



Dioceses, Pastoral and Mission Measure 2007

2007 No. 1

PART II

PROVINCIAL AND DIOCESAN STRUCTURE

Provisions with respect to discharge of episcopal functions

14 Discharge of certain functions of bishop

(1) If—

- (a) the bishop of a diocese has executed an irreversible instrument of resignation as bishop or the bishop considers that he will be unable to discharge any or all of his functions by reason of disability, illness or absence from his diocese or by reason of his forthcoming translation to another see; and
- (b) there is no person in episcopal orders in the diocese who is for the time being authorised to discharge the relevant functions of the bishop,

the bishop may (in the case of resignation or translation before the resignation or translation takes effect) by an instrument under his hand delegate to a person holding office as a diocesan, suffragan or assistant bishop in the Church of England, without the consent of the diocesan synod, but after consultation with the bishop's council and standing committee of that synod, unless the bishop is unable to consult the bishop's council and standing committee by reason of his disability or illness, such of his functions as may be specified in the instrument, except functions to which an instrument made under section 13 above relates^{F1}....

- (2) Subject to section 15 below, the instrument made by a bishop under subsection (1) above shall remain in operation for a period specified in the instrument, which shall not be longer than twelve months but which may be extended by the archbishop of the province.

Changes to legislation: Dioceses, Pastoral and Mission Measure 2007, Section 14 is up to date with all changes known to be in force on or before 27 April 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

- (3) Where a see is vacant or where, by virtue of any circumstances mentioned in subsection (1) above, the bishop of a diocese is not able to, or does not otherwise, exercise the power conferred on him by that subsection to delegate all of his functions which he may delegate, the archbishop of the province shall exercise the power in lieu of the bishop without the consultation with the bishop's council and standing committee required by subsection (1) of this section; and if that archbishop is unable by reason of disability, illness or absence from his province to exercise the power under this subsection or if the see of that archbishop is vacant the power shall be exercised, in like manner, by the senior bishop of the province.
- (4) An instrument made under this section shall come into operation on the day after the day on which it is made or on such later date as may be specified therein.
- (5) A power of delegation under subsection (1) or (3) above may be exercised by the appointment of two or more persons qualified for such appointment and by the division among them, whether territorially or otherwise, of the functions to be performed.
- (6) Where a function which has been delegated under this section requires the application of the bishop's seal to a document, the document shall be issued as though it were a deed and be executed by the person to whom the function has been delegated.
- (7) A statement in a document issued by a person to whom a function has been delegated under this section that the function has been so delegated to him shall be conclusive evidence of that fact.
- (8) An instrument made under this section may be varied or revoked by a subsequent instrument similarly made.
- (9) On making an instrument under this section or on making an irreversible instrument of resignation the person making the document shall send a copy to the Commissioners, the Commission and the registrar of the diocese, and the registrar shall file it in the diocesan registry.
- (10) The making of an instrument under this section shall not be taken as divesting the bishop of the diocese of any of his functions.
- (11) In this section—
 - “irreversible instrument” means an instrument duly executed and completed by the bishop which has been accepted by the archbishop of the province;
 - “senior bishop” means, in the province of Canterbury, the bishop of London and after him the bishop of Winchester and, in the province of York, the bishop of Durham and subject thereto the diocesan bishop who has held office as diocesan bishop in the province in question without interruption from any cause for the longest time.

Textual Amendments

- F1** Words in s. 14(1) omitted (25.1.2024) by virtue of [Church of England \(Miscellaneous Provisions\) Measure 2024 \(No. 1\)](#), ss. 6(3), 22(2)(e)

Modifications etc. (not altering text)

- C1** S. 14 excluded (1.1.2011) by [Vacancies in Suffragan Sees and Other Ecclesiastical Offices Measure 2010 \(No. 2\)](#), ss. 2(5), 4(2); 2010 No. 6, art. 2

Changes to legislation: *Dioceses, Pastoral and Mission Measure 2007, Section 14 is up to date with all changes known to be in force on or before 27 April 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*

Commencement Information

II S. 14 in force at 1.5.2008 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\(2\)](#)