

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Patronage (Benefices) Measure 1986, SCHEDULE 4. (See end of Document for details)

SCHEDULES

SCHEDULE 4

Section 41.

MINOR AND CONSEQUENTIAL AMENDMENTS

M¹Pluralities Act 1838

Marginal Citations

M1 1838 c. 106.

- 1 In section 58 of the Pluralities Act 1838 for the words from “upon any such” to the end there shall be substituted the words “no offer of any benefice which becomes void under this section shall be made under any provision of the Patronage (Benefices) Measure 1986 or otherwise to the person by reason of whose non-residence the benefice so became void”.

M²Parsonages Measure 1938

Marginal Citations

M2 1938 No. 3.

- 2 In section 2A of the Parsonages Measure 1938 for the words “the Diocesan Dilapidations Board and the patron of the benefice” there shall be substituted the words “and the Diocesan Dilapidations Board”.
- 3 In section 3(1) of that Measure for the words “the patron”, where first occurring, there shall be substituted the words “the registered patron”, and the words from “Provided” to the end shall be omitted.
- 4 In section 7 of that Measure immediately before the word “patron” wherever occurring, there shall be inserted the word “registered”.
- 5 In section 13 of that Measure immediately before the word “patron”, wherever occurring, there shall be inserted the word “registered”.
- 6 In section 15(1) of that Measure paragraph (i) shall be omitted and in paragraphs (ii) and (iii) immediately before the word “patron” there shall be inserted the word “registered”.
- 7 In section 16 of that Measure immediately before the word “patron”, where first occurring, there shall be inserted the word “registered”, and at the end of that section there shall be inserted the words “and for the purposes of this Measure Her Majesty shall be deemed to be the registered patron of a benefice the patronage of which is vested in the Crown or is part of the possessions of the Duchy of Lancaster, and the possessor for the time being of the Duchy of Cornwall shall be deemed to be

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the registered patron of a benefice the patronage of which is part of the possessions of that Duchy”.

- 8 At the end of section 20 of that Measure there shall be inserted the words “and ”registered patron’ has the same meaning as in the Patronage (Benefices) Measure 1986”.

M³New Parishes Measure 1943

Marginal Citations

M3 1943 No. 1.

- 9 In section 28 of the New Parishes Measure 1943 for the words “parochial church council or patron” there shall be substituted the words “or parochial church council”.

M⁴Parsonages (Amendment) Measure 1947

Marginal Citations

M4 1947 No. 3.

- 10 In section 1 of the Parsonages (Amendment) Measure 1947 immediately before the word “patron” there shall be inserted the word “registered”, and at the end of that section there shall be added the following paragraph—

“In this section “registered patron>” has the same meaning as in the Patronage (Benefices) Measure 1986.”

M⁵City of London (Guild Churches) Act 1952

Marginal Citations

M5 1952 c. xxviii.

- 11 In section 9(6) of the City of London (Guild Churches) Act 1952 for the words from the beginning to “1931” there shall be substituted the words “The Patronage (Benefices) Measure 1986”.
- 12 In section 10(1) of that Act for the word “is” there shall be substituted the words “was at the passing of this Act”.

M⁶Synodical Government Measure 1969

Marginal Citations

M6 1969 No. 2.

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- 13 In Schedule 3 of the Synodical Government Measure 1969 (Church Representation Rules)—
- (a) in rule 16(3) there shall be inserted at the end the words “or the functions of a parochial church council under Part II of the Patronage (Benefices) Measure 1986”;
 - (b) in rule 17—
 - (i) in paragraph (1)(c) there shall be inserted at the beginning the words “subject to paragraph 20 of Schedule 2 to the Patronage (Benefices) Measure 1986”;
 - (ii) in paragraph (2) after the words “said Measure” there shall be inserted the words “and to paragraph 20 of Schedule 2 to the Patronage (Benefices) Measure 1986”;
 - (c) in rule 17A—
 - (i) in paragraph (1)(c) there shall be inserted at the beginning the words “subject to paragraph 19 of Schedule 2 to the Patronage (Benefices) Measure 1986”;
 - (ii) in paragraph (2) after the words “the said Measure” there shall be inserted the words “and to paragraph 19 of Schedule 2 to the Patronage (Benefices) Measure 1986”;
 - (d) in rule 17B—
 - (i) in paragraph (1)(c) after “1983” there shall be inserted the words “and its functions under Part II of the Patronage (Benefices) Measure 1986”;
 - (ii) at the end of paragraph 3 there shall be added the words “except that the functions of a parochial church council under Part II of the Patronage (Benefices) Measure 1986 may not be delegated to a group council”.

