

- (11) Any order or supplementary instrument may be varied or revoked by a further order or instrument and section 49(5), (6) **and (7)** above shall apply in relation to any such order or instrument as it applies to orders and instruments made under that section.
- (12) Any order or instrument under this section shall be signed in like manner as is provided by section 49(9) above and shall include the like requirement to contain a declaration of acceptance by the leader or leaders. 5

51 Code of Practice

- (1) The House of Bishops shall draw up and promulgate guidance in a Code of Practice as to the exercise of the functions conferred by sections 47 to 50 above. 10
- (2) The House of Bishops may amend or replace any Code issued under subsection (1) above by a further Code of Practice issued in accordance with this section.
- (3) A Code of Practice shall be laid before the General Synod and shall not come into force until approved by the General Synod, whether with or without amendment. 15
- (4) Where the Business Committee of the General Synod determines that a Code of Practice does not need to be debated by the General Synod then, unless—
 (a) notice is given by a member of the General Synod in accordance with its Standing Orders that he or she wishes the Code to be debated, or
 (b) notice is so given by any such member that he or she wishes to move an amendment to the Code,
 the Code shall, for the purposes of subsection (3) above, be deemed to have been approved by the General Synod without amendment. 20
- (5) The bishop or bishops who make any order or instrument under section 47, 49 or 50 above, any leader, any Visitor and any **mission and** pastoral committee shall be under a duty to have regard to any Code of Practice issued under this section. 25

PART VI

MISSION AND PASTORAL COMMITTEES 30

Mission and pastoral committees

52 Appointment of mission and pastoral committees

- (1) The diocesan synod of every diocese shall, within the period of eighteen months beginning with the date of the coming into force of this **subsection**, establish a committee which shall have the functions conferred on it under this Measure. 35
- (2) The committee established under subsection (1) above may be called by such name as the diocesan synod may decide but, in this Measure and in any other enactment, **instrument or document**, shall be known as the **mission and** pastoral committee. 40
- (3) The **mission and** pastoral committee shall not be the same body as the pastoral committee established under section 1 of the 1983 Measure unless it is reconstituted in accordance with subsection (4) below but, otherwise, subject

to that subsection, may be an existing body or a new body established to carry out the functions referred to in subsection (1) above and may have other functions in addition to those functions.

- (4) The diocesan synod shall provide the **mission and** pastoral committee with a written constitution or, if the committee is reconstituted as mentioned in subsection (3) above, an amended **or new** written constitution, which shall comply with the provisions of Schedule 3 to this Measure. 5
- (5) The **mission and** pastoral committee shall present annually to the diocesan synod a report on its activities during the preceding year and shall also present annually to the Commissioners a report on the exercise of its functions under section 53(3)(e) below. 10
- (6) There shall no longer be a diocesan redundant churches uses committee for any diocese.

53 Functions of mission and pastoral committees

- (1) In carrying out any of its functions the **mission and** pastoral committee shall, without prejudice to section 1 above, have regard to worship, mission and community as central to the life and work of the Church of England. 15
- (2) In carrying out any of its functions the **mission and** pastoral committee shall also have regard to—
- (a) the financial implications for the diocese and the Church of England as a whole; 20
- (b) subject to subsection (5) below, the need to allocate appropriate spheres of work and to ensure that appropriate conditions of service are enjoyed by those employed or holding office in the diocese and, where relevant, that reasonable remuneration is provided for all those engaged in the cure of souls; 25
- (c) the traditions, needs and characteristics of particular parishes; and
- (d) any other aspects of the policies of the diocesan synod to which the synod has requested the committee to have regard in discharging its responsibilities. 30
- (3) It shall be the duty of the **mission and** pastoral committee—
- (a) to make or assist in making better provision for the cure of souls in the diocese as a whole and, to the extent that the committee thinks appropriate, in particular parts of the diocese or in particular parishes;
- (b) from time to time, as the bishop may direct, or as the committee thinks fit, to review arrangements for pastoral supervision and care in the diocese **as a whole and, to the extent that the committee thinks appropriate, in particular parts of the diocese or in particular parishes** (including sharing agreements in respect of a church or parsonage house and any proposals for sharing agreements); 35 40
- (c) from time to time, as the bishop may direct, or as the committee thinks fit, to prepare strategies or proposals for carrying out the committee's functions under paragraphs (a) and (b) above for submission to the bishop and the diocesan synod for their approval;
- (d) to maintain an overview of matters relating to church buildings in the diocese and their use, other than matters which are within the jurisdiction of the consistory court or within the functions of the Diocesan Advisory Committee; 45

