



Bishops (Retirement) Measure 1986

1986 No. 1

PART I

BISHOPS

1 Resignation of bishop.

- (1) Where a person holding the office of diocesan bishop or suffragan bishop wishes to resign his office he shall, after consultation with the archbishop, tender his resignation to the archbishop in a written instrument in the prescribed form.
- (2) If the archbishop decides to accept the resignation, he shall, within 28 days of receiving the instrument, by endorsement upon the instrument in the prescribed form declare the bishopric vacant as from a date specified in the endorsement (which shall subject to the provisions of sections 1(3) and 3 of the ^{M1}Ecclesiastical Offices (Age Limit) Measure 1975 [^{F1}or regulation 29A of the Ecclesiastical Offices (Terms of Service) Regulations 2009], be the date proposed by the bishop in the instrument or such later date as may be agreed by the archbishop and bishop concerned); and the instrument shall be filed in the provincial registry.

Textual Amendments

- F1** Words in s. 1(2) inserted (retrospectively) by [Church of England \(Miscellaneous Provisions\) Measure 2018 \(No. 7\)](#), ss. **6(2)(12)**, 17(2)(b)

Marginal Citations

- M1** 1975 No. 2.

2 Retirement of bishop on reaching age-limit.

- (1) Not less than six months before the date on which a person holding the office of diocesan bishop or suffragan bishop is required to vacate his office in accordance with section 1 of the Ecclesiastical Offices (Age Limit) Measure 1975, the archbishop shall

Changes to legislation: There are currently no known outstanding effects for the Bishops (Retirement) Measure 1986, Part I. (See end of Document for details)

by written instrument in the prescribed form declare the bishopric vacant as from that date or, if his continuance in office beyond that date is authorised under section 3(1) of that Measure [^{F2}or regulation 29A of the Ecclesiastical Offices (Terms of Service) Regulations 2009], from the later date so authorised.

- (2) Where after the making of an instrument under subsection (1) above—
- (a) in the case of an instrument relating to a diocesan bishop, the archbishop authorises his continuance in office under section 3(1) of the ^{M2}Ecclesiastical Offices (Age Limit) Measure 1975 [^{F3}or regulation 29A of the Ecclesiastical Offices (Terms of Service) Regulations 2009], or
 - (b) in the case of an instrument relating to a suffragan bishop, the diocesan bishop authorises his continuance in office under that section [^{F4}or regulation],
- the archbishop may by written instrument in the prescribed form substitute for the date specified in the instrument made under subsection (1) above the date of the expiration of the period for which continuance in office is so authorised.
- (3) Any instrument made under this section shall be filed in the provincial registry.

Textual Amendments

- F2** Words in s. 2(1) inserted (retrospectively) by [Church of England \(Miscellaneous Provisions\) Measure 2018 \(No. 7\), ss. 6\(3\)\(a\)\(12\), 17\(2\)\(b\)](#)
- F3** Words in s. 2(2)(a) inserted (retrospectively) by [Church of England \(Miscellaneous Provisions\) Measure 2018 \(No. 7\), ss. 6\(3\)\(b\)\(12\), 17\(2\)\(b\)](#)
- F4** Words in s. 2(2)(a) inserted (retrospectively) by [Church of England \(Miscellaneous Provisions\) Measure 2018 \(No. 7\), ss. 6\(3\)\(c\)\(12\), 17\(2\)\(b\)](#)

Marginal Citations

- M2** 1975 No. 2.

3 Retirement of bishop in case of disability.

- (1) Where it appears to the archbishop that a person holding the office of diocesan bishop or suffragan bishop is incapacitated by physical or mental disability from the due performance of his episcopal duties, the archbishop may, with the concurrence of the two senior diocesan bishops of the province, and subject to subsection (2) below, request the bishop to tender his resignation to the archbishop in a written instrument in the prescribed form.
- (2) Before making any such request the archbishop shall send to the bishop notice of his intention to do so, and if within 15 days after receiving such notice or within such extended period as the archbishop may allow the bishop sends to the archbishop a demand for a medical examination, the archbishop shall not request the bishop to tender his resignation until the report of the medical examination has been considered by the archbishop and the said senior bishops.
- (3) The expenses of the medical examination shall be defrayed by the Church Commissioners.
- (4) On receiving an instrument of resignation under subsection (1) above, the archbishop shall by endorsement on the instrument in the prescribed form declare the bishopric vacant as from a date specified in the endorsement.

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- (5) If the bishop to whom a request has been made by the archbishop under this section refuses or fails within 2 months of the receipt of the request to tender his resignation or is prevented by his infirmity from so doing, the archbishop may by written instrument in the prescribed form declare the bishopric vacant as from a date specified in the instrument.
- (6) The date from which a bishopric may be declared vacant under this section shall not be earlier than the date of the endorsement under subsection (4) above or the date of the instrument under subsection (5) above, as the case may be; and any instrument made under this section shall be filed in the provincial registry.

Modifications etc. (not altering text)

- C1** S. 3 excluded (31.1.2011) by Ecclesiastical Offices (Terms of Service) Measure 2009 (No. 1), ss. 3(8), 13(2) (with s. 9); 2010 No. 8, art. 2

Changes to legislation:

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