



# Mission and Pastoral etc. (Amendment) Measure 2018

2018 No. 4

## **3 Pastoral schemes and orders: notice, publication and amendment**

- (1) In section 9 of the Mission and Pastoral Measure 2011 (pastoral schemes and orders: notice and publication), in subsection (1), for “prepared under section 7” substitute “prepared by it under section 7(3)”.
- (2) After subsection (1) of that section insert—

“(1A) The Commissioners shall serve a copy of any draft scheme or order prepared by them under section 7(5) on each of the interested parties, together with such a notice as is mentioned in subsection (1).”
- (3) After subsection (1A) (inserted by subsection (2)) insert—

“(1B) The Commissioners shall, in the case of every draft scheme or order, publish the draft online together with a notice stating the objects of the draft and that written representations may be made to the Commissioners not later than a date specified in the notice, being a date not less than twenty-eight days after such publication.”
- (4) In subsection (2) of that section—
  - (a) after “the mission and pastoral committee” insert “ or the Commissioners (whichever of them prepared the draft scheme) ”,
  - (b) in paragraph (b), after “stating the objects of the draft scheme” insert “ , specifying the address online at which the notice is published under subsection (1B) ”, and
  - (c) in that paragraph, for the words from “a date not less than” to the end substitute “ the date specified for the purposes of subsection (1B) ”.
- (5) In subsection (3) of that section—
  - (a) after “every draft scheme or order” insert “ prepared by it, and the Commissioners shall, in the case of every draft scheme or order prepared by them ”,

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*Changes to legislation: There are currently no known outstanding effects for the Mission and Pastoral etc. (Amendment) Measure 2018, Section 3. (See end of Document for details)*

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- (b) after “require him or her” insert “—  
(a)”,  
and
  - (c) at the end insert “,  
(b) to ensure, in the case of each of those churches or buildings at which a service is held on a Sunday in the period in which representations may be made in accordance with the notice, that at every service held on each of those Sundays the person conducting the service informs the congregation of the contents of the notice, and  
(c) to ensure, in the case of each of those churches or buildings at which a service is held in that period only on a day other than a Sunday, that at every service held in that period the person conducting the service informs the congregation of the contents of the notice.”
- (6) After subsection (3) of that section insert—
- “(3A) A reference in subsection (3)(b) or (c) to a service held at a church or building does not include a reference to any of the services known as occasional offices.”
- (7) In section 10 of the Mission and Pastoral Measure 2011 (power of Commissioners to amend draft scheme or order), after subsection (2) insert—
- “(3) The power under subsection (1) to amend a draft scheme or order includes power to amend it so that it would give effect instead to proposals included in representations made to the Commissioners on the draft; and where the Commissioners make amendments of that kind—
- (a) subsection (2) does not apply, and
  - (b) the Commissioners shall instead carry out such consultation on the amended draft scheme or order as they think appropriate.”
- (8) In section 24 of that Measure (church building schemes: notice and publication), in subsection (2)—
- (a) after paragraph (a) (but before the following “and”) insert—
    - “(aa) publish the draft scheme or notice online together with a notice stating the objects of the draft scheme and that written representations may be made to the Commissioners not later than a date specified in the notice, being a date not less than twenty-eight days after such publication;”,
  - (b) in paragraph (b), after “stating the objects of the draft scheme” insert “, specifying the address online at which the notice is published under paragraph (aa)”, and
  - (c) in that paragraph, for the words from “a date not less than” to the end substitute “ the date specified for the purposes of paragraph (aa) ”.
- (9) In subsection (3) of that section—
- (a) after “require him or her” insert “—  
(a)”,  
and
  - (b) at the end insert “,

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- (b) to ensure, in the case of each of those churches or buildings at which a service is held on a Sunday in the period in which representations may be made in accordance with the notice, that at every service held on each of those Sundays the person conducting the service informs the congregation of the contents of the notice, and
- (c) to ensure, in the case of each of those churches or buildings at which a service is held in that period only on a day other than a Sunday, that at every service held in that period the person conducting the service informs the congregation of the contents of the notice.”

(10) After subsection (3) of that section insert—

“(3A) A reference in subsection (3)(b) or (c) to a service held at a church or building does not include a reference to any of the services known as occasional offices.”

(11) In section 25 of the Mission and Pastoral Measure 2011 (power of Commissioners to amend draft scheme), after subsection (2) insert—

- “(3) The power under subsection (1) to amend a draft scheme includes power to amend it so that it would give effect instead to proposals included in representations made to the Commissioners on the draft; and where the Commissioners make amendments of that kind—
- (a) subsection (2) does not apply, and
  - (b) the Commissioners shall instead carry out such consultation on the amended draft scheme as they think appropriate.”

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**Commencement Information**

- I1** S. 3(1)-(4)(7)(8)(11) in force at 1.10.2018 by [S.I. 2018/722](#), [art. 3\(c\)](#) (with [Sch. para. 1](#))
- I2** S. 3(5)(a) in force at 1.10.2018 by [S.I. 2018/1032](#), [art. 2](#)
- I3** S. 3(5)(b)(c)(6)(9)(10) in force at 1.3.2019 by [S.I. 2019/66](#), [art. 2\(a\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Mission and Pastoral etc. (Amendment) Measure 2018, Section 3.