



# Church of England (Miscellaneous Provisions) Measure 2000

2000 No. 1

## PART II

### OTHER PROVISIONS

#### 12 Provisions relating to rural deans

- (1) Where a rural deanery is vacant or a rural dean is unable by reason of illness or absence to carry out any or all of his functions, the bishop of the diocese in which the rural deanery is may appoint by an instrument under his hand another person to perform any or all of the rural dean's functions for a period specified in the instrument.
- (2) A power of appointment under this section may be exercised by the appointment of two or more persons and by the division among them, whether territorially or otherwise, of the function or functions to be performed.
- (3) A statement in a document issued in the performance of any such function that the person by whom the document is signed or executed has been duly appointed under this section to perform that function shall be conclusive evidence of that fact.
- (4) The bishop of a diocese may by order declare that the office of rural dean shall, in any deanery in that diocese, be called the office of area dean; and, accordingly, in any enactment (including this section), Canon or other instrument references to a rural dean shall be construed as including references to an area dean.

#### 13 Amendment of Consecration of Churchyards Act 1867

In section 1 of the Consecration of Churchyards Act 1867—

- (a) for the words “lawfully appointed as his commissary” there shall be substituted the words “appointed by him for the purposes of this section”;

- (b) for the words “any two clergymen of the diocese” there shall be substituted the words “a clergyman beneficed or licensed to serve in the diocese or by the churchwardens of the church in question”.

#### **14 Amendment of Church Funds Investment Measure 1958**

- (1) In the Church Funds Investment Measure 1958 the Scheme contained in the Schedule shall be amended as follows.
- (2) In paragraph 1 after the definition of “Contributing Fund” there shall be inserted the following definition—
  - ““Deposit Fund Reserve” has the meaning ascribed thereto in paragraph 22A hereof;”.
- (3) In paragraph 20(2) at the end there shall be inserted the words “Provided that the Central Board shall not be liable to make good any loss incurred in the course of administering the Fund in a reasonable manner in the event that depositors cannot be repaid in full”.
- (4) In paragraph 21(1) the words from “(c)” to “trust funds;” shall be omitted.
- (5) After paragraph 22 there shall be inserted the following paragraph—
  - “22A (1) For any Deposit Fund the Central Board may keep a separate account (referred to herein as a Deposit Fund Reserve) containing such moneys as the Board may allocate thereto out of the income of the investment of the Fund, for the purpose of preventing or reducing potential losses in the Fund or of augmenting the rate of interest paid to depositors.
  - (2) Until the expiry of the period of five years following the coming into force of section 14(5) of the Church of England (Miscellaneous Provisions) Measure 2000 or of such further period or periods following that period of five years as the General Synod may by resolution direct, paragraph 21 of this Scheme shall apply in relation to Deposit Fund Reserves in like manner as it applies to Deposit Funds, with the insertion at the end of subparagraph (1) of the words “(g) Upon loan to the Archbishops' Council.”.

#### **15 Amendment of Ecclesiastical Jurisdiction Measure 1963**

In section 8 of the Ecclesiastical Jurisdiction Measure 1963 at the end of subsection (2) there shall be inserted the words “with the leave of Her Majesty in Council.”.

#### **16 Amendment of Ecclesiastical Fees Measure 1986**

- (1) Section 4 of the Ecclesiastical Fees Measure 1986 shall be amended as follows.
- (2) In subsection (1) for paragraph (d) there shall be substituted the following paragraphs—
  - “(d) a member or officer of the Archbishops' Council nominated for the purposes of this Measure by that Council;
  - (dd) a Church Commissioner or an officer of the Church Commissioners nominated for the purposes of this Measure by them; and”.

(3) In subsection (3) for the words from “paragraphs (a) to (c)” to “paragraph (e)” there shall be substituted the words “paragraphs (a), (b), (c) and (e)”.

(4) After subsection (3) there shall be substituted the following subsection—

“(3A) The members of the Fees Advisory Commission nominated under paragraphs (d) and (dd) of subsection (1) above shall serve on the Commission during the pleasure of the Archbishops' Council or the Church Commissioners, respectively.”.

## **17 Amendment of Patronage (Benefices) Measure 1986**

In section 3 of the Patronage (Benefices) Measure 1986—

- (a) in subsection (8) at the end there shall be inserted the words “unless the benefice is one to which a suspension period (within the meaning of section 67 of the Pastoral Measure 1983) applies and a person holds office as priest in charge for the benefice”;
- (b) in subsection (9) after the word “but” there shall be inserted the words “except in subsection (6)”.

## **18 Amendment of Church of England (Legal Aid and Miscellaneous Provisions) Measure 1988**

In section 6 of the Church of England (Legal Aid and Miscellaneous Provisions) Measure 1988—

- (a) in subsection (2) at the end there shall be inserted the words “for its approval”;
- (b) for subsections (3) and (4) there shall be substituted the following subsections—

“(3) Where the Business Committee of the General Synod determines that any such petition does not need to be debated by the Synod, then, unless notice is given by a member of the Synod in accordance with its Standing Orders that he wishes the petition to be debated, the petition shall for the purposes of subsection (2) above be deemed to have been approved by the Synod.

(4) Where the petition is approved by the General Synod the bishop of the diocese may forward it to Her Majesty in Council.”.