

Draft Scheme prepared by the Dioceses Commission under section 6 of the Dioceses, Pastoral and Mission Measure 2007.

REORGANISATION SCHEME MADE BY THE
DIOCESES COMMISSION

The Dioceses of Bradford, Ripon and Leeds and Wakefield
Reorganisation Scheme 201-

Made - - - - - ***

Laid before the General Synod in draft ***

Coming into force in accordance with article 1

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In accordance with section 7 of the Dioceses, Pastoral and Mission Measure 2007(a) (“the Measure”), a draft of this Reorganisation Scheme has been laid before, and approved by, the General Synod.

The Dioceses Commission, in exercise of the powers conferred by sections 4, 6 and 7 of, and Schedule 2 to, the Measure, makes the following Reorganisation Scheme:

Citation and commencement

1.—(1) This Reorganisation Scheme (the “Scheme”) may be cited as the Dioceses of Bradford, Ripon and Leeds and Wakefield Reorganisation Scheme 201-.

(2) It shall, having been confirmed by Her Majesty in Council, come into operation in accordance with the following provisions of this article.

(3) The provisions of the Scheme, except for this article and article 8, shall come into operation on such day as the Archbishop of York may appoint, and, subject to paragraph (4), different days may be appointed for different provisions.

(4) The same day shall be appointed for the coming into operation of articles 3 and 4 and the day appointed for the coming into operation of article 6 shall not be later than the day appointed for the coming into operation of articles 3 and 4.

(5) This article shall come into operation upon the Scheme being confirmed by Her Majesty in Council.

(6) Article 8 shall come into operation on such day as the bishop of Leeds may appoint.

Interpretation

2.—(1) The following definitions apply for the purposes of this Scheme—

“the 1999 Measure” means the Cathedrals Measure 1999(b);

“the 2007 Measure” means the Dioceses, Pastoral and Mission Measure 2007;

“actual communicant” has the meaning assigned to that expression by rule 54(1) of the Church Representation Rules(a);

(a) 2007 No. 1.

(b) 1999 No. 1.

“appointed day” means the day appointed for the coming into operation of articles 3 and 4;

“diocesan body” has the same meaning as it has in sections 19 and 20 of the 2007 Measure;

“diocesan glebe land” has the meaning assigned to that expression by section 45(1) of the Endowments and Glebe Measure 1976;**(b)**

“excluded benefice” and “excluded parish” mean a benefice or parish (as the case may be) which is transferred by article 6;

“excluded charity” means any charity relating to a benefice or parish specified in the table in Schedule 1 that does not also relate to any other benefice or parish not specified in that table;

“excluded property” means—

- (a) any property vested in, or held by, a diocesan body of a former diocese immediately before the day appointed for the coming into operation of article 6 on trusts that relate to an excluded parish or benefice except for any such property the trusts of which also relate to any benefice or parish which is not an excluded benefice or parish,
- (b) any diocesan glebe land to which article 21(4) applies, and
- (c) any property to be apportioned to the diocesan stipends fund of a receiving diocese pursuant to article 23(6);

“former diocese” means a diocese dissolved by this Scheme;

“functions” includes powers and duties;

“new diocese” means the diocese created by article 4(1);

“oath” includes a solemn affirmation where the making of a solemn affirmation is permitted by canon;

“property” includes any interest in property;

“receiving diocese” means the diocese to which a parish or benefice is transferred by article 6;

“records”, “records in parochial custody”, “register books” and “register books in parochial custody” have the meanings assigned to those expressions by section 25(1) of the Parochial Registers and Records Measure 1978**(c)**;

“transitional board of finance” means the body designated under paragraph 1 of Schedule 4 to exercise, during the period mentioned in paragraph 3 of that Schedule, such functions as are required to be, or may be, exercised in relation to a diocese by a diocesan board of finance.

(2) In this Scheme—

- (a) a reference to the bishop of Leeds is a reference to the bishop of the new diocese;
- (b) a reference to trusts that relate to a parish or benefice includes the case where—
 - (i) property is vested in a diocesan authority pursuant to section 6 of the Parochial Church Councils (Powers) Measure 1956**(d)** or section 3 of the Incumbents and Churchwardens (Trusts) Measure 1964**(e)**; and
 - (ii) property is held by a diocesan authority pursuant to section 31(2) of the Tithe Act 1936**(f)**; and
- (c) a reference to a person licensed to an excluded benefice or parish includes any person licensed under section 2(1) of the Extra-Parochial Ministry Measure 1967**(g)** to perform

(a) The Church Representation Rules are contained in Schedule 3 to the Synodical Government Measure 1969 (1969 No. 2). Relevant amendments were made by the Church Representation Rules (Amendment) Resolution 1994 (SI 1994/3118).