- (e) in the case of listed buildings or buildings in a conservation area, to make every endeavour to find a **suitable alternative use or** suitable alternative uses for churches which are proposed to be closed and buildings which have been closed for regular public worship in the diocese under a pastoral church buildings scheme and, in the case of any other such building, to develop proposals for the suitable **alternative use or uses of the building or for the** demolition of the building **and** the disposal of its site; 5
- (f) where it considers it desirable, to make recommendations to the bishop in accordance with section 3 of the 1983 Measure for any of the matters for which provision may be made under that Measure (other than section 36) by a pastoral scheme or order; and 10
- (g) to carry out any other functions conferred upon a pastoral committee or a redundant churches uses committee **of a diocese by or** under the 1983 Measure or any other enactment. 15
- (4) The **mission and** pastoral committee shall, in carrying out any of its functions, to the extent that it thinks appropriate, consult any other persons or bodies, whether within the Church of England or not, which exercise functions or carry out activities relevant to the functions of the committee. 20
- (5) Nothing in this section shall enable the **mission and** pastoral committee— 20
- (a) to exercise functions conferred on any other person or body **by or** under any enactment, or
- (b) to fix or alter the terms of service of any person employed or holding office in the diocese.

PART VII 25

OTHER PROVISIONS

*Care of church buildings***54 Church Buildings Council**

- (1) There shall be established a body known as the Church Buildings Council (in this section and sections 55 to 57 below referred to as “the Council”) which shall have the functions set out in those sections and the body named the Council for the Care of Churches shall cease to exist. 30
- (2) Schedule 4 to this Measure shall have effect with respect to the membership and proceedings of the Council.
- (3) In carrying out its functions the Council shall have due regard to the role of a church as a local centre of worship and mission and, where appropriate, to the provisions of the 1983 Measure, including, in particular, those relating to the making of pastoral church buildings schemes and pastoral (church buildings disposal) schemes and to proposals for the closure of churches for regular public worship. 35 40
- (4) The Advisory Board for Redundant Churches shall cease to exist.

55 Functions of Council in relation to churches, etc. in use

- (1) It shall be the duty of the Council—

- (a) to advise the Archbishops' Council and the General Synod, when requested to do so, on matters relating to churches;
- (b) to consider consultation by and requests for advice from judges and registrars of the ecclesiastical courts and from Diocesan Advisory Committees in relation to applications or possible applications for the grant of a faculty, any other matter referred to in section 6(1)(b) or (bb) of the Ecclesiastical Jurisdiction Measure 1963 (1963 No.1) and any matter to which any provision in Part III of the Care of Churches and Ecclesiastical Jurisdiction Measure 1991 (1991 No. 1) relates and, to the extent that the Council thinks appropriate, respond to such requests or consultation;
- (c) to promote the care and conservation of churches and greater knowledge, understanding and enjoyment of and artistic activity relating to churches both within the Church of England and more widely among the general public or sections of the public on its own or in conjunction with other persons and bodies;
- (d) to promote, in consultation with such other persons and organisations as it thinks fit, by means of guidance or otherwise, standards of good practice in relation to the use, care, conservation, repair, planning, design and development of churches; and
- (e) to convene, annually, a meeting of the chairmen and secretaries of Diocesan Advisory Committees and, so far as practicable, to maintain regular contact with those committees.
- (2) The Council shall have power to give information and advice, whether or not requested to do so –
- (a) to any person or body having, within the Church of England, either nationally or within a diocese or part thereof or a parish or any other area, responsibility for or functions relating to the use, care, conservation, repair, planning, design and development of churches on such matters either generally or in relation to particular buildings;
- (b) to any person or body other than one within the Church of England having responsibility for or functions relating to the matters referred to in paragraph (a) above in relation to **particular** buildings therein mentioned; and
- (c) to any person or body having responsibility for or functions relating to the matters referred to in paragraph (a) above in relation to **particular** places used for Christian worship by Churches other than the Church of England.
- (3) The Council shall have power to charge such fee as it thinks fit and to recover expenses when responding for a request for advice under subsection (2) (b) or (c) above.
- (4) The Council shall also have power –
- (a) to liaise, co-operate and exchange information with and hold conferences with or for government departments, local authorities and other bodies or persons, whether within or outside the British Isles and, where appropriate, advise them, in relation to –
- (i) the use, care, conservation, repair, planning, design and development of churches and corresponding buildings used by Churches other than the Church of England,
- (ii) the obtaining or granting of funds or permission for the carrying out of works in relation to such matters, and

