



# Dioceses, Pastoral and Mission Measure 2007

2007 No. 1

## PART II

### PROVINCIAL AND DIOCESAN STRUCTURE

*Provisions with respect to discharge of functions of certain bodies corporate, etc.*

#### **19 Schemes with respect to discharge of functions of diocesan bodies corporate, etc.**

- (1) In this and the next following section “diocesan body” means any body corporate or unincorporate or committee established for a diocese or any part thereof, other than a diocesan synod or the bishop’s council and standing committee of a diocesan synod [<sup>F1</sup>or a Diocesan Board of Education].
- (2) A scheme under this section may make provision for one or more of the following purposes—
  - (a) for constituting a body corporate or unincorporate or committee to discharge in respect of such dioceses as are specified in the scheme the functions previously discharged in respect of each of those dioceses by such diocesan body as is so specified and for winding up or dissolving each such body;
  - (b) for empowering such diocesan bodies for such dioceses, or such parts of such dioceses, as are so specified to discharge any of their functions jointly and, in particular, to establish a joint committee to discharge any of the functions of each such body;
  - (c) for empowering such a diocesan body for such diocese as is so specified to arrange for any of its functions to be discharged by the corresponding diocesan body for such other diocese as is so specified or by a committee or sub-committee of that body.

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**Changes to legislation:** *Dioceses, Pastoral and Mission Measure 2007, Cross Heading: Provisions with respect to discharge of functions of certain bodies corporate, etc. is up to date with all changes known to be in force on or before 26 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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- (3) The bishops of the dioceses to which a scheme under this section is to apply (“the participating dioceses”) shall prepare a draft of such scheme and shall obtain the consent of the Commission to proceed with it.
- (4) If the draft scheme would, if implemented, affect a charity, not being an exempt charity, the bishops of the participating dioceses shall cause a copy of the draft to be sent to the Charity Commission for it to advise and comment thereon.
- (5) After any advice or comments made by the Charity Commission on the draft scheme have been received by the bishops of the participating dioceses and the bishops have made such amendments, if any, as they think fit, the bishops shall lay the draft scheme before the diocesan synod of every participating diocese for its approval unless the Charity Commission objects to the scheme including any amendments made in consequence of their advice or comments and, in such a case, the bishops shall not proceed with the scheme, but without prejudice to the making of a new scheme under this section.
- (6) A copy of the draft scheme and of any advice or comments thereon made by the Charity Commission shall be sent to every member of the diocesan synod of every participating diocese at least six weeks before the session at which the draft scheme is considered.
- (7) If the draft scheme is approved by the diocesan synod of every participating diocese, a copy of the draft scheme shall be signed by the bishops of the participating dioceses who shall thereby make the scheme.
- (8) A scheme under this section shall come into operation on the first day of the month next following the making of the scheme or on such later date as may be specified therein.
- (9) The bishop of each participating diocese shall send a copy of the scheme to the Commission and to the registrar of his diocese, and the registrar shall file it in the diocesan registry.

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#### **Textual Amendments**

- F1** Words in s. 19(1) inserted (29.6.2021) by [Diocesan Boards of Education Measure 2021 \(No. 1\)](#), ss. [4\(10\)](#), [24\(3\)](#) (with [Sch. 2 para. 6](#))
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#### **Commencement Information**

- II** S. 19 in force at 1.9.2008 by [2008 No. 1](#), Instrument made by Archbishops

## **20 Further provisions with respect to schemes under s.19**

- (1) A scheme under section 19 above which makes provision for either of the purposes mentioned in subsection (2)(a) or (b) thereof may provide for regulating the term of office of members of the body corporate or unincorporate or committee referred to therein, for regulating the proceedings of that body or committee and for determining the manner in which its expenses are to be defrayed.
- (2) A scheme under section 19 above may contain such incidental, consequential and supplementary provisions as appear to the bishops by whom the scheme is to be made to be necessary or expedient for bringing the scheme into operation and giving full

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effect thereto and, in particular, but without prejudice to the generality of the foregoing words, provisions—

- (a) for the transfer of property and liabilities;
  - (b) for the adjustment of accounts and apportionment of liabilities; and
  - (c) for the settlement of any differences arising in consequence of the operation of the scheme.
- (3) Where a body or committee is, under a scheme under section 19 above, to discharge, whether jointly or otherwise, functions previously discharged by a diocesan body established by or under a Measure, that Measure shall have effect subject to section 19 above and this section and the scheme may make such incidental, consequential or other amendments to the Measure as appear to the bishops of the participating dioceses necessary to give effect to the scheme.
- (4) A scheme under section 19 above may be varied or revoked by a subsequent scheme made thereunder.

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**Commencement Information**

**I2** S. 20 in force at 1.9.2008 by 2008 No. 1, Instrument made by Archbishops

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Measure associated Parts and Chapters:**

Whole provisions yet to be inserted into this Measure (including any effects on those provisions):

- s. 11(2A) inserted by [2024 No. 1 s. 4\(2\)](#)