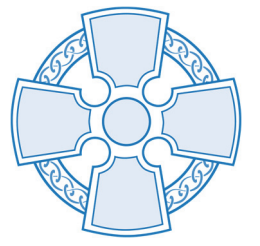


# REGULATIONS

## FOR THE ADMINISTRATION OF CHURCHYARDS VESTED IN THE REPRESENTATIVE BODY OF THE CHURCH IN WALES WITH EFFECT FROM 1 JANUARY 2023



### Maintenance of Churchyards

1. The Parochial Church Council shall be responsible to the Representative Body for the proper care, maintenance and upkeep of all churchyards in the parish including the walls, gates, fences, paths, grass and trees and for the repair of any damage thereto howsoever caused, and shall effect suitable and adequate insurance cover with the designated insurers of the Church in Wales.

2. Within the terms of these Regulations the conservation of churchyards in all respects shall be a concern and duty of Parochial Church Councils.

3. The Archdeacon shall send or cause to be sent to the Representative Body, when so requested by the Representative Body, a report on any churchyard in his archdeaconry, specifying the condition thereof and stating whether such churchyard or any portion thereof is in disuse.

### Fees and Churchyard Maintenance Fund

4. From the fees payable under the Rules (other than those fees due to the Incumbent under regulation 5 hereof), the Parochial Church Council, or in the case of a cathedral which is not a parish church the Dean and Chapter, shall establish a Churchyard Maintenance Fund, which Fund shall be applied towards compliance with regulation 1 hereof. When required to do so, the Council shall render an account to the Representative Body of all receipts and payments.

5. With regard to the fees payable under the Second Schedule to the Rules:

- (a) all fees received for services rendered by the Incumbent and for registration of burial shall be paid to the Incumbent, unless the Incumbent is also a dean of a cathedral or an archdeacon, when the said fees shall be paid in the case of a cathedral which is not a parish church to the Dean and Chapter but otherwise to the Parochial Church Council;
- (b) all fees received for burial in a grave or vault shall be paid into the Churchyard Maintenance Fund; and
- (c) the fees payable for the right to erect monuments and gravestones, including those relating to cremated remains, shall be paid into the Churchyard Maintenance Fund and to the Incumbent in such proportions as the Representative Body or the appropriate committee thereof shall from time to time decide.

### Graves

6. Subject to regulation 1 hereof, the Incumbent shall be responsible for the general supervision of all churchyards in the parish for the allocation of grave spaces and for the maintenance of records which, as far as reasonably practicable, allow clear identification of the location of the same.

7. No grave or vault shall be made or opened without the consent of the Incumbent. The cost and expense incurred in making or opening any grave or vault shall be borne by the person at whose request the work is done.

8. No permanent or exclusive right of burial in any grave or vault shall be acquired except by Faculty.

9. Except by Faculty no burial or interment of cremated remains shall take place within 12' (3658mm) of the fabric of a church or within 6' (1829mm) of a churchyard boundary save in an existing vault or marked grave.

10. The top of a coffin buried in a grave shall be not less than 3' (914mm) below ordinary ground level.

### Certificates and Notices

11. A certificate of the registration of the death or, in cases of an inquest, the Coroner's Order, must be delivered to the Incumbent or his representative before a burial.

12. Notice of the proposed burial of a still-born child shall be accompanied either by a certificate given by the Registrar or, if there has been an inquest, an Order of the Coroner, as required by section 5 of the Births and Deaths Registration Act, 1926, and the burial shall be recorded in the Register of Burials.