- (iii) the formulation of policy or of proposals for legislation in relation to them; and
- (b) where requested to do so by any body which makes available funds for the care and conservation of churches, to allocate funds on behalf of that body or give advice in relation to such care and conservation. 5
- (5) In this section and section 57 below “church” includes a part of a church and –
- (a) any other place of worship according to the rites and ceremonies of the Church of England, including any building to which a sharing agreement within the meaning of the Sharing of Church Buildings Act 1969 (1969 c. 38) applies, 10
- (b) any curtilage of such a church or place of worship and any churchyard or burial ground or part thereof annexed thereto,
- (c) any other parochial burial ground, or part thereof, whether or not so annexed, and
- (d) any contents of such a church or place of worship or any other articles appertaining thereto, 15
- but does not include a cathedral.
- 56 Functions of Council in relation to churches proposed for closure for regular public worship**
- (1) The Council shall be under a duty – 20
- (a) to prepare the reports referred to in section 3(8) of the 1983 Measure and send copies of the reports to the bodies referred to therein;
- (b) in response to consultation by or requests for advice from the Commissioners under section 5(2), 44(5)(bb), 44(5A)(a), **44(9B)(b)**, 46(1), 47(2)(a), 49(1), 50(2), **50(4A)** or 51(1)(b) of the 1983 Measure or otherwise to give information and advice to the Commissioners about – 25
- (i) the historic and archaeological interest and architectural quality of any church to which this section applies;
- (ii) the historic and architectural interest and aesthetic qualities of the contents of any such church; 30
- (iii) the value of any such church as part of its setting and surrounding landscape;
- (iv) the overall importance of the church; and
- (v) having regard to the matters referred to in sub-paragraphs (i) to (iv) above, the potential impact of any architectural or structural changes or other physical alterations to the church; 35
- (c) in response to consultation by or requests for advice from the Churches Conservation Trust under section 44(5)(bbb) or (7B) of the 1983 Measure to give information and advice to the Trust about any of the matters referred to in paragraph (b) above; 40
- (d) to consider and, to the extent that the Council considers appropriate, make representations on any draft pastoral church buildings scheme or pastoral (church buildings disposal) scheme of which a copy is sent to it under section 6(3) or 50(3) of the 1983 Measure; and 45
- (e) when requested to do so by the Archbishops’ Council, the Commissioners or the General Synod, to give information and advice on any of the matters referred to in paragraph (b) above in relation, generally, to churches to which this section applies or in relation to particular categories of such churches. 50

- (2) The Council shall have power, when requested to do so, to give information and advice to any diocesan body or other body or person on any of the matters referred to in subsection (1)(b) above in relation to a church or group of churches to which this section applies:

