrated elements should be consumed and the vessels cleaned by the President or by one of the other ministers during the service.
- 4.1.3 The highest standard of cleanliness must be maintained in all linen used at the Holy Communion. All cloths must be changed regularly when they become stained or dirty.
- 4.1.4 In times of infection vessels of precious metal are to be preferred. The Sacrament may however be administered and received by intinction.
- 4.1.5 Every opportunity must be given to the sick or housebound to receive the Sacrament of Holy Communion as soon after the Sunday Eucharist as is practicable.

4.2 Communion of the Sick or Housebound

(These regulations apply whether the Sacrament is taken out from Reservation or immediately after the Sunday Eucharist.)

- 4.2.1 It is wholly to the good that Deacons should undertake this ministry, and in recent years this ministry has been extended to authorised Readers and to some other senior lay members of the congregation (see section 2.7 above). An invitation to do this should never be issued lightly, and there should be careful and thorough preparation and training.
- 4.2.2 Where Communion is taken regularly to someone at home or in a residential home, it is important that the Incumbent and ordained ministers should take their turn. One in every four visits is a suggested minimum.

Administering Communion to the sick is a valuable part of the ordained ministry and should never be entirely delegated to others.

- 4.2.3 The preparation of those authorised to share in this ministry should cover the following points:
- a. Is the Sacrament to be given in one or both kinds? What vessels will be used to carry it reverently?
 - b. How best can the communicant(s) be helped to prepare? Would a small table covered with a clean cloth be helpful? Would a cross and candles aid devotion? Is there someone to get things ready beforehand who might stay and share in the worship?
 - c. Careful thought needs to be given to the form and the length of the visit, and to the appropriate style of dress. A number of cards and booklets are available. Large print can be helpful, as can the use of familiar prayers. Communicants vary in their ability to concentrate, so flexibility is needed over the length of service, scripture readings, etc.
 - d. Many people like to have a time for quiet and reflection after receiving Communion. Those administering need to remember this - and encourage it too. The whole administration needs to be surrounded by dignity and reverence. General conversation is best left until all is cleared away.

4.3 The Reserved Sacrament

- 4.3.1 Application must be made to the Area Bishop if it is desired to reserve permanently the consecrated elements.
- 4.3.2 When permission has been obtained from the Area Bishop the Incumbent must apply for a Faculty.
- 4.3.3 The Sacrament must be reserved in an aumbry or pyx, either of which must be secure and under lock and key.

4.3.4 The consecrated elements should be changed at least once a week.

4.3.5 The primary purpose of reservation is to enable sick or housebound persons to receive the Sacrament in their homes.

4.4 The Reserved Sacrament is not to be used in a ‘eucharistic service’.

The Reserved Sacrament is not to be used in Church services where there is no Parish Priest except with the written permission of the Area Bishop within the terms of the House of Bishops document GS 1230C “Public Worship with Communion by Extension”. If a Priest is present, he/she should preside at the Communion service according to an authorised rite.

4.5 Services for Healing (see also section 9)

4.5.1 The clergy are encouraged to make provision for the healing ministry of the church. Services of prayer for the sick may include the laying-on of hands and/or anointing with oil, and should take place in the open church.

4.5.2 The laying-on of hands should be accompanied by words such as:

“Our Lord Jesus Christ, who went about Galilee healing all in sickness and distress, stretch forth his healing hands upon you for the restoration to perfect health of your body, mind and spirit.”

The anointing with oil, usually on the forehead and palms of the hands, should be accompanied by words such as:

“By the authority committed unto me, I anoint you in the name of the Father and of the Son and of the Holy Spirit for the restoration to wholeness of your body, mind and spirit.”

Other suitable forms of words may be used (see literature produced by the Guild of St Raphael).

4.5.3 The Holy Oils should be kept in a clean, secure place under lock and key. They should be renewed annually. They must not be kept in the same place as the Reserved Sacrament.

4.6 Other Services

4.6.1 The Bishop has no wish to be consulted about services which are for special occasions and for which the authorised service books make no provision, provided that such services are compatible with the doctrines of the Church of England.

4.6.2 The Bishop is anxious to encourage Incumbents to make reasonable experiments, providing such services are in addition to and not instead of the statutory ones.

4.7 Inclusive Language

Parishes are encouraged to ensure that this matter is fully addressed.

