



# Church of England (Miscellaneous Provisions) Measure 2014

2014 No. 1

## 12 Amendment of Patronage (Benefices) Measure 1986

- (1) The Patronage (Benefices) Measure 1986 (No. 3) is amended as follows.
- (2) After section 16 there is inserted the following section—

**“16A Special procedure for appointment of priest in charge as incumbent**

- (1) This section applies where a benefice is vacant and—
  - (a) the bishop is aware that a suspension period in respect of the benefice is shortly to come to an end, or has come to an end, or a restriction on presentation to the benefice is shortly to cease to be in force, or has ceased to be in force, and
  - (b) the bishop proposes that a priest in charge who holds office in respect of the benefice should be admitted to the benefice.
- (2) Where subsection (1) above applies, the bishop may give notice of his proposal to—
  - (a) the registered patron, unless the bishop is the registered patron;
  - (b) the priest in charge; and
  - (c) the parochial church council of each parish belonging to the benefice.
- (3) Upon receiving the notice referred to in subsection (2)(a) above and after the suspension period has come to an end or the restriction has ceased to be in force, the registered patron may, if content with the proposal, send a notice to the bishop presenting the priest in charge to him for admission to the benefice, if the following conditions are satisfied—
  - (a) the priest in charge has stated in writing that he is willing to be admitted to the benefice, and

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*Changes to legislation:* There are currently no known outstanding effects for the Church of England (Miscellaneous Provisions) Measure 2014, Section 12. (See end of Document for details)

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- (b) the parochial church council of each parish belonging to the benefice has passed a resolution stating that it approves the proposal that the priest in charge should be admitted.
- (4) No member of a parochial church council who is the priest in charge or the spouse or civil partner of the priest in charge or the registered patron or the representative of the registered patron shall attend a meeting at which the resolution mentioned in subsection (3)(b) is proposed to be considered.
  - (5) Unless section 2 of the 2010 Measure applies, where the bishop is the registered patron, and the conditions set out in subsection (3)(a) and (b) are satisfied, he may, after complying with the requirements of section 19, collate the priest in charge to the benefice.
  - (6) Where section 2 of the 2010 Measure applies and the bishop is the relevant bishop for the purposes of section 2(2), the bishop shall, if Her Majesty has not given notice under section 2(3), if the conditions set out in subsection (3) (a) and (b) are satisfied, present the priest in charge on behalf of Her Majesty for admission to the benefice.
  - (7) Where—
    - (a) the registered patron has given notice in accordance with subsection (3) above, or
    - (b) the bishop has complied with the requirements of section 19 under subsection (5) above, or
    - (c) the bishop has presented the priest in charge on behalf of Her Majesty for admission to the benefice under subsection (6) above,
 the provisions of this Measure mentioned in subsection (8) below and section 88(d) of the Mission and Pastoral Measure 2011 shall not apply.
  - (8) The provisions referred to in subsection (7) above are sections 7, 11, 12, 13, 14, 15 and 16.
  - (9) Where a registered patron (other than the bishop) proposes to send a notice to the bishop in accordance with subsection (3), sections 8 and 9 shall apply as if the notice given by the bishop under subsection (2) were a notice under section 7(4).
  - (10) In this section “suspension period” has the meaning assigned to it in section 85(1) of the Mission and Pastoral Measure 2011 and “restriction” means a restriction on the right of presentation to a benefice imposed under section 38 or 87 of that Measure.”
- (3) In section 24(3), for the words “11 and 12” there are substituted “11, 12 and 16A” and for the words “ section 13 ” there are substituted “sections 13 and 16A”.
  - (4) In section 35(1A), the word “and” after paragraph (c) is omitted and there is added, at the end of paragraph (d), the word “ and ” and the following paragraph—
    - “(e) section 16A except subsection (9).”.
  - (5) Schedule 2 contains further amendments to the Patronage (Benefices) Measure 1986.

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**Changes to legislation:** *There are currently no known outstanding effects for the Church of England (Miscellaneous Provisions) Measure 2014, Section 12. (See end of Document for details)*

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**Commencement Information**

**II** S. 12 in force at 1.1.2015 by S.I. 2014/2077, **art. 2(2)** (with Sch. para. 4)

**Changes to legislation:**

There are currently no known outstanding effects for the Church of England (Miscellaneous Provisions) Measure 2014, Section 12.