### Cremated Remains

- 13. (1) Subject as hereinafter mentioned, the Incumbent may permit cremated remains to be deposited in a churchyard, but the remains shall not be scattered.
- (2) Subject to the grant of a Faculty, a Parochial Church Council, with the consent of the Incumbent, may set aside an area or areas of the churchyard exclusively for the interment of cremated remains deposited either without containers or in containers quickly perishable, and in any such area only a single monument approved by Faculty may be erected for all the remains so deposited.
- (3) In addition or as an alternative to the provisions of regulation 13(2) hereof, subject to the grant of a Faculty, a Parochial Church Council, with the consent of the Incumbent, may set aside an area or areas of a churchyard exclusively for the interment in individual plots of cremated remains deposited without containers, or in containers either quickly perishable or made of wood, and such individual plots may be marked only by simple flat slabs not more than 12" (305mm) by 12" (305mm) set below ordinary ground level or a vertical headstone not more than 18" (457mm) high by 12" (305mm) wide or by ledger stones not more than 18" (457mm) long by 12" (305mm) wide by 4" (102mm) high at the head.
- (4) Otherwise cremated remains may be deposited only in a grave or vault.
- (5) The provisions of regulations 14 and 15 concerning the procedure for admission, the materials and the inscription of monuments and gravestones shall apply to the flat slabs, headstones or ledger stones mentioned in regulation 13(3) hereof.
- (6) In no circumstances shall containers made wholly or partly of plastic be admitted to a churchyard.

(7) The names of individuals whose cremated remains have been interred and other relevant details shall be entered in the Register of Burials, or otherwise in the parish records, indicating that they are cremated remains.

- (8) (a) The fees for services rendered by the Incumbent or other Minister officiating shall be the same as the corresponding fees chargeable in respect of burials;
- (b) The fee chargeable for churchyard maintenance for the deposit of cremated remains shall be £176.00, save where the cremated remains are deposited in a new full-size grave or vault, when the fee shall be the same as that for a burial.

### Erection of Monuments and Gravestones

14. (1) All applications for permission to erect or modify a monument or gravestone, or to alter or add to an inscription, including those relating to cremated remains, shall be made to the Incumbent on the form prescribed by the Representative Body and signed by the applicant, and shall contain the wording of the proposed inscription and the proposed style of lettering.

(2) Save as otherwise ordered by a Court of the Church in Wales all costs incurred in connection with an application to erect a monument or gravestone, or to make, alter or add to an inscription, shall be borne by the applicant.

(3) All work to erect or modify a monument or gravestone shall be undertaken in accordance with British Standard 8415 as the same may be amended from time to time.

15. (1) There may be admitted to a churchyard on the written approval of the Incumbent a gravestone which

- (a) consists of either
  - (i) an appropriate headstone no more than 4' (1219mm) high; or
  - (ii) an appropriate cross no more than 4' (1219mm) high; or
  - (iii) a simple flat slab, set below ordinary ground level; or
  - (iv) a ledger stone to mark an individual plot in which cremated remains have been deposited.
- (b) is not made wholly or partly of reconstructed stone, metal or ceramics; and
- (c) bears one or more or all of the following:
  - (i) a simple cross;
  - (ii) a simple and appropriate inscription;
  - (iii) an appropriate motif.

(2) There may be admitted to a churchyard on the written approval of the Archdeacon:

- (a) a gravestone within the foregoing description, but which the Incumbent has declined to approve;
- (b) a gravestone not complying with regulation 15(1) hereof but nevertheless consisting only of a headstone, cross or flat slab, with suitable inscription and not made either wholly or partly of reconstructed stone, metal or ceramics;
- (c) a gravestone incorporating a simple and appropriate engraving or photograph of the deceased.

(3) Otherwise no monument or gravestone, including those relating to cremated remains, shall be admitted to a churchyard without a Faculty.

(4) In a case where the approval of the Archdeacon is sought for a gravestone as described in regulation 15(2) hereof, the Archdeacon shall, within twenty-eight days, signify his approval or otherwise, in writing, to the person seeking approval and to the Incumbent.

(5) No part of any concrete foundation shall be above ordinary ground level.

16. (1) An application for the replacement or renewal of a monument or gravestone shall be dealt with under regulations 14 and 15 hereof.