5. *Christian Initiation: Baptism*

5.1 Adult Baptism (and Confirmation)

Many candidates are now baptised as adults. Common Worship makes provision for a full rite of Baptism, Confirmation and Eucharist.

Where a Confirmation candidate is also to be baptised, it should be remembered that the primary sacrament is Baptism. Under no circumstances should the Baptism be relegated to an earlier, private occasion without the Bishop's permission, nor should anyone over the age of 10 years be baptised unless they are willing to be confirmed.

5.2 Infant Baptism

The legal requirements relating to the Baptism of infants are contained in Canons B21 to B23. If these requirements are met, a Parish Priest must not refuse Baptism.

However, the present situation calls for great care in the administration of infant Baptism, if the reality and solemnity of the Sacrament are to be maintained.

The Bishop asks Parish Priests to bear in mind the centuries of tradition and encouragement from the Church, which lie behind the desire of parents to have their children baptised in infancy.

In the application of a local policy (subject to the legal requirements outlined in the first paragraph of section 5.2) regarding infant Baptism, great care must be taken to avoid or minimise the hurt of those with little understanding of what is involved.

The following conditions should be observed:

- 5.2.1 Infant Baptism should be restricted to the children of parents who live in the parish or who are regular worshipping members of the congregation. In all other cases the agreement of the Incumbent of the parish in which the parents live must be obtained before any arrangements are made. When such agreement has been given the Incumbent must be sent notification of the Baptism after it has taken place.
- 5.2.2 Written notice, with the necessary information, should be required at least a week beforehand.
- 5.2.3 A visit should be made to the home.
- 5.2.4 The meaning of the service and the obligations of parents should be carefully explained, and their attention drawn to the CW service: "Thanksgiving for the Gift of a Child".
- 5.2.5 It is important that the service of Infant Baptism is given a dignity consistent with the administration of one of the Greater Sacraments. It is appropriate that it should normally be within the context of the main Sunday Service (see Canon B21).
- 5.2.6 Adequate pastoral care should be given to the parents to help them bring up their child within the family of the Church. If the family move, they should be commended to the Incumbent of the new parish.

6. Christian Initiation: Confirmation

6.1 Preparation

Candidates should be prepared carefully for Adult Baptism and Confirmation. No candidate should be presented to the Bishop until he or she has been thoroughly instructed in the basic Christian doctrines, in the use of scripture and in the practice of both public corporate worship and personal prayer. The instruction should also include the implications of Christian belief for personal behaviour and morality.

6.2 Places and dates

Each year Confirmation is held in Deanery centres, or in collaborative groups of churches. Bishops will normally expect to be confirming candidates from at least two, preferably three or four churches, unless there is some particular reason to go to an individual church in any one year. Requests should be made through the Area Dean, and arrangements are made by the Bishop, after consultation with the other Bishops of the Diocese, during May after which the list for the following year is published.

6.3 Age of Confirmation

Candidates should be aged 10 years or over, unless the Bishop gives permission. Where a parish has adopted a policy of admitting children to Communion before Confirmation, such candidates should be drawn to the Bishop's attention. Likewise any adults who are taking the opportunity to renew their baptismal vows.

6.4 Documentation

The Confirmation registers and returns from the parishes from which the candidates are coming should be placed ready in the vestry before the service, together with the Baptism register (if needed) of the parish in which the Baptism is taking place. Please note that all Baptisms must be recorded in the register of the church in which the Baptism takes place, not the parish from which the candidates come. Confirmation return forms may be

obtained from the Area Office and should be handed to the Bishop before the Confirmation Service.

6.5 Infants

Infants should not be presented for Baptism at a main service of Christian Initiation with the Bishop, unless in special circumstances and with the Bishop's prior permission.

6.6 Orders of Service

6.6.1 Where Christian Initiation is to be administered according to the 1662 Prayer Book order, the proposed service should be submitted to the officiating Bishop with suggested music and hymns.

6.6.2 Where CW is used, the proposed hymns should be submitted to the officiating Bishop, who will choose the readings. The Diocesan Order of Service is available from Area Deans.

6.6.3 Liturgical colour - normally white, but if there are no baptisms, and with the agreement of the officiating Bishop, red may be used instead.