Provided—

- (i) the Council shall not give any such information or advice to a person or body other than a diocesan body in a case where the Commissioners **have informed it that they have received proposals from the bishop under section 4(1)** of the 1983 Measure unless it has first consulted the Commissioners and had regard to any views expressed by them and in this subsection “diocesan body” means any body corporate or unincorporate or committee established for a diocese or dioceses or part thereof; and
- (ii) the Commissioners and the Council may, by agreement in writing, exclude from the operation of proviso (i) above any information or advice relating to any such categories of matters as may be specified in the agreement.
- (3) This section applies to a church or part of a church as respects which the question arises whether it ought to be closed for regular public worship or as respects which questions arise as to its use, demolition, or preservation or in the event of its being closed for regular public worship or as respects which questions arise as to a proposed acquisition of a building closed for regular public worship under section 44(5A) of the 1983 Measure and references in this section to a church include part of a church and include references to its curtilage and to any churchyard or burial ground annexed thereto.

57 General functions of the Council

- (1) The Council shall also be under a duty—
- (a) to maintain jointly with the Cathedrals Fabric Commission for England (in this section referred to as the “the Commission”) a library of books, plans, drawings, photographs and other material relating to churches and cathedrals and the objects in them;
- (b) to work closely with the Commission on matters of common concern;
- (c) to present annually to the General Synod a report of its activities during the year and to send copies of the report to the Archbishops’ Council, the Commissioners and the Secretary of State and, if the Council and the Commission think fit, the Council’s report may be combined with an annual report of the Commission; and
- (d) to carry out any duties or **consider whether to** exercise any powers imposed or conferred upon the Council by or under any other enactment.
- (2) The Council shall have power, in connection with the carrying out of its functions, to acquire, **on behalf of the Archbishops’ Council**, books, plans, drawings, photographs and other materials relating to churches and their contents and corresponding buildings used by Churches other than the Church of England and lands annexed thereto and their contents.
- (3) The Council shall have power to **act as a trustee or administer charities and trusts** for any purpose connected with the carrying out of its functions.

- (4) The Commissioners may make grants out of their general fund in respect of the expenses incurred by the Council in providing information or advice to them whether at their request or otherwise.

Pastoral orders

58 Powers exercisable by pastoral order 5

- (1) In section 37(1)(e) of the 1983 Measure for subparagraph (vi) there shall be substituted the following subparagraph—
- “(vi) establish a group ministry under section 21(1) and terminate and alter a group ministry under section 22(1)(d) and (e);”.
- (2) Any reference in Schedule 3 to the 1983 Measure to a pastoral scheme shall, where it relates to provisions which may be included in a pastoral order by virtue of subsection (1) above, be construed as including a reference to a pastoral order. 10

Team Ministries, Team Councils and New Parishes

59 Amendment of Schedule 3 to 1983 Measure 15

- (1) Schedule 3 to the 1983 Measure shall have effect subject to the following amendments.
- (2) In paragraph 1(4) after the word “chairman” there shall be inserted the following words “, **subject to paragraph 2(2)**, the rector, **every** vicar in a team ministry, **any** member of a team to whom section 20(3A) applies, any person having a special responsibility for pastoral care under section 20(8A)”. 20
- (3) In paragraph 1(7) for the words “sub-paragraph (7A) and **paragraph 2(3)**” there shall be substituted the words “sub-paragraphs (7A) and (7B) and **paragraphs 2(3) and (3A)**”.
- (4) For paragraph 1(7A) there shall be substituted the following sub-paragraphs— 25
- “(7A) Every vicar in a team ministry, **any** member of a team to whom section 20(3A) applies and any person having a special responsibility for **pastoral** care under section 20(8A) shall be entitled between them to one vote which shall be exercised by such one of them or such two or more of them (acting unanimously or by majority) as may be present at the meeting in question. 30
- (7B) Every person referred to in sub-paragraph (7A) above other than a person who wishes to be considered for presentation shall be entitled to attend at meetings of the diocesan board of patronage at which the person to be presented as rector of the team ministry is considered and chosen and shall be entitled to vote as provided in the said sub-paragraph (7A).” 35
- (5) In paragraph 2(2) for the words after “team ministry” to the end there shall be substituted the words “shall be a member of the patronage board for the purpose only of meetings at which the person to be appointed a vicar in that ministry is considered and chosen and shall be entitled to attend and vote at meetings of the diocesan board of patronage for the like purpose”. 40
- (6) For paragraph 2(3) there shall be substituted the following sub-paragraphs—

