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**Changes to legislation:** There are currently no known outstanding effects for the Care of Cathedrals (Amendment) Measure 2005 (repealed), SCHEDULE 1. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 1

Section 17

#### AMENDMENT OF SCHEDULE 1 TO THE CARE OF CATHEDRALS MEASURE 1990

#### PART 1

##### AMENDMENTS

1 Schedule 1 to the 1990 Measure shall be amended as follows.

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**Commencement Information**

**I1** Sch. 1 para. 1 in force at 7.2.2006 by 2006 No. 1, Instrument made by Archbishops

2 In paragraph 2 the words “for Culture, Media and Sport” and the words “and provosts” shall be omitted.

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**Commencement Information**

**I2** Sch. 1 para. 2 in force at 7.2.2006 by 2006 No. 1, Instrument made by Archbishops

3 In paragraph 3—

- (a) in sub-paragraph (b) the words “and provosts” and “or provost” shall be omitted;
- (b) for sub-paragraph (c) there shall be substituted the following sub-paragraph—
  - “(c) three members shall be appointed on the nomination of the Council for the Care of Churches, of whom two shall be selected from among the members of the Council or a committee thereof;”;
- (c) in sub-paragraph (d) for the words after “office” to the end there shall be substituted the words “ as cathedral architects or surveyors of the fabric one of whom shall be appointed after consultation with the President of the Royal Institute of British Architects and the other shall be appointed after consultation with that President and the President of the Royal Institution of Chartered Surveyors ”;
- (d) for sub-paragraph (e) there shall be substituted the following sub-paragraph—
  - “(e) one member shall be an architect or chartered building surveyor appointed after consultation with the President of the Ecclesiastical Architects and Surveyors Association and one member shall be a chartered engineer appointed after consultation with the President of the Institution of Structural Engineers and the President of the Institution of

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Civil Engineers, being persons with experience of the care of historic buildings;” and

(e) for sub-paragraph (g) there shall be substituted the following sub-paragraph—

“(g) six members shall be appointed as follows—

- (i) one shall be appointed after consultation with the Secretary of State;
- (ii) one shall be appointed after consultation with the Chairman of English Heritage;
- (iii) one shall be appointed after consultation with the President of the Council for British Archaeology and the President of the Society of Antiquaries of London;
- (iv) two shall be appointed after consultation with the Chairman of the Liturgical Commission; and
- (v) one shall be appointed after consultation with the Director of the Royal School of Church Music.”.

**Commencement Information**

**I3** Sch. 1 para. 3 in force at 7.2.2006 by 2006 No. 1, Instrument made by Archbishops

4 After paragraph 3 there shall be inserted the following paragraph—

“3A All the members of the Commission appointed in pursuance of paragraph 3(b) to (g) above shall be persons who between them have special knowledge of archaeology, architecture, archives, art, the care and conservation of books, manuscripts and other historic objects, history (including history of art and architecture) and liturgy (including church music).”.

**Commencement Information**

**I4** Sch. 1 para. 4 in force at 7.2.2006 by 2006 No. 1, Instrument made by Archbishops

5 In paragraph 6 for the words “the first day of March” there shall be substituted the words “ the first day of May ”.

**Commencement Information**

**I5** Sch. 1 para. 5 in force at 7.2.2006 by 2006 No. 1, Instrument made by Archbishops

6 In paragraph 7 after the word “reappointment” in both places where it occurs there shall be inserted the words “ or re-election ”, after the word “paragraph”, where it first appears, there shall be inserted the words “ or appointment under paragraph 7A below following re-election under this paragraph ” and the words from “Provided that” to the end shall be omitted.

**Commencement Information**

**I6** Sch. 1 para. 6 in force at 7.2.2006 by 2006 No. 1, Instrument made by Archbishops

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7 After paragraph 7 there shall be inserted the following paragraph—

“7A Where a member of the Commission elected by the General Synod under paragraph 4 above has, following the dissolution of the Synod, not been re-elected to the new Synod, that person may be appointed by the Appointments Committee of the Church of England as a member and shall hold office until the thirtieth day of April following the year in which the new Synod comes into being.”.

**Commencement Information**

**I7** Sch. 1 para. 7 in force at 7.2.2006 by 2006 No. 1, Instrument made by Archbishops

8 In paragraph 10 there shall be added at the end the words “ “, but shall be eligible for re-appointment or re-election for one further term of office in accordance with paragraph 7 above, and if the Archbishops of Canterbury and York so direct, shall be eligible for re-appointment or re-election for a second further term ”.

**Commencement Information**

**I8** Sch. 1 para. 8 in force at 7.2.2006 by 2006 No. 1, Instrument made by Archbishops

VALID FROM 01/01/2008

9 After paragraph 14 there shall be inserted the following paragraph—

“14A The business of the Commission shall be decided by a majority of the members present and voting thereon and, in the event of an equal division of votes, the Chairman shall have a second or casting vote.”.

VALID FROM 01/01/2008

10 In paragraph 16 there shall be added at the end the words “ and may appoint a panel of not less than three members for the purpose of holding a public hearing on any matter specified by the Commission and reporting thereon to the Commission ”.

VALID FROM 01/01/2008

11 After paragraph 16 there shall be inserted the following paragraph—

“16A Where the Commission is considering an appeal under section 9 or 10C above no member of the Commission who is also a member of the fabric advisory committee against whose decision the appeal is brought shall participate in the proceedings.”.

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## PART 2

### TRANSITIONAL PROVISION

- 12 Paragraph 3 above shall not affect the appointment of any member of the Commission holding office on the date of the coming into force of this Schedule or the validity of any proceedings of the Commission taking place after that date, but, otherwise, Part 1 of this Schedule shall apply to any member of the Commission, whether appointed or re-appointed or elected or re-elected before or after that date.

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#### **Commencement Information**

- 19** Sch. 1 para. 12 in force at 7.2.2006 by 2006 No. 1, Instrument made by Archbishops

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