

CLAS CIRCULAR 2021/10 (16 April 2021)

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It would be very helpful if members could let us know of anything that appears to indicate developments of policy or practice on the part of Government or other matters of general concern that should be pursued.

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EMPLOYMENT

NMW/ NLW accommodation offset rates

For action

Members with congregations that provide accommodation for church-workers may wish to know that the 2021 accommodation offset rates for the National Minimum Wage and National Living Wage, which are set in April each year, have been [published](#):

- **Daily accommodation offset rate: £8.36**
- **Weekly accommodation offset rate: £58.52.**

If an employer charges more than the offset rate, the difference is taken off the worker's pay which counts for the National Minimum Wage or National Living Wage. This that means the higher the accommodation charge, the lower a worker's pay when calculating the minimum wage.

If the accommodation charge is at or below the offset rate, it does not have an effect on the worker's pay. If the accommodation is free, the offset rate is added to the worker's pay. Examples here: [accommodation rates for minimum wage calculations](#).

[Source: gov.uk, 4 April]

FAITH & SOCIETY

Marriage and Civil Partnership Regulations

For information

In advance of the changes to the procedures for the registration of marriage in England and Wales which will take effect from 4 May 2021, the following statutory instruments have been published:

- [The Civil Partnership \(Registration and Records\) \(Amendment\) Regulations 2021, SI 2021/410;](#)
- [The Registration of Marriages Regulations 2021, SI 2021/411;](#)
- [The Marriage and Civil Partnership \(Conversion of Civil Partnership and Fees\) \(Amendment\) Regulations 2021, SI 2021/440.](#)

[Source: legislation.gov.uk, 16 April]

PROPERTY & PLANNING

Guidance for the safe use of places of worship and special religious services and gatherings during the pandemic

For action

MHCLG has [updated](#) its guidance on the safe use of places of worship and special religious services and gatherings during the pandemic in England. It has also [updated](#) its guidance for small marriages and civil partnerships in England. Both the main guidance have been updated to reflect the changes at Step 2 of the Roadmap published by the Prime Minister on 22 February.

[Source: MHCLG, 12 April]

Places of worship registered for marriage

For information

HM Passport Office has [updated](#) its list of premises that have been registered for weddings under the Marriage Act 1949, both for the marriage of opposite sex and of same sex couples. The list does not include churches of the Church of England and Church in Wales because they are not required to register under the 1949 Act.

Some years ago, we were in correspondence with officials in the General Register Office who were concerned that new places of worship were being established that had not registered under the Act, on the erroneous assumption that registration was automatic. *It is not*, and we would advise anyone in doubt as to whether or not a particular church building is registered.

[Source: HM Passport Office, 6 April]

SCOTLAND

Philip & Ors for Judicial Review of the closure of places of worship in Scotland

For information

On 24 March, in *Philip & Ors for Judicial Review* [\[2021\] CSOH 32](#), Lord Braid ruled in the Outer House of the Court of Session that the legislation in January 2021 requiring places of worship to close had been an unjustified and disproportionate infringement of the petitioners' rights to freedom of worship and of assembly under Articles 9(2) and 11 ECHR and beyond the powers of the Scottish Parliament.

In light of that opinion, places of worship in Scotland were able to reopen with immediate effect, and the Scottish Government's [guidance](#) on the safe use of places of worship was amended to reflect the new situation.

[Source: CLAS, 13 April]

WALES

Renting Homes (Wales) Act 2016 draft regulations

For information and possibly for action

The Welsh Government has [published](#) a consultation – closing on **16 June** – on views of two sets of draft regulations. It is consulting on:

- the draft model written statements regulations, including the design, structure and order of the model written statements; and
- the draft explanatory information regulations for written statements.

[Source: Welsh Government, 24 March]

Wales to be in Alert Level 3 by 17 May

For information and possibly for action

The Welsh First Minister [set out](#) a series of measures that will take Wales fully into Alert Level 3 by 17 May, subject to public health conditions remaining “favourable”. From **Monday 12 April**, the following relaxations applied:

- The full return of children to schools for face-to-face education, all post-16 learners will return to further education and training centres, and university campus’ will be able to open for blended face-to-face/online learning for all students;
- All remaining shops can reopen, completing the phased reopening of non-essential retail;
- All remaining close contact services can open, including mobile services;
- Travel restrictions on traveling into and out of Wales will be lifted. However, restrictions on travel to countries outside the Common Travel Area without a reasonable excuse, remain in place. The Common Travel Area means the United Kingdom, the Channel Islands, the Isle of Man and the Republic of Ireland;
- Viewings at wedding venues can resume by appointment;
- Outdoor canvassing for elections can begin.

On **Monday 26 April**:

- Outdoor attractions, including funfairs and theme parks, will be allowed to reopen;
- Outdoor hospitality can resume, including at cafes, pubs and restaurants. Indoor hospitality will remain restricted.

On **Monday 3 May**:

- Organised outdoor activities for up to 30 people can again take place;
- Weddings receptions can take place outdoors, but will also be limited to 30 people.

On **Monday 10 May**:

- Gyms, leisure centres and fitness facilities can reopen. This will include individual or one-to-one training but not exercise classes;
- Extended household will again allow two households to meet and have contact indoors.

From the first week of the new cycle, **Monday 17 May**, the reopening/resumption of the following:

- Children's indoor activities.
- Community centres;
- Organised indoor activities for adults, limited to a maximum of 15 people. This includes exercise classes.

[Source: Welsh Government, 31 March]