- “(3) Every vicar in a team ministry, **any** member of a team to whom section 20(3A) applies and any person having a special responsibility for **pastoral** care under section 20(8A) shall be entitled between them to one vote which shall be exercised by such one of them or such two or more of them (acting unanimously or by majority) as may be present at the meeting in question. 5
- (3A) Every person referred to in sub-paragraph (3) above other than a person who wishes to be considered for appointment shall be entitled to attend at meetings of the diocesan board of patronage at which the person to be chosen as vicar in a team ministry is considered and chosen and shall be entitled to vote as provided in the said sub-paragraph (3).” 10
- (7) Sub-sections (2) to (6) above shall apply only –
- (a) where a team ministry established by a pastoral scheme comes into existence after the coming into force of those subsections, or
- (b) in the case of a team ministry in existence before that date, the pastoral scheme establishing the team ministry is amended by a pastoral scheme or order made after that date which makes express provision for the application of the provisions of subsections (2) to (6) above. 15
- (8) In paragraph 2(7), at the beginning, there shall be inserted the words “Subject to sub-paragraph (7A) below” and after sub-paragraph (7) there shall be inserted the following sub-paragraph – 20
- “(7A) Where a team council has been established by a pastoral scheme **or by a scheme made under the Church Representation Rules** in respect of a benefice comprising more than one parish, the team council shall appoint two lay members to represent the council in connection with the selection of vicars in the team ministry and, in sub-paragraph (6), the words “parish representatives” shall be construed accordingly.” 25
- (9) In paragraph 2(8), for “(3), (5) and (6)” there shall be substituted “(3), (3A) and (5) to (7A)”. 30
- (10) In paragraph 12(2), for the words from “such period” to “comes into being” there shall be substituted the words “the period of five years from the date on which the new parish comes into being or such lesser period as may be specified in the scheme or instrument”. 30

Compensation of Clergy

60 Amendment of Schedule 4 to 1983 Measure

- Schedule 4 to the 1983 Measure shall be amended as follows – 35
- (a) in paragraph 14(2), for the words after “include” to the end there shall be substituted the words “either the bishop or a suffragan bishop **if the bishop or that suffragan bishop is a member of the committee**”;
- (b) after paragraph 14(2) there shall be inserted the following sub-paragraphs – 40
- “(2A) The diocesan board of finance shall nominate a person who may, but need not, be a member of the **mission and** pastoral committee, to attend any such meeting as is referred to in sub-paragraph (2) to represent the interests of the board.
- (2B) If the person nominated under sub-paragraph (2A) is not a member of the **mission and** pastoral committee that person shall be 45

entitled to be present throughout and speak, but not vote, at the meeting.”;

- (c) for paragraph 15(3) there shall be substituted the following subparagraphs—

“(3) The registrar of each province shall appoint a secretary to the Appeal Tribunal for **that** province, who may be the registrar. 5

(3A) The same person may be appointed by both registrars as secretary to both Tribunals and the registrars of both provinces may agree that one of them shall be the secretary to both Tribunals.”.

Assistant curates 10

61 Assistant curates

- (1) The bishop of a diocese may by an instrument under his hand direct that any office of assistant curate in his diocese may be described in such terms as may be specified in the instrument and, where an instrument is in force under this section, any licence issued to a person to exercise the office shall refer to the assistant curate by that description and any reference in any enactment, Canon or other instrument to an assistant curate shall be construed accordingly. 15

- (2) Before issuing an instrument under this section the bishop shall consult the incumbent or priest in charge of the benefice or in the case of a team ministry, the team chapter of the team ministry in which the assistant curate exercises or is to exercise the office. 20

- (3) An instrument under this section may be varied or revoked by a further instrument after carrying out the like consultation as is referred to in subsection (2) above and after consulting the assistant curate (if any) exercising the office. 25

- (4) On making an instrument under this section the bishop shall send a copy to the registrar of the diocese, and the registrar shall file it in the diocesan registry.

