



Vacancies in Suffragan Sees and Other Ecclesiastical Offices Measure 2010

2010 No. 2

2 Appointments by the Crown during certain vacancies

- (1) This section applies where Her Majesty has the right of presentation to an ecclesiastical office which is vacant during a vacancy in the see of a diocesan bishop and to which the right of presentation would, but for that vacancy, be exercisable by that bishop.
- (2) Where this section applies and subject to subsection (3), the right of presentation to the vacant ecclesiastical office shall be exercisable on behalf of Her Majesty by the relevant bishop.
- (3) Her Majesty may give notice in writing to the relevant bishop for the diocese whose see is vacant within twenty eight days of that vacancy arising that she wishes to exercise her right of presentation to any office where this section applies and, where any such notice is given, subsection (2) shall not apply.
- (4) In this section—
 - (a) “relevant bishop” means—
 - (i) the suffragan or assistant bishop, if any, of the diocese to whom the right of collation or institution to the vacant ecclesiastical office has been delegated by an instrument in force under section 13 of the Dioceses, Pastoral and Mission Measure 2007 (2007 No. 1) (“the 2007 Measure”) or under section 10 of the Dioceses Measure 1978 (1978 No. 1) (“the 1978 Measure”) as it has effect by virtue of paragraph 3 of Schedule 6 to the 2007 Measure or by a scheme in force under section 11 of the 1978 Measure, as it has effect by virtue of paragraph 5 of Schedule 6 to the 2007 Measure;
 - (ii) if sub-paragraph (i) does not apply, the bishop to whom the right to institute to the ecclesiastical office has been delegated by an instrument in force under section 14 of the 2007 Measure; or
 - (iii) if neither sub-paragraph (i) nor sub-paragraph (ii) applies in circumstances where a new bishop is appointed to fill the vacancy in the see, the bishop whose election to that see has been confirmed;

Changes to legislation: There are currently no known outstanding effects for the Vacancies in Suffragan Sees and Other Ecclesiastical Offices Measure 2010, Section 2. (See end of Document for details)

- (b) “vacant ecclesiastical office” means any ecclesiastical office to which Her Majesty has the right of presentation in the circumstances described in subsection (1); and
 - (c) the vacancy of a see shall be deemed to continue until the new bishop appointed to fill the vacancy has received the restitution of the temporalities of the see from Her Majesty.
- (5) This section shall have effect notwithstanding section 15 of the 2007 Measure or, in the case of a scheme under section 11 of the 1978 Measure, section 14 of that Measure.

Commencement Information

II S. 2 in force at 1.1.2011 by S.I. 2010/6, art. 2

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