

2012 No.

ECCLESIASTICAL LAW, ENGLAND
Draft Ecclesiastical Offices (Terms of Service) (Consequential Provisions) Order 2012

<i>Made (sealed by the Archbishop' Council)</i>	2012
<i>Laid before Parliament</i>	2012
<i>Coming into force - -</i>	2012

In pursuance of section 11(1) of the Ecclesiastical (Terms of Service) Measure 2009(a), the Archbishops' Council makes the following Order:

Citation and coming into force

1.—(1) This Order contains amendments of provisions of the Mission and Pastoral Measure 2011(b) which appear to the Archbishops' Council to be necessary or expedient in consequence of the Ecclesiastical Offices (Terms of Service) Measure 2009(a).

(2) This Order may be cited as the Ecclesiastical Offices (Terms of Service) (Consequential Provisions) Order 2012 and shall come into force on 2012.

Consequential amendments

2. The consequential amendments to the Mission and Pastoral Measure 2011(b) set out in the Schedule shall have effect.

Church House, London SW1P 3AZ
Date

C J Podmore
Clerk to the Synod

The COMMON SEAL of the Archbishops' Council was hereunto affixed on 2012



Church House, London SW1P 3AZ

SCHEDULE

Article 2

AMENDMENTS TO THE MISSION AND PASTORAL MEASURE 2011

1—(1) Section 34 shall be amended as follows.

(2) After subsection (2) there shall be inserted the following subsection—

“(2A) A person ordained to the office of deacon may be authorised under subsection (1)(b) by licence of the bishop—

(a) to serve in a team ministry as a member of the team; and

(b) for the purposes of the team ministry to perform, so far as consistent with the office of deacon, all such offices and services as may be performed by an incumbent.”.

(3) In subsection (9), after the words “deacons in a team ministry” there shall be inserted the words “to whom subsection (2A) applies”.

(4) In subsection (10), after the words “deacons in a team ministry” there shall be inserted the words “to whom subsection (2A) applies”.

2. In section 39(1), after the words “vicar in a team ministry” there shall be inserted the words “or any other ecclesiastical office held under Common Tenure” and for the words “or vicar” there shall be substituted the words “or other office holder”.

3. Section 40 shall be amended as follows—

(a) in subsection (1), for the words “archdeacons and the holders of any other ecclesiastical offices who are subject to Common Tenure” there shall be substituted the words “vicars in team ministries and archdeacons”; and

(b) In subsection (2), after the word “deacon” there shall be inserted the words “to whom section 34(2A) applies”.

4. Section 45(1) shall be amended as follows—

(a) in paragraph (c), at the end there shall be added the words “or any land held by a Parsonages Board for the purposes of its functions under the Ecclesiastical Offices (Terms of Service) Measure 2009”; and

(b) at the end there shall be added the following paragraph—

“(e) the transfer of a parsonage house, part of a parsonage house or any parsonage land to a Parsonages Board for the purposes of its functions under the Ecclesiastical Offices (Terms of Service) Measure 2009.”.

5. In section 106(1), after the definition of “the 1983 Measure” there shall be inserted the following definition—

““Parsonages Board” means the Parsonages Board appointed or designated under section 1(1) of the Repair of Benefice Buildings Measure 1972(a).”.

6. Schedule 4 shall be amended as follows—

(a) in paragraph 1, for the words “and the holder of any other ecclesiastical office who is subject to Common Tenure” there shall be substituted the words “and a vicar in a team ministry”;

(b) in paragraph 2, for the words “or the holder of any other ecclesiastical office who is subject to Common Tenure” there shall be substituted the words “or a vicar in a team ministry”;

(c) in paragraph 3, for the words “or office holder”, in both places where they occur, there shall be substituted the words “or vicar”;

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- (d) in paragraph 11(3), for the words “or holder of any other ecclesiastical office who is subject to Common Tenure” there shall be substituted the words “or vicar in a team ministry” and for the words “or holder of such an ecclesiastical office” there shall be substituted the words “or vicar”;
- (e) in paragraph 11(4), for the words “or holder of an ecclesiastical office who is subject to Common Tenure” there shall be substituted the words “or vicar in a team ministry”; and
- (f) in paragraph 11(5), for the words “or holder of an ecclesiastical office who is subject to Common Tenure” there shall be substituted the words “or vicar in a team ministry”.

EXPLANATORY NOTE

(This is not part of the Order)

This Order contains amendments to sections 34, 39, 40 and 45 of and Schedule 4 to the Mission and Pastoral Measure 2011 which are consequential on the provisions of the Ecclesiastical Offices (Terms of Service) Measure 2009.

The amendments to section 34 restore the distinction in that section (mistakenly removed by repeals to the Pastoral Measure 1983 in Schedule 2 to the 2009 Measure) between deacons appointed to serve as members of a team ministry and other deacons.

The amendment to section 39 relates to pastoral schemes which result in the abolish of ecclesiastical offices and, by adding a reference to offices held under Common Tenure, remedies an omission in the 2009 Measure.

The amendments to section 40 and Schedule 4 relate to compensation of clergy for loss of office as a result of a pastoral scheme and restore the position to that which existed under provisions of the Pastoral Measure 1983 which were mistakenly amended by Schedule 2 to the 2009 Measure and carried through into the 2011 Measure.

The amendments to sections 45 and 106(1) add provisions to enable a pastoral scheme to provide for the transfer of a parsonage house or land to a Parsonages Board for the purposes of its functions under the 2009 Measure or the transfer to an incumbent of land held by a Parsonages Board for the purposes of those functions.