- (5) When a bishop issues a licence to an assistant curate to exercise his or her office in any benefice the bishop, after carrying out the like consultation as is referred to in subsection (2) above, may, in the licence, assign to the assistant curate— 30

(a) a special cure of souls in a part of the area of the benefice, whether or not with responsibility for a particular church, or

(b) a special responsibility for a particular pastoral function,

but any such provision is without prejudice to—

(i) the general duties and responsibilities of the incumbent or priest in charge, or 35

(ii) in the case of an assistant curate who exercises or is to exercise the office in a team ministry, any duties or responsibilities, under section 20 of the 1983 Measure, of any member of the team chapter or any other member of the team, including any vicar appointed to act as rector under section 20(14) 40

PART VIII

MISCELLANEOUS

*Miscellaneous***62 Interpretation**

- (1) In this Measure, unless the context otherwise requires – 5
 “the 1983 Measure” means the Pastoral Measure 1983 (1983 No. 1);
 “charity” has the meaning assigned to it by section 78(2) of the Charities Act 2006 (c. 50);
 “the Commissioners” means the Church Commissioners;
 “functions” includes powers and duties; 10
 “mission” means the whole mission of the Church of England, pastoral, evangelistic, social and ecumenical;
 “mission and pastoral committee” means the committee established under section 52(1) above;
 “pastoral church buildings scheme” has the meaning assigned to it by section 23(2) above; and 15
 “pastoral scheme” and “pastoral order” have the same meanings as in the 1983 Measure.
- (2) Without prejudice to subsection (1) above, other expressions in Parts VI, VII and this Part of this Measure shall, unless the context otherwise requires, have the same meaning as in the 1983 Measure. 20
- (3) Section 83 of the 1983 Measure shall apply to any documents required to be sent under this Measure as it applies to the documents referred to in that section and where any document is required to be sent under this Measure or under the 1983 Measure to the Commissioners it shall be addressed to the Secretary of the Commissioners. 25
- (4) Any reference in any Measure or other enactment or in any instrument or document to the Council for the Care of Churches shall be construed as a reference to the Church Buildings Council and any rights, powers and duties exercisable by or imposed on the Council for the Care of Churches immediately before the coming into force of section 54(1) above shall, from that date, be exercisable by or imposed on the Church Buildings Council. 30
- (5) Any reference in any Measure or other enactment or in any instrument or document to the pastoral committee or a redundant churches uses committee of a diocese shall be construed as a reference to the mission and pastoral committee. 35
- (6) Any reference in the 1983 Measure or in any other enactment or instrument or document to redundancy, in relation to a church, declaring a church redundant, a declaration of redundancy or redundant church, building or property shall be construed as a reference to closure for regular public worship, declaring a building closed for regular public worship, a declaration of closure for regular public worship or a building closed for regular public worship, as the case may be and any reference to a redundancy scheme shall be construed as a reference to a pastoral (church buildings disposal) scheme. 40
45

