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## SCHEDULES

### SCHEDULE 2

#### CONTENTS OF REORGANISATION SCHEMES

##### *Provisions relating to cathedral church etc.*

- 4 (1) Where the scheme creates a new diocese or where the area in which a cathedral is situated is transferred to another diocese the scheme shall provide—
- (a) for the establishment of a cathedral for the diocese, or
  - (b) for the establishment of a church to be known as the pro-cathedral of the diocese.
- (2) Where sub-paragraph (1)(a) above applies, the scheme shall either designate an existing church as the cathedral church, whether or not that church was previously a cathedral church for another diocese or provide for a new church to be the cathedral church.
- (3) Where sub-paragraph (1)(a) above applies, the scheme shall—
- (a) provide for the establishment of a provisional council whose function shall be to prepare a constitution and statutes for the cathedral in accordance with [<sup>F1</sup>the Cathedrals Measure 2021];
  - (b) provide for the governance of the cathedral and for its worship and administration and, so far as is appropriate, for the appointment of persons to hold office in the cathedral and for its ownership and the ownership of any assets belonging to or used for the purposes of the cathedral until the constitution and statutes have effect;
  - (c) constitute a body which shall consist of the holders of such offices in the cathedral as the scheme shall specify and which shall continue to exist until a college of canons is established [<sup>F2</sup>in accordance with section 3 of the Cathedrals Measure 2021] and which shall perform the functions conferred on the Chapter of a cathedral under the 1533 Act, which shall have effect accordingly;
  - (d) apply any provision of [<sup>F3</sup>the Cathedrals Measure 2021], subject to such modifications as may be specified in the scheme, including any provision which may be appropriate in respect of the coming into force of the constitution and statutes; and
  - (e) provide, as necessary, relating to the jurisdiction of the consistory court.
- (4) Where sub-paragraph (1)(b) above applies the scheme shall either designate an existing church as or provide for a new church to be the seat of the bishop and to be known as the pro-cathedral of the diocese and sub-paragraphs (3)(b) and (c) and (e) above shall apply as they apply in relation to the establishment of a cathedral church, but with the omission, in sub-paragraph (b), of the words “until the constitution and statutes have effect” and, in sub-paragraph (c), of the words “which shall continue

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to exist until a college of canons is established [F4; in accordance with section 3 of the Cathedrals Measure 2021] and”.

- (5) Where sub-paragraph (1)(b) applies the scheme shall include provision enabling a cathedral church to be established for the diocese if the bishop's council and standing committee of the diocesan synod at any time, with the consent of the bishop and after consulting the Commissioners, the Dioceses Commission and any person holding office in the pro-cathedral, so decides and may make provision for any of the matters referred to in sub-paragraph (3) above in the event of a cathedral church being established.

#### Textual Amendments

- F1** Words in Sch. 2 para. 4(3)(a) substituted (coming into force in accordance with s. 53(3) of the amending Measure) by Cathedrals Measure 2021 (No. 2), Sch. 4 para. 29(2)(a) (with ss. 42(4), 48, 52(1))
- F2** Words in Sch. 2 para. 4(3)(c) substituted (coming into force in accordance with s. 53(3) of the amending Measure) by Cathedrals Measure 2021 (No. 2), Sch. 4 para. 29(2)(b) (with ss. 42(4), 48, 52(1))
- F3** Words in Sch. 2 para. 4(3)(d) substituted (coming into force in accordance with s. 53(3) of the amending Measure) by Cathedrals Measure 2021 (No. 2), Sch. 4 para. 29(2)(c) (with ss. 42(4), 48, 52(1))
- F4** Words in Sch. 2 para. 4(4) substituted (coming into force in accordance with s. 53(3) of the amending Measure) by Cathedrals Measure 2021 (No. 2), Sch. 4 para. 29(3) (with ss. 42(4), 48, 52(1))

#### Commencement Information

- I1** Sch. 2 para. 4 in force at 1.9.2008 by 2008 No. 3, Instrument made by Archbishops

- 5 (1) Where a scheme dissolves a diocese or the area in which the cathedral is situated is transferred to another diocese the scheme shall provide that the cathedral shall—
- cease to be a cathedral, or
  - become the sole cathedral of another diocese, or
  - become one of the cathedrals in another diocese.
- (2) Where sub-paragraph (1)(a) above applies the scheme shall provide—
- for the status of the cathedral church to be altered;
  - if appropriate, for the precinct and other land owned by the cathedral and surrounding the cathedral church to become a new parish, to be included in another parish or to become an extra-parochial place;
  - for dissolving the Chapter and all other bodies, dignities and offices in the cathedral;
  - for conferring appropriate rights to compensation on persons holding any such office in accordance with paragraph 16 below;
  - for transferring any property (including rights of patronage) vested in the corporate body of the cathedral to such person or body as may be specified in the scheme and vesting such property in that person or body without any conveyance or other assurance; and
  - as necessary, relating to the jurisdiction of the consistory court.
- (3) Where sub-paragraph (1)(c) above applies, the constitution and statutes of each cathedral for which the scheme makes provision—
- may provide for specified offices in each cathedral to be held or specified functions to be discharged by the same person or by joint bodies; and

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- (b) shall provide for one College of Canons to discharge functions for all of those cathedrals in accordance with [F5section 3 of the Cathedrals Measure 2021].
- (4) Where sub-paragraph (3) above applies, the scheme shall provide for the constitution and statutes of any existing cathedral to be modified so as to make the like provision as is mentioned in that sub-paragraph.
- (5) Where sub-paragraph (1)(b) or (c) above applies, paragraph 4(3) above shall apply, so far as appropriate, and subject to any necessary modifications.

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#### **Textual Amendments**

- F5** Words in [Sch. 2 para. 5\(3\)\(b\)](#) substituted (coming into force in accordance with s. 53(3) of the amending Measure) by [Cathedrals Measure 2021 \(No. 2\)](#), [Sch. 4 para. 30](#) (with [ss. 42\(4\)](#), [48](#), [52\(1\)](#))

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#### **Commencement Information**

- I2** Sch. 2 para. 5 in force at 1.9.2008 by [2008 No. 3](#), Instrument made by Archbishops

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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\(2\)](#)