6.7 Practical matters

The officiating Bishop will write to the Incumbent in whose church the Confirmation is taking place, and will ask for details beforehand of the rite to be used, numbers, names and ages of candidates, normal vesture etc.

6.8 Notes on the Service

6.8.1 All members of the congregation should be provided with a copy of the service and the necessary hymn sheet or hymn book.

6.8.2 Candidates should not be seated in the front row in a church which has chairs, since this makes kneeling very difficult. The provision of hassocks etc., should be carefully checked beforehand.

6.8.3 There is no requirement for women candidates to wear veils or white dresses, or for the candidates to be segregated by sex. Veils must not be worn by candidates for Baptism. Members of the same family may prefer to sit together.

- 6.8.4 When Baptism is administered, the order of service requires that the Profession of Faith should come immediately before the Baptism itself. Confirmation candidates already baptised, as well as those renewing their baptismal promises, should also move to the font. If this is not possible because of lack of space, the Bishop should be informed.
- 6.8.5 The newly-baptised should themselves place their lighted candles on the altar or some other suitable place before the Confirmation prayer begins.
- 6.8.6 The Bishop should be consulted about how many candidates move forward for Confirmation. He may confirm two by two, from the Bishop's chair, or alternatively may confirm candidates as they kneel in a row at the chancel steps or at the Communion Rail, moving from left to right. If the Oil of Chrism is to be used, the Bishop should be notified beforehand.
- 6.8.7 Each candidate must have a card on which names are printed: for Confirmation, there should only be the name that the candidate normally uses, but in the case of Baptism the full Christian names should be printed out on the other side of the card. If, however, a person is taking a new name at Confirmation, then the full Christian names should be used at the Confirmation also, and a note entered into the Confirmation Register about the new name.
- 6.8.8 Those responsible for the marshalling of candidates should sit at the front of the church. When candidates are coming forward two by two, there should be as little delay as possible between pairs. Where the candidates are being confirmed in a row, they should move forward without delay as soon as the Bishop has said the prayer of invocation of the Holy Spirit. When the Bishop has reached the end of the row, the candidates should return to their seats without having to push past other candidates. No rigid rules can be laid down, as much depends on the building; but

where possible the candidates should approach the Bishop by nave and return to their seats by the side aisles. Please note that all candidates must remain stationary until the whole row has been confirmed, to avoid distracting movement.

- 6.8.9 The CW order of service indicates where hymns are appropriate. Their length should be determined by the requirements of the liturgical action concerned, and they should preferably be hymns of prayer. At the offertory all preparations at the holy table should be completed by the end of the hymn.
- 6.8.10 A plentiful supply of water and a towel should be provided for the washing of the Bishop's hands before he proceeds with the Communion service.
- 6.8.11 A collection should be taken at the normal time as a thank offering and for the support of candidates for Holy Orders and their families. The collection should be sent to the Diocesan Secretary, South London Church Fund, Trinity House, 4 Chapel Court, Borough High Street, London, SE1 1HW.
- 6.8.12 The Bishop likes to meet the candidates and their families informally after the service. It is a great help if the Incumbent briefs him about individuals who may have been seriously ill or suffered recent bereavement, etc.
- 6.8.13 As far as possible, it is a great help if cards and books are left in the vestry for signing before the service.
- 6.8.14 It is preferable that the Bishop, preceded by the Incumbent and churchwardens, should enter the church after the choir and the clergy have taken their places, and that he should leave the church similarly accompanied before the others leave their places.
- 6.8.15 Any notices should be given out before the service begins.
- 6.8.16 If members of the choir are to be confirmed, they should sit with the other candidates, preferably without choir robes.

- 6.8.17 Candidates should be given a rehearsal, preferably in the church where the Confirmation is to take place.
- 6.8.18 It should be made clear that there should be no flash photography during the service. The officiating Bishop will be happy to be photographed after the service, with any of the candidates who so wish. It is preferable to make a positive invitation to do this, rather than a simple prohibition of photographs during the service.

7. Admission to Communion before Confirmation

7.1 Policy

Incumbents and parishes adopting the practice of admitting candidates to Communion before Confirmation must do so in accordance with the guidelines prepared by the Bishop of the Diocese. Copies can be obtained from the Area Bishops.