63 Amendment of Measures

- (1) The 1983 Measure shall have effect subject to the further amendments set out in Schedule 5 to this Measure.
- (2) In section 38(3) of the Endowments and Glebe Measure 1976 (1976 No. 4), the word “immediately” shall be omitted and after the word “follows” there shall be inserted the words “, whether immediately or after an interval,”. 5
- (3) In section 16(2)(b) of the Patronage (Benefices) Measure 1986 (1986 No.3), after “1983,” there shall be inserted the words “or any period during which the benefice is vacant immediately before the declaration of a suspension period or between suspension periods,”. 10
- (4) In section 2(2) of the Church of England (Ecumenical Relations) Measure 1988 (1988 No. 3) –
- (a) after the words “Extra-Parochial Ministry Measure 1967” there shall be inserted the words “or the bishop or bishops who make a bishop’s mission order under section 47 of the Dioceses, Pastoral and Mission Measure 200...”; and 15
- (b) in paragraphs (a) and (b) after the words “that institution” there shall be inserted, in each case, the words “or in connection with the initiative endorsed by the bishop’s mission order”.
- (5) In section 3(2)(e) of the Care of Cathedrals Measure 1990 (1990 No. 2) after the word “cathedral” there shall be inserted the words “and other”. 20
- (6) **In the Church Representation Rules contained in Schedule 3 to the Synodical Government Measure 1969, in rule 24(6)(b), for the words from “a diocesan synod” to the end there shall be substituted the words “or a diocesan synod whose names are entered on the roll of any parish in the deanery”.** 25
- (7) **In rule 106 of the Clergy Discipline Rules 2005 (S.I. 2005/2002) for the definition of “bishop” there shall be substituted the following definition –**
- “bishop” includes the suffragan, area or assistant bishop, as the case may be, where – 30
- (a) **disciplinary functions have been delegated in a diocese under an instrument made under section 13 or 14 of the Dioceses, Pastoral and Mission Measure 200... or in an instrument having effect as if made under either of those sections by virtue of paragraph 3 of Schedule 6 to that Measure; or** 35
- (b) **such functions are discharged under a scheme made under section 11 of the Dioceses Measure 1978 which continues in force under paragraph 5 of that Schedule.**

64 Transitional provisions

The transitional provisions set out in Schedule 6 to this Measure shall have effect. 40

65 Repeals

The enactments mentioned in Schedule 7 to this Measure are hereby repealed to the extent specified in the second column of that Schedule.

66 Citation, commencement and extent

- (1) This Measure may be cited as the Dioceses, Pastoral and Mission Measure 200...
- (2) This Measure shall come into force on such day as the Archbishops of Canterbury and York may jointly appoint, and different days may be appointed for different provisions. 5
- (3) This Measure shall extend to the whole of the provinces of Canterbury and York except the Channel Islands and the Isle of Man, except that the provisions thereof may be extended to the Channel Islands as defined in the Channel Islands (Church Legislation) Measures 1931 and 1957 or either of them, in accordance with those Measures, and, if an Act of Tynwald or an instrument made under an Act of Tynwald so provides, shall extend to the Isle of Man subject to such exceptions, adaptations or modifications as may be specified in the Act of Tynwald or instrument. 10

SCHEDULES

SCHEDULE 1

Section 2(2)

THE DIOCESES COMMISSION

Constitution and Membership

- 1 The Commission shall consist of a person to be known as “the Chair”, a person to be known as “the Vice-Chair” and eight other members. 5
- 2 The Chair and Vice-Chair shall be appointed by the Archbishops of Canterbury and York acting jointly from among the members of the House of Clergy and the House of Laity of the General Synod.
- 3 Four members of the Commission shall be elected by the General Synod from among its members and four members shall be appointed by the Appointments Committee of the Church of England either from among the members of the Synod or otherwise. 10
- 4 A person shall not be qualified for membership of the Commission who is a member of the Archbishops’ Council, the Church Commissioners, their Assets Committee, their Audit Committee or any other committee **of the Commissioners constituted by the Board of Governors or otherwise established** under section 5(4) of the Church Commissioners Measure 1947 (10 & 11 Geo 6 No. 2) **or any joint committee of the Commissioners and the Archbishops’ Council appointed under that section.** 15
20
- 5 A person who ceases to be qualified for membership of the Commission shall forthwith vacate the office to which that person was appointed except that a member who is a member of the General Synod may continue to act as a member of the Commission so long as that person is entitled to act during a period of its dissolution under paragraph 3(4) of Schedule 2 to the Synodical Government Measure 1969 (1969 No. 2). 25
- 6 The members of the Commission shall hold office for the period of five years beginning on the first day of May in the year next following the year in which the General Synod is dissolved and a new Synod comes into being.
- 7 Any member of the Commission shall on ceasing to hold office be eligible for re-appointment or re-election unless that person became a member by virtue of re-appointment or re-election under this paragraph or appointment under paragraph 8 below following re-election under this paragraph. 30
- 8 Where a member of the Commission elected by the General Synod under paragraph 3 above has, following the dissolution of the Synod, not been re-elected to the new Synod, that person may be appointed by the Appointments Committee as a member and shall hold office until the thirtieth day of April following the year in which the new Synod comes into being. 35

