



# Incumbents (Vacation of Benefices) Measure 1977

1977 No. 1

## PART I

### INSTITUTION OF ENQUIRY INTO PASTORAL SITUATION IN A PARISH

#### **2 Action to be taken by archdeacon in certain cases before institution of enquiry.**

- (1) Where the bishop of a diocese receives a request under [<sup>F1</sup>section 1A] of this Measure, then, unless—
- (a) the request was made by the archdeacon in whose archdeaconry the parish in question is, or
  - (b) that archdeacon is the incumbent of the benefice to which the parish in question belongs,

the bishop shall direct the first mentioned archdeacon [<sup>F2</sup>to take such steps as are mentioned in subsection (4) below and] to report in accordance with subsection (5) below.

- (2) Where the archdeaconry in which the parish in question is situated is vacant, the bishop shall appoint some other archdeacon holding office in the diocese to act in the case and shall inform the secretary of the diocesan synod accordingly.
- (3) Where the archdeacon in whose archdeaconry the parish in question is situated is of opinion that it would not be right or expedient for him to act in the case, he shall so inform the bishop and the bishop shall appoint some other archdeacon holding office in the diocese to act in his place and shall inform the secretary of the diocesan synod accordingly.

- [<sup>F3</sup>(4) On receiving the directions of the bishop the archdeacon shall take such steps as he considers appropriate to promote better relations between the incumbent and his parishioners and to remove the causes of their estrangement.]

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**Changes to legislation:** *There are currently no known outstanding effects for the Incumbents (Vacation of Benefices) Measure 1977, Section 2. (See end of Document for details)*

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- (5) Not more than six weeks after receiving [<sup>F4</sup>the directions of the bishop] the archdeacon shall report to the bishop whether in his opinion an enquiry into the pastoral situation in the parish to which the request relates would be in the best interest of the incumbent and [<sup>F4</sup>the] parishioners and should accordingly be instituted [<sup>F5</sup>; and the archdeacon, in making his report to the bishop, shall have regard to the extent to which the current Code of Practice issued under section 1 of this Measure has been complied with].
- (6) On receiving the archdeacon's report the bishop shall inform the secretary of the diocesan synod of the archdeacon's opinion as stated in his report and direct him to inform the incumbent, the secretary of the parochial church council and the designated representative, if any, of it.

#### **Textual Amendments**

- F1** Words in s. 2(1) substituted (1.9.1994) by 1993 Measure No. 1, s. 14(1), **Sch. 3 para. 2(a)(i)** (with s. 15); Instrument dated 25.7.1994 made by Archbishops of Canterbury and York
- F2** Words in s. 2(1) repealed (1.9.1994) by 1993 Measure No. 1, s. 14(1)(2), **Sch. 3 para. 2(a)(ii)**, **Sch.4** (with s. 15); Instrument dated 25.7.1994 made by Archbishops of Canterbury and York
- F3** S. 2(4) repealed (1.9.1994) by 1993 Measure No. 1, s. 14(2), **Sch.4** (with s. 15); Instrument dated 25.7.1994 made by Archbishops of Canterbury and York
- F4** Words in s. 2(5) substituted (1.9.1994) by 1993 Measure No. 1, s. 14(1), **Sch. 3 para. 2(b)** (with s. 15); Instrument dated 25.7.1994 made by Archbishops of Canterbury and York
- F5** Words in s. 2(5) inserted (1.9.1994) by 1993 Measure No. 1, s. 14(1), **Sch. 3 para. 2(b)** (with s. 15); Instrument dated 25.7.1994 made by Archbishops of Canterbury and York

**Changes to legislation:**

There are currently no known outstanding effects for the Incumbents (Vacation of Benefices) Measure 1977, Section 2.