

*Changes to legislation: There are currently no known outstanding effects for the Incumbents (Vacation of Benefices) Measure 1977, Cross Heading: Right of objection. (See end of Document for details)*

## [<sup>F1</sup>SCHEDULE 1

### PANELS AND TRIBUNALS

#### Textual Amendments

- F1** Sch. 1 substituted (1.7.2018) by Mission and Pastoral etc. (Amendment) Measure 2018 (No. 4), s. 14(3), Sch. para. 3 (with Sch. para. 4); S.I. 2018/722, art. 2(a) (with Sch. para. 3)

## PART 2

### PROVINCIAL TRIBUNALS

#### *Right of objection*

- 5 (1) The incumbent may, within three weeks after a list of the proposed members is sent under paragraph 4(3), object to one or more of them by sending the secretary of the diocesan synod a written notice—
- (a) specifying the member or members to whom the incumbent objects, and
  - (b) stating, in relation to that member or in relation to each of them, the grounds of objection.
- (2) If notice of objection is duly given under sub-paragraph (1), the secretary shall refer the matter to the Vicar-General of the province other than that for which the tribunal is to be appointed, for the Vicar-General to determine whether the objection is reasonable and should accordingly be allowed; and the Vicar-General's decision is final.
- (3) For the purpose of deciding whether the objection is reasonable, the Vicar-General may require the incumbent to supply such information as the Vicar-General may specify.
- (4) Where the Vicar-General decides that the objection to a member should be allowed, the secretary shall request the Vicar-General mentioned in paragraph 3(1)—
- (a) to appoint another person having the appropriate qualifications to serve in place of that member, and
  - (b) to inform the secretary of the name and address of the person appointed.
- (5) On receiving information under sub-paragraph (4)(b), the secretary shall inform the incumbent of the name and address of the person appointed.
- (6) The incumbent may, within three weeks of receiving information under sub-paragraph (5), object to the person appointed by sending the secretary a written notice stating the grounds of objection; and sub-paragraphs (2) to (5) have effect in relation to the notice as if it were a notice given under sub-paragraph (1).
- (7) But the incumbent is not entitled to object under sub-paragraph (6) to a person appointed from a panel appointed under paragraph 1 if, were the objection to be allowed, it would not be possible to constitute the tribunal because there would be no other person on that panel available for appointment as a member of the tribunal.]

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