Casual Vacancies

- 9 Where a casual vacancy occurs among the members of the Commission appointed by the Archbishops of Canterbury and York under paragraph 2 above the Archbishops shall appoint a person from among the members of the House of Clergy and House of Laity to fill the vacancy and where a casual vacancy occurs among the members appointed by the Appointments Committee under paragraph 3 above the Committee may appoint a person to fill the vacancy. 5
- 10 Where a casual vacancy occurs among the members of the Commission elected by the General Synod, the General Synod may elect one of the members of the General Synod to fill the vacancy. 10
- 11 Any person appointed or elected to fill a casual vacancy shall hold office only for the unexpired portion of the term of office of the person in whose place that person was appointed or elected, but shall be eligible for re-appointment or re-election in accordance with paragraph 7 above. 15

Committees

- 12 The Commission shall have power to appoint such committees and may delegate to them such functions as it thinks fit.

Proceedings

- 13 The quorum of the Commission shall be five members. 20
- 14 Subject to paragraph 15 below the Chair, if present, shall preside over meetings but—
- (a) if the Chair is not present on any occasion, the Vice-Chair shall preside,
 - (b) if neither the Chair nor the Vice-Chair is present on any occasion, the Commission shall choose another member to preside, and 25
 - (c) either the Chair or Vice-Chair may decline to preside on any occasion when the Chair or Vice-Chair, as the case may be, considers it preferable not to do so, in which case sub-paragraph (b) above shall apply. 30
- 15 No person shall preside on any occasion when the Commission is considering proposals affecting any diocese if that person is an elected member of the General Synod for that diocese or resides or holds any office of the Church of England in that diocese.
- 16 The business of the Commission shall be decided by a majority of the members present and voting thereon and, in the event of an equal division of votes, the person presiding shall have a second or casting vote. 35
- 17 Subject to paragraph 13 above the Commission may act notwithstanding any vacancy in its membership.
- 18 Subject to the preceding provisions of this Schedule and to any other provision of this Measure, the Commission shall have power to regulate its own procedure. 40

SCHEDULE 2

Section 4(4))

CONTENTS OF REORGANISATION SCHEMES

Preliminary

- 1 In this Schedule a “scheme” means a reorganisation scheme, “the 1533 Act” means the Appointment of Bishops Act 1533 (25 Hen 8 c. 20) and “the 1999 Measure” means the Cathedrals Measure 1999 (1999 No. 1). 5

Provisions relating to bishops

- 2 A scheme by which a new bishopric is to be founded and a new diocese is created shall specify the see of the bishop of the diocese and provide for –
- (a) constituting the bishop of the diocese a corporation sole and investing him with all such rights, privileges and jurisdictions as are possessed by any other diocesan bishop in England; 10
 - (b) subjecting the bishop to the metropolitan jurisdiction of one of the archbishops; and
 - (c) the election of a bishop of the diocese. 15
- 3 A scheme by which a diocese is to be dissolved shall provide for abolishing the bishopric and conferring rights to compensation on the bishop of the diocese in accordance with paragraph 16 below.

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 – 20
- (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. 25
- (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 – 30
- (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 the 1999 Measure and for the application of Schedule 1 to that Measure as if the provisional council were a Transitional Council established under Schedule 1 to that Measure subject to such modifications as may be made by the scheme; 35
 - (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; 40
 - (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 under section 5 of the 1999 Measure and which shall perform the functions conferred on 45