7.2 Approval

Before such approval can be given the Bishop will wish to know that:

- 7.2.1 The policy has the full support of the PCC;
- 7.2.2 The candidates have been baptised;
- 7.2.3 Candidates admitted have been regular worshippers at the Parish Communion for at least six months; and are at least 7 years old;
- 7.2.4 Candidates have been adequately prepared for receiving Communion;
- 7.2.5 There is a continuing programme of training leading to Confirmation.

ADMISSION OF BAPTISED CHILDREN TO HOLY COMMUNION REGULATIONS 2006

The General Synod hereby makes the following Regulations under paragraph 1(c) of Canon B15A :-

1. These Regulations may be cited as the Admission of Baptised Children to Holy Communion Regulations 2006 and shall come into force on the fifteenth day of June 2006 as appointed by the Archbishops of Canterbury and York.

2. Children who have been baptised but who have not yet been confirmed and who are not yet ready and desirous to be confirmed as required by paragraph 1(a) of Canon B15A may be admitted to Holy Communion provided that the conditions set out in these Regulations are satisfied.
3. Every Diocesan Bishop may at any time make a direction to the effect that applications from parishes under these Regulations may be made in his Diocese. The Bishop's discretion in this respect shall be absolute, and he may at any time revoke such a direction (without prejudice to the validity of any permissions already granted thereunder).
4. Where a direction under paragraph 3 is in force in a Diocese, an Incumbent may apply to the Bishop for permission that children falling within the definition in paragraph 2 may be admitted to Holy Communion in one or more of the parishes in the Incumbent's charge. Such application must be made in writing and must be accompanied by a copy of a resolution in support of the application passed by the parochial church council of each parish in respect of which the application is made.
5. Before granting any permission under paragraph 4, the Bishop must first satisfy himself (a) that the parish concerned has made adequate provision for preparation and continuing nurture in the Christian life and will encourage any child admitted to Holy Communion under these Regulations to be confirmed at the appropriate time and (b) where the parish concerned is within the area of a local ecumenical project established under Canon B 44, that the other participating Churches have been consulted.
6. The Bishop's decision in relation to any application under paragraph 4 shall be final, but a refusal shall not prevent a further application being made on behalf of the parish concerned, provided that at least one year has elapsed since the most recent previous application was refused.
7. Any permission granted under paragraph 4 shall remain in force unless and until revoked by the Bishop. The Bishop must revoke such permission upon receipt of an application

for the purpose made by the Incumbent. Such application must be made in writing and accompanied by a copy of a resolution in support of the application passed by the parochial church council of each parish in respect of which the application is made. Otherwise, the Bishop may only revoke a permission granted under paragraph 4 if he considers that the conditions specified in paragraph 5 are no longer being satisfactorily discharged. Before revoking any permission on these grounds, the Bishop shall first notify the Incumbent of his concerns in writing and shall afford the Incumbent a reasonable time to respond and, where appropriate, to take remedial action.

8. Where a permission granted under paragraph 4 is in force, the Incumbent shall not admit any child to Holy Communion unless he or she is satisfied that (a) the child has been baptised and (b) a person having parental responsibility for the child is content that the child should be so admitted. Otherwise, subject to any direction of the Bishop, it is within the Incumbent's absolute discretion to decide whether, and if so when, any child should first be admitted to Holy Communion.
9. The Incumbent shall maintain a register of all children admitted to Holy Communion under these Regulations, and where practicable will record on the child's baptismal certificate the date and place of the child's first admission. If the baptismal certificate is not available, the Incumbent shall present the child with a separate certificate recording the same details.
10. A child who presents evidence in the form stipulated in paragraph 9 that he or she has been admitted to Holy Communion under these Regulations shall be so admitted at any service of Holy Communion conducted according to the rites of the Church of England in any place, regardless of whether or not any permission under paragraph 4 is in force in that place or was in force in that place until revoked.
11. These Regulations shall apply to a cathedral as if it were a parish, with the modifications that:

- (a) any application under paragraphs 3 or 7 must be made by the Dean of the cathedral concerned, accompanied by a copy of a resolution in support of the application passed by the chapter of the cathedral concerned;
 - (b) the obligations imposed on the Incumbent under paragraphs 8 and 9 shall be imposed on the Dean of the cathedral concerned.
12. A Diocesan Bishop may delegate any of his functions under these Regulations (except his functions under paragraph 3) to a person appointed by him for the purpose, being a Suffragan or Assistant Bishop or Archdeacon of the Diocese.
13. In these Regulations:
- (a) ‘Incumbent’, in relation to a parish, includes:
 - (i) in a case where the benefice concerned is vacant (and paragraph (ii) below does not apply), the Rural Dean;
 - (ii) in a case where a suspension period (within the meaning of the Pastoral Measure 1983) applies to the benefice concerned, the Priest-in-Charge; and
 - (iii) 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 the Pastoral Measure 1983 or by licence from the Bishop, that Vicar; and
 - (b) references to paragraph numbers are to the relevant paragraph or paragraphs in these Regulations.