(b) 1976 No. 4. Relevant amendments were made by the Church of England (Miscellaneous Provisions) Measure 2000 (2000 No. 1) and by the Church of England (Miscellaneous Provisions) Measure 2006 (2006 No. 1).

(c) 1978 No. 2. Relevant amendments were made by the Church of England (Miscellaneous Provisions) Measure 1992.

(d) 4&5 Eliz. 2 No. 3. Relevant amendments were made by the Team and Group Ministries Measure 1995.

(e) 1964 No. 2.

(f) 26 Geo. 5 & 1 Edw. 8 c. 43.

(g) 1967 No. 2. Relevant amendments were made by the Church of England (Legal Aid and Miscellaneous Provisions) Measure 1988 (1988 No. 1).

offices and services in premises situated within the area of the excluded benefice or parish.

Dissolution of dioceses of Bradford, Ripon and Leeds and Wakefield

3.—(1) The dioceses of Bradford, Ripon and Leeds and Wakefield are dissolved and their respective diocesan bishoprics are abolished.

(2) The office of bishop of each diocese that is dissolved by paragraph (1) is automatically vacated.

Foundation of new bishopric and diocese of Leeds

4.—(1) A new diocesan bishopric is founded and a new diocese created, the city of Leeds being the see of the bishop of the new diocese.

(2) The name of the new diocese is the diocese of Leeds but it may be known as the diocese of West Yorkshire and the Dales.

(3) The bishop of Leeds—

- (a) is constituted a corporation sole and invested with all such rights, privileges and jurisdictions as are possessed by any other diocesan bishop in England;
- (b) shall be subject to the metropolitan jurisdiction of the Archbishop of York; and
- (c) shall be elected, pursuant to the provisions of the Appointment of Bishops Act 1533(a), by the College of Canons established by this Scheme.

(4) During any vacancy in the see of Leeds the Archbishop of York shall be the guardian of the spiritualities of the see (but without prejudice to the effect of any instrument made under section 14 of the 2007 Measure).

Composition of new diocese of Leeds

5.—(1) The new diocese shall consist of every archdeaconry, deanery, benefice, parish and any other place of the former dioceses except for the excluded benefices and parishes and, subject to the provisions of this Scheme, every such archdeaconry, deanery, benefice, parish or other place that is not an excluded benefice or parish shall become an archdeaconry, deanery, benefice, parish or other place of the new diocese.

(2) Every suffragan see of a former diocese shall become a suffragan see of the new diocese.

Transfer of excluded parishes and benefices

6. The parishes and the benefices to which they belong specified, respectively, in the first and second columns of the table set out in Schedule 1 are transferred to the diocese, archdeaconry and deanery specified, respectively, in the third, fourth and fifth columns of the table.

Cathedrals

7.—(1) Each of the existing cathedrals of Bradford, Ripon and Wakefield shall be a cathedral of the new diocese.

(2) The 1999 Measure shall apply to those cathedrals subject to the modifications applied by Part 1 of Schedule 2.

(3) There shall be one College of Canons to discharge functions for all of those cathedrals in accordance with section 5 of the 1999 Measure as modified by Part 1 of Schedule 2.

(4) The constitutions of those cathedrals are modified in accordance with Part 2 of Schedule 2.

(a) 25 Hen. 8 c. 20. Relevant amendments were made by the Statute Law Revision Act 1888 (51 & 52 Vict c. 3) and by the Cathedrals Measure 1999 (1999 No. 1).

(5) The bishop of Leeds shall have all such functions as the bishops of the former dioceses respectively had in relation to—

- (a) the governance and administration of those cathedrals, and
- (b) worship in them.

Pro-cathedral

8.—(1) The parish church of Saint Peter, Leeds shall be a seat of the bishop of Leeds and be known as the pro-cathedral of the new diocese.