(2) The removal of a monument or gravestone from its place in a churchyard to a different place in that churchyard, or to any other churchyard, shall be the subject of a fresh application to erect or modify within regulations 14 and 15.

17. Save for silk flowers and Remembrance Day poppies, no artificial wreaths or flowers, shrubs, permanent flower vases or containers, ornaments, chippings, gravel, paving stones or kerbs shall be placed on or around any grave or area set aside for cremated remains in a churchyard.

### Trees

18. No trees shall be planted in a churchyard without the written consent of the Archdeacon.

19. The Parochial Church Council may, with the consent of the Incumbent, apply to the Archdeacon for permission to cut down trees in a churchyard and without prejudice to the rights of the Representative Body and subject to any Tree Preservation Order or Conservation Area Controls, the Archdeacon shall have the power to grant such permission. Any proceeds from a sale of such timber shall be credited to the appropriate parochial fund.

### Interpretation

20. In these Regulations:
- (a) the word *parish* shall include a rectorial benefice and a conventional district;
  - (b) the word *churchyard* shall include all the ground vested in the Representative Body in which a church or chapel stands, all detached burial grounds, and all boundary and other walls, hedges, fences and gates around or on such ground or burial grounds;
  - (c) the word *Rules* shall mean the Rules made by the Representative Body in pursuance of sub-section 4(2) of the Welsh Church (Burial Grounds) Act, 1945, or any Act amending or replacing the same;
  - (d) subject to the provisions of the Rules, in vacant benefices the Area Dean shall be deemed to be the Incumbent for the purpose of these Regulations; and
  - (e) a *kerb* is an edging of any material which delineates or partly delineates the site of a grave.

## TABLE OF FEES

### FEES IN RESPECT OF BURIALS

<b>For services rendered by the Incumbent or other Minister or person officiating at an interment including the registration of burial</b> .....	<b>£94.00*</b>
<b>For Churchyard Maintenance Fund in respect of burial in grave or vault</b> .....	<b>£528.00</b>

No fee shall be payable in respect of the burial of a still-born infant or child under the age of 18, or in connection therewith, for the services rendered by the Incumbent or other Minister officiating at an interment or, in connection therewith, for registration of burial.

For digging of a grave and, if necessary, for walling: the actual and necessary cost thereof shall be payable provided that if no separate fee is payable to the person who does the work, such fee shall be payable as in the opinion of the Incumbent is reasonable having regard to local costs of labour.

\*Where a burial or interment of cremated remains follows a funeral service with a different minister or officiating person to the funeral service, a fee will be charged as a ministry fee for the committal and the registration of burial of £24.00

### FEES FOR THE RIGHT TO ERECT MONUMENTS AND GRAVESTONES

<b>Plain wooden cross</b> .....	<b>£26.00</b>
<b>Headstone or horizontal gravestone</b> .....	<b>£200.00</b>
<b>Simple flat slab set below ordinary ground level not exceeding 12" (305mm) by 12" (305mm) or a vertical headstone not more than 18" (457mm) high by 12" (305mm) wide or ledger stone not more than 18" (457mm) long by 12" (305mm) wide by 4" (102mm) high at the head commemorating a person cremated</b> .....	<b>£106.00</b>
<b>Additional inscription on any monument</b> .....	<b>£47.00</b>

Monuments or gravestones other than the above: such fee as in the opinion of the Incumbent is reasonable, not exceeding 10 per cent of the cost thereof to the purchaser.

## NOTES

(1) Only parishioners (i.e. persons normally residing in the parish), persons dying in the parish, ex-parishioners and non-parishioners for whom family graves or vaults are desired to be opened and whose close relatives have been buried in the churchyard, and persons on the electoral roll at the date of death are entitled, as of right, to be buried in the parish burial ground.

(2) Except so far as rights are preserved by the aforesaid Act, no discrimination shall be made between the burial of a member of the Church in Wales and of other persons.