M7 Repair of Benefice Buildings Measure 1972

Marginal Citations

M7 1972 No. 3.

- 14 In the proviso to section 12(3) of the Repair of Benefice Buildings Measure 1972 for the words “the patron” there shall be substituted the words “after consulting the registered patron”, and after the word “consent”, where last occurring, there shall be inserted the words “and after such consultation”.
- 15 In section 21(1) of that Measure for the words from “without” to “patron” there shall be substituted the words “until after he has consulted the registered patron, and obtained the consent of the Board”.
- 16 In section 31(1) of that Measure for the definition of “patron” there shall be substituted the words “‘registered patron’ has the same meaning as in the Patronage (Benefices) Measure 1986”.

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M8 Pastoral Measure 1983

Marginal Citations

M8 1983 No. 1.

- 17 In section 18(2) of the Pastoral Measure 1983—
- (a) in the proviso for the words “section 1 of the Benefices (Exercise of Rights of Presentation) Measure 1931” there shall be substituted the words “section 7 of the Patronage (Benefices) Measure 1986”;
 - (b) in paragraph (b) of the proviso for the words “section 1” there shall be substituted the words “section 7”.
- 18 In section 67 of that Measure—
- (a) in subsection (1) for the word “patron”, in each place where it occurs, there shall be substituted the words “registered patron”;
 - (b) in subsection (6) for paragraph (b) there shall be substituted—
 - “(b) the registered patron of the benefice, unless the only registered patron is the bishop;”.
- 19 In section 68(2) of that Measure for the word “patron” there shall be substituted the words “registered patron”.
- 20 In section 69 of that Measure—
- (a) in subsection (1) for the word patron, in both places where that word occurs, there shall be substituted the words “registered patron”;
 - (b) in subsection (2) for paragraph (a) there shall be substituted—
 - “(a) the registered patron, unless the only registered patron is the bishop;”;
 for the word “patron” in the second place where it occurs there shall be substituted the words “registered patron” and for the words from “and the requirement” to the end of the subsection there shall be substituted the words “and the provisions of section 7 of the Patronage (Benefices) Measure 1986 shall, subject to the modifications made by section 70 of this Measure, apply”.
- 21 In section 70 of that Measure—
- (a) in paragraph (a) for the words “section 1 of the Benefices (Exercise of Rights of Presentation) Measure 1931” there shall be substituted the words “section 7 of the Patronage (Benefices) Measure 1986”;
 - (b) in paragraph (d) for the words “section 1” there shall be substituted the words “section 7(4)”.
- 22 For section 80(1) of that Measure there shall be substituted the following subsection—
- “(1) Where it is necessary for the purposes of this Measure or any scheme or order made thereunder to find the registered patron of a benefice and it appears to the Commissioners that it is not possible or is not reasonably practicable to find that patron, the Commissioners may direct that the diocesan board of patronage shall be treated for those purposes as the registered patron of that benefice, and any such direction shall be conclusive for the said purposes.”
- 23 In section 82 of that Measure for the word “patron” there shall be substituted the words “registered patron”.

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- 24 In section 87(1) of that Measure the following definition shall be inserted after the definition of “redundancy scheme”—
- ““registered patron”, in relation to a benefice or to benefices held in plurality, means every person who is for the time being registered under the Patronage (Benefices) Measure 1986 in a register of patrons as a patron of that benefice or those benefices”.
- 25 In Schedule 3 to that Measure—
- (a) in paragraph 1—
- (i) in sub-paragraph (3) for the words from the beginning to “any other enactment” there shall be substituted the words “Any enactment”;
- (ii) in sub-paragraph (6) there shall be inserted at the end of the words “being a person who has made the declaration of membership within the meaning of the Patronage (Benefices) Measure 1986”;
- (iii) in sub-paragraph (9) for the words “presentation of the rector by” there shall be substituted the words “patron to be”;
- (b) for paragraph 3 there shall be substituted the following paragraph—
- “3 Where a group ministry is established by a pastoral scheme for a group of benefices, the registered patron of a benefice in the group shall consult the other incumbents and any priests in charge in the group before he makes a request under section 13 of the Patronage (Benefices) Measure 1986 for the approval of the parish representatives (as defined in section 11(7) of that Measure), and (unless the registered patron is the bishop) of the bishop, to the making to a priest of an offer to present him to the benefice”;
- (c) in paragraph 4(3)(c) there shall be inserted at the beginning the words “subject to paragraph 19 of Schedule 2 to the Patronage (Benefices) Measure 1986,”;
- (d) in paragraph 13(1)(c) there shall be inserted at the beginning the words “subject to paragraph 20 of Schedule 2 to the Patronage (Benefices) Measure 1986,”.

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