(2) It shall be available for use by the bishop of Leeds and his suffragan bishops for diocesan purposes subject to—

- (a) the agreement (which may be general or specific) of the incumbent of the benefice to which the church of Saint Peter, Leeds belongs being obtained with respect to any occasion on which such use is proposed, and
- (b) agreement being reached with the parochial church council as to how any costs and expenses that it may incur as a consequence of such use will be met.

(3) Subject to paragraph (2), it shall continue to be governed and administered in the same manner, and be subject to the same provisions as to worship, as any other parish church.

(4) It shall continue to be subject to the jurisdiction of the consistory court.

(5) The incumbent of the benefice to which the church of Saint Peter, Leeds belongs shall, by virtue of that office, be a member of the College of Canons of the new diocese.

(6) Paragraphs (7) and (8) apply if at any time there is no cathedral church in the new diocese.

(7) A cathedral church may be established for the diocese if—

- (a) the bishop's council and standing committee of the diocesan synod decide that a cathedral church should be established;
- (b) the bishop of Leeds has consented to the decision; and
- (c) the bishop's council and standing committee of the diocesan synod have consulted the Church Commissioners, the Dioceses Commission and any person holding office in the pro-cathedral.

(8) Where a decision has been made under paragraph (7)—

- (a) the bishop's council and standing committee shall make a scheme to give effect to that decision, and
- (b) sub-paragraphs (2) and (3) of paragraph 4 of Schedule 2 to the 2007 Measure shall apply, with any necessary modifications, to the scheme as they apply to a reorganisation scheme which provides for the establishment of a cathedral church for a diocese.

Creation of suffragan bishoprics of Bradford and Huddersfield

9. Suffragan bishoprics of Bradford and of Huddersfield are hereby created and shall be suffragan sees of the new diocese.

Archdeaconries

10.—(1) Archdeaconries are altered as follows.

(2) The parishes specified in Part 1 of Schedule 3 currently in the archdeaconries of Bradford and Pontefract are transferred to the archdeaconry of Leeds.

(3) The parishes specified in Part 2 of Schedule 3 currently in the archdeaconry of Craven are transferred to the archdeaconry of Bradford.

(4) The following parishes are transferred to the archdeaconry of Richmond—

- (a) all the parishes currently in the archdeaconry of Craven except those specified in Part 2 of Schedule 3;

- (b) the parishes currently in the archdeaconry of Bradford specified in Part 3 of Schedule 3.
- (5) The archdeaconry of Craven is dissolved.
- (6) The archdeaconry of Richmond is renamed the archdeaconry of Richmond and Craven.
- (7) The parishes specified in Part 4 of Schedule 3 are transferred from the archdeaconry of Pontefract to the archdeaconry of Halifax.

Deaneries

- 11.**—(1) Deaneries are altered as follows.
- (2) The parishes of Otley, Guiseley with Esholt, Yeadon, and Rawdon are transferred from the deanery of Otley to the deanery of Headingley.
- (3) The parishes listed in Part 3 of Schedule 3 are transferred from the deanery of Otley to the deanery of Harrogate.
- (4) The following parishes are transferred from the deanery of Calverley to the deanery of Armley—
- Calverley
 - Saint John the Evangelist, Farsley
 - Pudsey, Saint Lawrence and Saint Paul.
- (5) The following parishes are transferred from the deanery of Birstall to the deanery of Armley—
- Drighlington
 - Gildersome
 - Saint Peter Morley
 - Saint Andrew Bruntcliffe
 - Saint Paul, Townend, Morley
 - Woodkirk otherwise West Ardsley.
- (6) The parish of East Ardsley is transferred from the deanery of Wakefield to the deanery of Armley.
- (7) The parishes of Osset and Gawthorpe and South Osset are transferred from the deanery of Dewsbury to the deanery of Wakefield.
- (8) The deanery of South Craven is renamed the deanery of Keighley.
- (9) The deanery of Otley is renamed the deanery of Ilkley.
- (10) The deanery of Calverley is renamed the deanery of Bradford North.

