

IN THE ST ALBANS CONSISTORY COURT

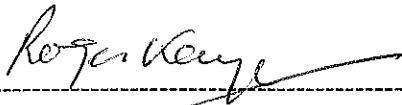
Additional Matters St Albans (No. 4) Order 2018

In accordance with section 78(4) of the Ecclesiastical Jurisdiction and Care of Churches Measure 2018 ("the Measure"), the Chancellor has sought the advice of the Diocesan Advisory Committee before making this Order.

In exercise of the power conferred by section 78(1) of the Measure the Chancellor makes the following order:

1. An authorised person may undertake any matter prescribed in the first column of the table in the Schedule without a faculty—if the guidelines issued by the Diocesan Registrar are adhered to
 - (a) subject to—
 - (i) any conditions that are specified in relation to that matter in the corresponding place in the second column of the table; and
 - (ii) any additional conditions imposed by the archdeacon under paragraph 2(b).
2. Where the archdeacon is consulted under paragraph 1(a) on the proposal to undertake a matter, the archdeacon may make the undertaking of the matter subject to additional conditions specified by the archdeacon in the notice.
3. A notice given by the archdeacon under paragraph 1(a) must specify the proposals which may be undertaken without a faculty.
4. The archdeacon must retain a copy of every notice given under paragraph 1(a) and must also send a copy to the registrar of the diocese for filing in the diocesan registry;
5. If the archdeacon declines to give notice under paragraph 1(a) that a proposal may be undertaken without a faculty the archdeacon must inform the applicants that they may, if they wish, petition the court for a faculty to authorise the proposal.

Words and expressions used in this Order have the same meaning as they have in Part 3 of the Faculty Jurisdiction Rules 2015.



His Honour Roger Kaye QC
Chancellor

Dated this 9th day of December 2018

Schedule

<i>Matter</i>	<i>Specified conditions</i>
Church Building or Churchyards Filming in churches or churchyards	<ol style="list-style-type: none">1. PCC Consent2. Script3. Remuneration4. Contract5. Faculty <p>All as per the attached guidelines</p>

FILMING IN CHURCHES OR CHURCHYARDS

Save as set out below, all cases of third-party filming in Churches or Churchyards within the Diocese of St Albans require a Faculty.

PCC Consent

Whilst it is appreciated that some requests are likely to come at the last minute, a decision as to whether to permit a filming (and on what commercial terms) is a decision for a PCC, and not for a minister or a churchwarden to undertake unilaterally. If it is not possible to convene a PCC meeting to consider the proposals, the decision should be placed in the hands of the PCC Standing Committee (whether at a meeting or by correspondence).

Script

This must be reviewed in advance by someone on behalf of the diocese to ensure that there is nothing obscene, blasphemous, or otherwise objectionable. In the first instance this should be dealt with by the Archdeacon, who will take advice from the Bishop if needed. If a filming is unscripted, a detailed description of the event must be received by both the parish and the Archdeacon.

Parishes are reminded that significant adverse publicity is risked if something particularly inappropriate is filmed within their church.

Remuneration

Location fees are a matter of negotiation between the PCC (or its representative) and the Company concerned. Initial representations from filming companies about the size of their budgets should be taken with a pinch of salt!

Time and type of programme are the two main factors determining a location fee. Feature films, TV drama and commercials may command a higher fee than documentaries or education programmes, for example.

A price per 'day' is often suggested. You should be clear what constitutes one day, and insist on a further hourly charge if the agreed hours are overrun. It may be simpler to charge per hour (or part thereof). Filming at night may also legitimately attract a larger fee.

Contract

There must always be a written contract in relation to the filming. The Diocesan Registrar has an approved template agreement, which it is expected will be used in the vast majority of cases. This is available from the Registry on request. A small fixed fee is charged for this; the PCC should ensure that the filming company agrees to meet that fee in addition to the consideration agreed for the filming.

If another contract is used, this must be approved by the Diocesan Registrar. A fee is charged for review and approval (or amending), charged at an hourly rate. Use of the approved template agreement is likely to be significantly more cost-effective

Faculty

In a case where the approval of the Archdeacon has been obtained and a signed contract approved by the Registrar entered into in accordance with the above guidance, the filming may proceed without a Faculty.

Additionally, filming for the purposes of **TV news reporting** (whether local, national or international) may be undertaken without a faculty (and without a written contract), with the prior permission of (a) the Incumbent/Priest-in-Charge (or Rural Dean in vacant benefices) (b) The Diocesan Communications team and (c) the Archdeacon. All advice given by those persons must be followed.

M.J.Chinery
Diocesan Registrar

December 2018