8. *Holy Matrimony*

8.1 Preparation

Clergy are required to give careful preparation and help to couples seeking marriage in church, both with regard to obtaining the appropriate legal preliminary and in discharging their Canonical obligation to explain the nature of Christian marriage. Good practice encourages the clergy to visit the couple at their home(s).

8.2 Legal Matters

Clergy should take care to ensure that they discharge their legal obligations as Registrars of Marriage including the obtaining of preliminaries and solemnisation and registration of the marriage. The law regarding who may be married where has been considerably altered by the Church of England Marriage Measure 2008. The House of Bishops has issued guidance which has been shared with the clergy and care should be taken to have regard to this advice. Further information on the Marriage Measure can be found on the Church of England website at: www.cofe.anglican.org/info/socialpublic/marriagefamily/marriageanddivorce/marriagemeasure

8.3 After Divorce

Clergy have the legal right as a matter of conscience not to officiate at any wedding where one or both parties have been divorced and former spouses are still alive. However, if it is the practice of the minister and parish to solemnise marriage after a divorce then the House of Bishops' Guidance should be followed, which can be found on the Church of England website at: www.cofe.anglican.org/info/papers/mcad/mcad1.doc Furthermore the parties concerned must produce relevant Divorce Decrees and it is recommended that a copy of the Decree Absolute be retained by the minister. Care should be taken to ensure that the Decree produced is a Decree Absolute and not merely the Decree Nisi.

The Bishop is prepared for a Common Licence to be issued where one party has been divorced although his permission must be sought in each instance.

8.4 After Nullity

A certificate of nullity produced from a civil court may be accepted as evidence that the former marriage was null and void and the marriage may take place in church as of bachelor or spinster.

8.5 After Gender Reassignment

The law surrounding the marriage of a person whose gender has been legally changed is complicated. No Priest can be

compelled to conduct the marriage of such a person, but in certain circumstances the parish church has to be made available for such a wedding. The Archdeacons can advise further in these situations.

8.6 Blessing after Civil Marriage

There is a form in Common Worship (Pastoral Services), and this should be used in the Diocese.

8.7 Role of Deacons

With the consent of the Incumbent, Deacons may officiate at marriage services and pronounce a nuptial blessing on the couple, but not a general blessing on the congregation. Incumbents should be mindful of the advice of the Archbishops' that transitional Deacons should not usually officiate at marriages.

8.8 Banns

Whilst the clergy cannot be compelled to marry divorced persons or solemnize the wedding of a person whose gender has been altered the advice of the Legal Advisory Commission of the General Synod is that the clergy may not refuse to publish the banns of such persons. When publishing Banns there has never been a requirement to give the status of the parties.

8.9 Marriage with Foreign Nationals

If one party of a proposed marriage is of foreign nationality the Incumbent should consult the Diocesan Registrar through the local Surrogate. It is usually the case that such marriages be solemnized after obtaining a Common Licence. If one party is subject to immigration control the advice of the Diocesan Bishop and Diocesan Registrar shall be followed. Such advice is issued in Ad Clerums.

8.10 Marriage of the Unbaptised

A person may not be refused marriage for the sole reason that he/she has not been baptised. When welcoming a couple for marriage where one party has not been baptised clearly it is important to ensure they understand the Christian view of marriage and are happy to undertake the

form of service and make the vows and declarations required. Clergy should endeavour encourage such persons into definite Church membership.

8.11 Marriage Services involving people of other Denominations and other Faiths

The Area Bishops are happy to advise on ways in which the clergy can share in joint weddings of people from other Christian Denominations or people of other faiths. Clergy should remember that when a wedding takes place in a Church of England building the only person who can officiate is a Church of England minister and the form of service, especially the content of the declarations and vows must not be altered. The clergy of the Church of England are only permitted to officiate at weddings according to a Church of England rite in a Church of England building.

