



# Churchwardens Measure 2001

## 2001 No. 1

### 13 Interpretation

(1) In this Measure, except in so far as the context otherwise requires—

“bishop” means the diocesan bishop concerned;

[<sup>F1</sup>“diocesan safeguarding advisor” means the person appointed as such for the diocese in question in accordance with provision made by Canon;]

“existing custom” means a custom existing at the coming into force of this Measure which has continued for a period commencing before 1st January 1925;

“minister” has the same meaning as that assigned to that expression in [<sup>F2</sup>Rule 83(1)] of the Church Representation Rules except that, where a special responsibility for pastoral care in respect of the parish in question has been assigned to a member of the team in a team ministry under section 20(8A) of the Pastoral Measure 1983 (1983 No. 1) but a special cure of souls in respect of the parish has not been assigned to a vicar in the team ministry by a scheme under that Measure or by his licence from the bishop, it means that member;

“pastoral scheme” has the same meaning as that assigned to that expression in section 87(1) of the Pastoral Measure 1983;

“actual communicant”, “parish” and “public worship” [<sup>F3</sup>each have the same meaning as in the Church Representation Rules (see Rules 82 and 83)].

[<sup>F4</sup>(1A) A reference in this Measure to an offence mentioned in Schedule 1 to the Children and Young Persons Act 1933 is a reference to an offence which is—

- (a) mentioned in that Schedule as amended, extended or applied from time to time, or
- (b) treated by an enactment (whenever passed or made) as if it were mentioned in that Schedule.]

[<sup>F5</sup>(1B) A reference in this Measure to a meeting of parishioners includes a reference to a meeting which persons may attend, speak at, vote in or otherwise participate in without any, or without all, of the persons being together in the same place.

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**Changes to legislation:** Churchwardens Measure 2001, Section 13 is up to date with all changes known to be in force on or before 25 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- (1C) A reference in this Measure to the place where a meeting of parishioners is to be held includes a reference to more than one place, including electronic, digital or virtual locations, web addresses or conference call telephone numbers.
- (1D) A person is to be regarded for the purposes of this Measure as present at a meeting of parishioners at any given time if the person is at that time able to hear and be heard by, and where practicable to see and be seen by, the other persons present.
- (1E) A reference in this Measure to being present at a meeting of parishioners includes a reference to being present by electronic means, including by telephone conference, video conference, live webcast or live interactive streaming.]
- (2) Where by virtue of any custom existing at the coming into force of the Churchwardens (Appointment and Resignation) Measure 1964 (1964 No. 3) the choice of a churchwarden was, under section 12(2) of that Measure, required to be made by the meeting of the parishioners jointly with another person or persons that custom shall be deemed to be an existing custom for the purposes of this Measure.

#### Textual Amendments

- F1** Words in s. 13(1) inserted (1.1.2017) by [Safeguarding and Clergy Discipline Measure 2016 \(No. 1\)](#), **ss. 2(9)**, 12(3); S.I. 2016/1213, art. 2
- F2** Words in s. 13 substituted (1.1.2020) by [Church Representation and Ministers Measure 2019 \(No. 1\)](#), s. 1(3), **Sch. 2 para. 27(a)**; S.I. 2019/1460, art. 2
- F3** Words in s. 13 substituted (1.1.2020) by [Church Representation and Ministers Measure 2019 \(No. 1\)](#), s. 1(3), **Sch. 2 para. 27(b)**; S.I. 2019/1460, art. 2
- F4** S. 13(1A) inserted (1.1.2017) by [Safeguarding and Clergy Discipline Measure 2016 \(No. 1\)](#), **ss. 2(10)**, 12(3); S.I. 2016/1213, art. 2
- F5** S. 13(1B)-(1E) inserted (25.1.2024) by [Church of England \(Miscellaneous Provisions\) Measure 2024 \(No. 1\)](#), s. 22(2)(j), **Sch. 2 para. 4**

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- s. 13(1) words substituted by [2024 No. 1 s. 11\(5\)\(b\)](#)