
*Changes to legislation: There are currently no known outstanding effects for the
Endowments and Glebe Measure 1976, SCHEDULE 1. (See end of Document for details)*

SCHEDULES

SCHEDULE 1

Section 4.

PROVISIONS WITH RESPECT TO SCHEMES UNDER SECTION 4

- 1 A draft of a scheme under section 4 of this Measure shall be prepared by the Commissioners after consultation with the bishop of the diocese to which any benefice which may be affected by the scheme belongs.
- 2 The Commissioners shall serve a copy of the draft scheme on—
 - (a) the Diocesan Board of Finance for the said diocese;
 - (b) the incumbent (if any) for the time being of a benefice, the incumbent of which is by virtue of the Act to which the draft scheme relates entitled to be paid an annual sum by the Commissioners or other the trustees for the purposes of that Act;
 - (c) the parochial church council of any parish belonging to that benefice; and
 - (d) if the Act to which the draft scheme relates is one listed in Part II of Schedule 2 to this Measure, the persons who are for the time being the trustees for the purposes of that Act,together with a notice stating that written representations with respect to the draft scheme may be made to the Commissioners not later than a date specified in the notice, being a date not less than 28 days after the service of the notice.
- 3 (1) The Commissioners shall consider any representations duly made with respect to the draft scheme and any change of circumstances affecting its implementation, and may decide not to proceed with it or to amend it or to proceed with it in its original form and shall consult the bishop referred to in paragraph 1 above before making their decision.
(2) If the Commissioners decide to amend the draft scheme, the amended draft scheme shall be treated in the same manner as the original draft scheme and paragraph 2 and sub-paragraph (1) above shall apply thereto accordingly.
- 4 (1) If the Commissioners decide to proceed with the draft scheme they shall seal a copy thereof, with such amendments, if any, as they may have made therein, and shall thereby make the scheme.
(2) As soon as possible after making a scheme under section 4 of this Measure the Commissioners shall submit the scheme for confirmation by Her Majesty in Council and shall—
 - (a) notify every person on whom a copy of the draft scheme was required to be served that the scheme has been so submitted; and
 - (b) publish in the London Gazette a notice sufficiently identifying the scheme and stating that it has been so submitted and where a copy of it may be obtained.
- 5 (1) On the publication of a notice in the London Gazette that a scheme under the said section 4 has been submitted for confirmation by Her Majesty in Council the scheme shall be laid before each House of Parliament, and upon the scheme being so laid

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section 6 of the ^{M1}Statutory Instruments Act 1946 shall have effect as if this Measure were an Act and the scheme were the draft of a statutory instrument, and section 7(1) of that Act shall apply accordingly.

- (2) If no resolution is passed under the said section 6 that the scheme be not made, Her Majesty may confirm the scheme by Order in Council.

Marginal Citations

M1 1946 c. 36.

- 6 As soon as possible after a scheme under section 4 of this Measure is confirmed by Order in Council under paragraph 5 above there shall be published in the London Gazette a notice sufficiently identifying the scheme and stating that it has been confirmed and where a copy of the Order in Council may be obtained.
- 7 (1) The Commissioners shall send a copy of every Order in Council under paragraph 5 above to—
- (a) every person on whom a copy of a draft of the scheme was required to be served;
 - (b) the bishop of the diocese concerned; and
 - (c) the registrar of that diocese.
- (2) The copy of an Order in Council served on the registrar aforesaid shall be filed by him in the diocesan registry.
- 8 Except insofar as any such scheme, or any provision thereof, is expressed to come into operation on a date, event or contingency specified therein, it shall come into operation on the date on which notice thereof is published in the London Gazette under paragraph 6 above.

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