8.12 Special Licences

A Special Licence may be granted by the Archbishop of Canterbury for Anglican buildings that are not otherwise licensed for weddings and in other circumstances where there is good reason for the marriage to be solemnized in that place. In line with the practice of the issue of Common Licences applications for Special Licences will be considered where neither party is baptised or in cases involving Divorce. Further information about the issue of Special Licences can be obtained from The Faculty Office, 1 The Sanctuary, Westminster, SW1P 3JT, tel 0207 222 5381.

8.13 Video and Audio Recordings of Marriage Services

A service may be recorded but only with the permission of the Incumbent.

If recording is sought, the Incumbent should warn the couple concerned that the law of copyright is complex and that the Incumbent has no authority to give copyright permission for the recording of any literary or musical work that is protected by copyright.

That said blanket arrangements have been made which allow the recording for private purposes only of certain liturgical

texts, including the BCP and CW Marriage Services. These arrangements do not, however, extend to hymns, music and other items which may be protected by copyright.

A model form of Notice by an Incumbent giving permission for the video recording of marriage or baptism services has been prepared by the Legal Advisory Commission and details of the text may be obtained on request from the Diocesan Registry. If any fee is charged for the use of video or other recording equipment in the Church, that fee is payable to the PCC and not to the Incumbent. Musicians also might expect entitlement to a higher fee in these circumstances.

8.14 Further Information

Clergy are advised to refer to the booklet *Anglican Marriage in England and Wales, A Guide to the Law for Clergy* published by the Faculty Office for more detailed explanations of the law of Marriage

9. *Healing Ministry*

9.1 Introduction

The emergence of different lay ministries is to be expected and encouraged. If anyone wishes to execute a specific ministry of healing and/or laying on of hands, the Incumbent concerned should notify the Area Bishop, who will issue a letter of commendation, subject to suitable preparation being arranged.

9.2 Oversight

Such particular ministries are under the care and oversight of the Parish Priest, who should make sure that they are carried out in a responsible way, and that the work is regularly reviewed and appropriately supported.

9.3 Services for Healing

See section 4.5 above.

For further advice please contact the Bishop's Lay Chaplain (see the Diocesan Directory).

10. *The Pastoral Care of those affected by Psychic Phenomena*

Clergy should not attempt the pastoral care of people affected in this way, without first consulting their Area Dean. If need be, the Area Dean can also contact a Diocesan Adviser.

Experience has shown that most aspects of the unfamiliar or alarming can be dealt with through normal pastoral channels.

11. *Excommunication*

No one is to be excommunicated (that is refused the Sacrament of Holy Communion) without the Diocesan Bishop's consent. See Canon B16 for a full statement of this ruling.

12. *The Area Deanery*

12.1 Purpose

This is not only an area of synodical government, but also a pastoral unit of increasing importance. Its Synod is chaired jointly by the Lay Chair and the Area Dean.

12.2 The Area Dean

The Area Dean is appointed by the Diocesan Bishop in consultation with the Area Bishop and members of the Chapter, and he/she normally serves for a period of five years. His/her responsibilities are set out in the commission, and include the pastoral care of the clergy and their families in the Deanery.

13. *Varia*

13.1 Burials and Disposal of Cremated Remains

13.1.1 Cremated remains should be deposited in a grave or in ground set apart for the purpose.

13.1.2 A Faculty (see section 13.2 below) can be granted for the setting aside of part of a consecrated churchyard or the unconsecrated curtilage of a consecrated

church as a garden of remembrance for the disposal of cremated remains. Such a Faculty would be granted subject to plans for the garden of remembrance being first approved by the Diocesan Advisory Committee. The Faculty, if and when granted, will set aside the garden of remembrance for the disposal of cremated remains of parishioners, subject to compliance with the Act of the Convocation of York, “that the disposal of cremated remains be by way of strewing (not scattering).” This method is seemly and effective. Strewing is done with a coarse grinder, close to coarsely hoed earth (often below a grass turf specially removed for the purpose). The first shower or watering will wash in all traces.

