



# Ordination of Women (Financial Provisions) Measure 1993

1993 No. 3

## 10 Appeals.

- (1) An applicant for any benefit under this Measure who is aggrieved by a determination of the Board in carrying out its functions under this Measure may appeal against the determination to a tribunal constituted in accordance with subsection (4) below.
- (2) Subject to subsection (3) below, on any such appeal the tribunal may affirm the Board's determination or make any other determination which could have been made by the Board; and if the Board's determination is not affirmed it shall give effect to the tribunal's determination.
- (3) In respect of any determination made by the Board under section 5 above the tribunal shall not vary the Board's determination unless it is satisfied that the Board—
  - (a) has exercised its discretion on a basis on which no reasonable determination could have been made; or
  - (b) has failed to take into account some material matter, or has taken into account some irrelevant matter, where in either case in acting properly the determination of the Board would or might have been significantly different:Provided that this subsection shall not apply where the tribunal considers that, in all the circumstances of the case, not to vary the Board's determination would or might result in an injustice to the applicant and would or might cause significant financial hardship.
- (4) The tribunal shall consist of five persons nominated by the chairman of the House of Bishops, the chairman of the House of Clergy and the chairman of the House of Laity acting jointly from a panel of twelve members of the General Synod selected by the Standing Committee.
- (5) The Standing Committee may make rules regulating the procedure and practice in or in connection with proceedings on an appeal under this section, including in particular the time within which an appeal must be lodged.

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*Changes to legislation: There are currently no known outstanding effects for the Ordination of Women (Financial Provisions) Measure 1993, Section 10. (See end of Document for details)*

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- (6) Any rules made under subsection (5) above shall be laid before the General Synod and shall not come into force until approved by the General Synod, whether with or without amendment.
- (7) Where the Standing Committee determines that the rules do not need to be debated by the General Synod then, unless—
- (a) notice is given by a member of the General Synod in accordance with its Standing Orders that he wishes the rules to be debated,
  - (b) notice is so given by any such member that he wishes to move an amendment to the rules and at least twenty-five other members of the General Synod indicate when the amendment is called that they wish the amendment to be moved,
- the rules shall for the purposes of subsection (6) above be deemed to have been approved by the General Synod without amendment.
- (8) The <sup>M1</sup>Statutory Instruments Act 1946 shall apply to any rules approved by the General Synod under subsection (6) above as if they were statutory instruments and were made when so approved, and as if this Measure were an Act providing that any such rules should be subject to annulment in pursuance of a resolution of either House of Parliament.

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**Modifications etc. (not altering text)**

- C1** S. 10(4): functions transferred (1.1.1999) by S.I. 1998/1715, arts. 1(2)(4), 2, **Sch. 1**; 1998 No. 1, s. **15**; Instrument dated 14.10.1998 made by Archbishops of Canterbury and York
- C2** S. 10(5)(7): functions transferred (1.1.1999) by S.I. 1998/1715, arts. 1(2)(4), 2, **Sch. 1**; 1998 No. 1, s. **15**; Instrument dated 14.10.1998 made by Archbishops of Canterbury and York
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**Marginal Citations**

- M1** 1946 c. 36.

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