

David Pickup Christmas Quiz - The Answers

AND FINALLY ... DAVID PICKUP'S CHRISTMAS QUIZ: THE ANSWERS

<https://ecclawsoc.org.uk/wp-content/uploads/2020/01/ELS-newsletter-January-2020.pdf>

Is it legal:

1. To shoot pheasants in the churchyard on Christmas Day? According to the Game Act 1831, 'No game may be killed or taken in any county on Sunday or Christmas Day'. 'Game' for the purposes of this section means pheasant, partridge, red grouse, black grouse and hare. So no shooting except after the midweek service.

2. To arrange a men-only curry club for the church? There is a complicated answer this one. According to the Equality Act there is an exception to the law which 'allows an organisation... to impose restrictions on membership of the organisation; participation in its activities; ... However, any restriction can only be imposed by reference to a person's religion or belief or sexual orientation. In relation to religion or belief, the exception can only apply where a restriction is necessary to comply with the purpose of the organisation or to avoid causing offence to members of the religion or belief whom the organisation represents.' It is difficult to see how a men-only curry would fit this; however, men do not normally join anything to do with church - so do not worry.

3. To put up a "No dogs" sign in the graveyard? You can - but it is unlikely to have much effect. Councils can use a public spaces protection order (PSPO) to place restrictions on a public area, such as a park. Restrictions can apply to all dog owners. However, a graveyard may not be a public area.

4. To sell raffle tickets in church for the village fete? If you are planning to sell tickets to the public prior to the event and the proceeds (from ticket sales) for a single draw are not anticipated to exceed £20,000 then you must register with your local authority as a 'small society lottery'.

5. To cut the church hedge in April? Under [s.1 of the Wildlife and Countryside Act 1981](#), it is an offence intentionally to damage or destroy a wild bird's nest while it is being built or in use. That includes consciously using a hedge trimmer when there is a bird's nest in your hedge and, in the process of doing so, causing the nest to be damaged or destroyed. For this reason, bird conservation organisations such as the [RSPB](#) recommend that you do not use hedge trimmers between March and August.

6. Your congregation gets bored in sermons and some watch "Songs of Praise" on their smartphones. Do they need a TV licence? If they are using mobile devices powered solely by their own internal batteries - like a smartphone, tablet or laptop - they will be covered by their home's TV Licence.

7. To lock the church door during a service because it keeps blowing open? There was legislation that outlawed Nonconformist chapels having meetings behind closed doors. As every parishioner has a right to attend public worship, this would appear to conflict with locking doors. It is also a fire hazard.

8. To plant a Christmas tree in the churchyard? Under List B, regard is had to the guidance issued by the Church Buildings Council as to the planting, felling, lopping and topping of trees in churchyards. We are enjoined to think carefully before adding more trees to our churchyards and not to forget to consult the archdeacon. There is a list of factors to think about - so better not.

9. To marry your widow's sister? It is, as far as I know, legal – but it's impossible because if you have a widow, you're dead.

10. Your congregation is generous but likes to deal in cash: can you pay the parish share in 1ps and 2ps? 1p and 2p copper coins are only legal tender for amounts not exceeding 20p. The phrase "legal tender" has a very narrow and technical meaning in the settlement of debts. You could pay them into your bank account but offering them to the diocese may be politely declined.