- 13.1.3 Further details and guidance concerning the disposal of cremated remains, burials and churchyards in general may be found in the Revised Directive by the Chancellor on Churchyards and Memorials in Churchyards and Churches dated 1st February 1994, included in Part Three of the Diocesan Handbook & Resources Guide. Parishes with churchyards are also encouraged to obtain a copy of the Churchyards Handbook, published by Church House Publishing.

13.2 Faculties

- 13.2.1 No alteration, addition or removal should be made to or from the fabric or ornaments of a church or anything within its curtilage without a Faculty. Plans approved by the Parochial Church Council must first be submitted to the Diocesan Advisory Committee and an application for Faculty subsequently made through the Diocesan Registrar. The Archdeacon should be consulted at an early stage. Advice can be sought from the Archdeacon about whether a Faculty is needed. In cases of emergency, the Archdeacon should be contacted as quickly as possible.
- 13.2.2 Certain minor items of work may be carried out without a Faculty. These are detailed in the

Chancellor's list of items 'de minimis' (to be found in Part Three Section A: The Care of Churches).

13.2.3 Details of the Faculty procedures, as laid down in the Care of Churches and Ecclesiastical Jurisdiction Measure 1991, may also be found in Part Three Section A: The Care of Churches.

13.3 New Churches

Plans for new churches must be submitted at a preliminary stage to the Diocesan Advisory Committee for its consideration.

13.4 Visiting Mayors

When a Mayor attends a church he/she should be met at the main door by the Parish Priest and churchwardens and conducted to his/her seat. At the end of the service he/she should leave before the congregation moves and should be conducted to the main door by the Parish Priest and churchwardens. If the Mayor attends a reception in the church hall the Parish Priest and churchwardens should be responsible for his/her entertainment.

13.5 Bishops' Engagements

The Bishops make up their diaries each May for the following year, not for the current year. Invitations to preach or to visit a parish should reach the Diocesan Bishop's Chaplain or the respective Area Bishop not later than April 30th. It is helpful if the Incumbent will confirm the engagement in writing at least three weeks beforehand, giving full details.

13.6 Bishop's Visitor for Clergy Marriage Breakdown

Every Diocese has a 'Bishop's Visitor' who has special responsibility for the spouses of clergy where there has been a breakdown in the marriage. The Visitor's task is to make whatever arrangements are necessary for spouses to receive pastoral care, help from charities, legal advice and information on housing, Social Security and other benefits. Those who find themselves in need of such help should, in the first instance, contact the Visitor via the relevant Area Bishop.

13.7 Disposal of Foetal Remains

It has become fairly widespread for hospitals to hand over foetal remains aborted before the twenty-eighth week of pregnancy. The term is normally “natural abortion, or late miscarriage”, and does not, of course, refer to surgical abortion. But there are also a few occasions where a surgical abortion has in fact taken place because of a serious malformation of the foetus. To deliver the remains to an undertaker has the double advantage of allowing some occasion whereby the parents can express grief, and also prevent the inappropriate disposal of remains in the hospital, and prevent possible distress to hospital staff.

In a number of places, undertakers have made informal arrangements with clergy to take part in comforting the parents and disposing of the remains. Local cemetery authorities are often sympathetic to this procedure, and regard current legislation as leaving such decisions in the hands of local cemetery management.

Clergy should take every opportunity to offer comfort to parents in the grief of late miscarriage. Three matters need to be noted:

- 13.7.1 Before disposing of such remains by burial or cremation, authorities will require some form of certification by a medical practitioner in respect of a non-viable foetus. If the certificate is signed by a midwife, there should also be a doctor’s counter signature or letter of permission.
- 13.7.2 The undertaker is normally acting on the request of the parents in making arrangements for disposing of the remains. Not all parents request it, but those who do will certainly feel themselves grieving for a lost child.
- 13.7.3 The service in CW (Prayers after the birth of a stillborn child, p.322) can be used appropriately, except for the commendation (paragraph 39), but the wording will need to be adapted in order to leave people free to make their own judgements about the nature of the foetus.

Further information may be found in “Miscarriage, still birth and neo-natal death” - guidelines in pastoral care for clergy and hospital chaplains (Joint Committee for Hospital Chaplains, Church House, Great Smith Street, Westminster).

Appendix: Parish Registers & Other Records of Historical Value

The documentary records of the Diocese have to be cared for either in accordance with the requirements of the Parochial & Records Measure 1978 or, for documents not covered by the Measure, to receive a similar appropriate standard of care.

