



Patronage (Benefices) Measure 1986

1986 No. 3

PART I

REGISTRATION AND TRANSFER OF RIGHTS OF PATRONAGE

5 Rights of patronage exercisable otherwise than by registered patron.

- (1) Where an office is registered as a patron of a benefice, the person who is for the time being the holder of that office shall, subject to the provisions of Part II of this Measure, be entitled to discharge all the functions of a patron of that benefice.
- (2) Where a registered patron of a benefice dies then, until the person to whom the right of patronage is to be transferred is registered as a patron of that benefice, the personal representatives of the deceased patron shall, subject to the provisions of Part II of this Measure, be entitled to discharge all the functions of a patron of that benefice.
- (3) A registered patron of a benefice may by an instrument creating a power of attorney confer on the donee of the power authority to discharge on his behalf all the functions of a patron of that benefice, and where such a power is created the donee shall, subject to the provisions of Part II of this Measure, be entitled to discharge those functions until the power is revoked.

[^{F1}(3A) The reference in subsection (3) to a power of attorney does not include an enduring power of attorney or lasting power of attorney (within the meaning of the Mental Capacity Act 2005).]

- (4) Any person entitled to discharge any functions in relation to a benefice by virtue of this section shall be entitled to discharge those functions notwithstanding that he is not registered in the register of patrons in relation to that benefice.

Textual Amendments

- F1** S. 5(3A) inserted (1.10.2007) by [Mental Capacity Act 2005 \(c. 9\)](#), s. 68(1), [Sch. 6 para. 34\(2\)](#) (with ss. 27-29, 62); [S.I. 2007/1897](#), art. 2(1)(d)

Changes to legislation:

There are currently no known outstanding effects for the Patronage (Benefices) Measure 1986, Section 5.