All parish registers and records which are over 100 years old must be deposited in one of the Diocesan Record Offices (DRO). Most modern paper will decay completely in less than 100 years and best practice is to put records into archival storage as early as possible. Documents which are not required for current use (broadly, those over ten years old) should be offered to the appropriate DRO. Documents retained in the parish should be listed and properly stored in accordance with the Bishop’s Directions (see below).

Most parishes have been surveyed by a qualified archivist and Incumbents should consult the report of the survey and check that the archivist’s recommendations have been carried out. Archdeacons also receive copies of the survey reports and are responsible for ensuring that the requirements of the Measure are met.

The enormous development of interest in family history puts valuable records increasingly at risk. Diocesan policy is to encourage the microfilming of parish registers and other records as this both much reduces wear and tear of the archives and has obvious benefits for their security. Where the Mormons offer to microfilm parish registers, Diocesan policy is to allow this to take place only with the consent of the Incumbent and parochial church council. This does not of course imply any approval of the doctrines or policies of the Church of the Latter Day Saints. With Diocesan support, DROs handle this on our behalf.

Further information and advice is available from the Diocesan Documents Officer, the Revd Anthony E Hardy (see the Diocesan Directory).

The Bishop of Southwark's Directions under Section 11(6) of the Parochial Registers & Records Measure 1978

These Directions apply to registers and records under 100 years old.

Application

1. These directions apply to:
 - (a) the register, books of baptism, confirmations, banns of marriage, marriages, burials and services provided for any parish church or other place of public worship in a parish
 - (b) other parochial records, that is to say, materials in written or other form setting out facts or events or otherwise recording information which are currently in the custody of the Incumbent or Priest-in-Charge or of churchwardens or of the parochial church council or in the joint custody of any of them

except any register book or record to which Schedule 2 to the Parochial Registers & Records Measure 1978 applies by virtue of s.11(2) of that Measure.

2. The register books and other parochial records to which these Directions apply are hereinafter referred to as 'books and records'.

Safe-keeping, Care, etc.

3. When not in use by any minister of the parish concerned or by any other person authorised in that behalf by the parochial church council of the parish the books and records shall be kept in a container which affords as much protection against theft, damp, rust and vermin as is reasonably practicable, and unless the Bishop otherwise directs under s.11(8) of the Parochial Registers & Records Measure 1978 the container shall be kept in the appropriate parish church or other place of public worship. In this paragraph 'minister', in relation to a parish, means the Incumbent of a benefice to which the parish belongs, a Vicar in a Team Ministry for the area of that benefice, the Priest-in-Charge of the parish and any Curate licensed to officiate in the parish.

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4. The place in which the container is kept shall be:
 - (a) a place which is well ventilated and likely to remain dry and in which the temperature is unlikely to vary greatly during any period of 24 hours
 - (b) the place where there is least risk of damage to the books and records in the event of flood or an outbreak of fire.
5. The container should be opened to air the contents for at least half an hour about once a week, on a dry day, not a wet one.
6. No objects or materials other than the registers and records should be kept in the container. (It is especially important that nothing can, by leakage or melting, leave stains on the documents.)
7. No person having custody of any book or record shall allow any other person to remove it from the church or other place in which it is kept unless he is empowered or required to do so by any statutory provision and, in particular, by a provision of the Parochial Registers & Records Measure 1978 or an order made thereunder.
8. Where the person having the custody of any book or record allows another person to make a search of it, the custodian or his representative shall remain in attendance throughout the search with a view to ensuring that the book or record is not damaged or stolen.
9. (i) Where it appears to the Incumbent or Priest-in-Charge of the benefice to which a parish belongs that the books and records may be exposed to additional risk of damage or loss by reason of the fact:
 - (a) that the parish is likely to be dissolved by a pastoral scheme
 - (b) that it is likely that a church or other place of public worship in the parish will, by reason of a declaration of redundancy, demolition or otherwise, cease to be used as such; he shall ask the Archdeacon in whose Archdeaconry the parish is to advise him as to the

steps he should take in order to ensure the safe-keeping of the books and records.

- (ii) During a vacancy in a benefice when no Priest-in-Charge has been appointed, the duty imposed by sub-paragraph (1) above on the Incumbent or Priest-in-Charge shall be discharged by the churchwardens of the parish affected.