Patronage

- 12.**—(1) Any right of patronage, except a right of patronage in respect of an excluded benefice, which immediately before the appointed day was vested in or exercisable by the bishop of a former diocese by virtue of his office is transferred to the bishop of Leeds.
- (2) Any right of patronage, except a right of patronage in respect of an excluded benefice, vested in or exercisable by the diocesan board of patronage of a former diocese is transferred to the diocesan board of patronage of the new diocese.
- (3) Where the bishop of a former diocese was, by virtue of his office, one of a number of registered patrons of a benefice which becomes a benefice of the new diocese, or was trustee of any such right of patronage or was a member of any body corporate holding such a right, the bishop of Leeds shall replace him as such registered patron, trustee or member of the body corporate, as the case may be.
- (4) This paragraph applies where an archdeacon is, by virtue of that office—

- (a) the registered patron, or one of a number of registered patrons, of a benefice which becomes a benefice of the new diocese;
- (b) trustee of any such right of patronage; or
- (c) a member of any body corporate holding such right of patronage.

(5) Where paragraph (4) applies and the benefice in question becomes wholly comprised in the archdeaconry of another archdeacon by virtue of this Scheme, that archdeacon shall be the registered patron, trustee or member of the body corporate (as the case may be) in relation to the benefice.

(6) Any right of patronage in respect of an excluded benefice vested in or exercisable by the bishop of a former diocese by virtue of his office, or vested in or exercisable by the diocesan board of patronage of a former diocese, is transferred to the bishop, or (as the case may be) to the diocesan board of patronage, of the receiving diocese.

(7) Where the bishop of a former diocese is, by virtue of his office, one of a number of registered patrons of an excluded benefice, or was trustee of any such right of patronage or was a member of any body corporate holding such a right, the bishop of the receiving diocese shall replace him as such registered patron, trustee or member of the body corporate, as the case may be.

(8) This paragraph applies where an archdeacon is, by virtue of that office—

- (a) the registered patron, or one of a number of registered patrons, of an excluded benefice;
- (b) trustee of any such right of patronage; or
- (c) a member of any body corporate holding such a right or patronage.

(9) Where paragraph (8) applies, the archdeacon of the archdeaconry of the receiving diocese to which that benefice is transferred by article 6 shall be the registered patron, trustee or member of the body corporate (as the case may be) in relation to the benefice.

Patronage: supplementary provisions

13.—(1) Paragraphs (1) and (6) of article 12 are without prejudice to any right Her Majesty has to present to an ecclesiastical office which is vacant during the vacancy in see of a diocesan bishop and to which the right of presentation would, but for the vacancy, be exercisable by that bishop and any such right shall be unaffected by the coming into operation of any provision of this Scheme.

(2) For the purposes of the application of section 2 of the Vacancies in Suffragan Sees and Other Ecclesiastical Offices Measure 2010(a) to the exercise of any such right in the case of an excluded benefice—

- (a) “relevant bishop” is to be construed by reference to the circumstances of the receiving diocese, and
- (b) if the see of the bishop of the receiving diocese is full, subsection (4)(a)(iii) is to be construed as referring to that bishop.

(3) The diocesan registrar of the new diocese shall, in accordance with section 1(1) of the Patronage (Benefices) Measure 1986 (“the 1986 Measure”), compile and maintain a register containing in relation to every benefice of the new diocese the particulars required by that subsection.

(4) The diocesan registrar of each receiving diocese shall add to the register maintained by him under section 1(1) of the 1986 Measure the particulars required by that subsection relating to each excluded benefice that is transferred to the diocese under article 6.

(a) 2010 No. 2.

Constitution of Diocesan Synod during transitional period

14.—(1) During the period beginning with the appointed day and ending with the first day of August next following the election of members of diocesan synods next held after the appointed day in accordance with the Church Representation Rules (“the transitional period”), the diocesan synod of the new diocese shall consist of the following—

- (a) a house of bishops comprising—
 - (i) the bishop of Leeds who shall be the president of the synod or, while the see of the bishop of the new diocese is vacant, the bishop to whom the function of presiding in the diocesan synod has been delegated by an instrument under section 14(3) of the 2007 Measure;
 - (ii) every suffragan bishop of the new diocese and such other persons in episcopal orders working in the new diocese as the bishop presiding in the diocesan synod, with the concurrence of the Archbishop of York, may nominate;
- (b) a house of clergy comprising—
 - (i) any person in episcopal orders who immediately before the beginning of the transitional period was a member of the house of clergy of the diocesan synod of a former diocese;
 - (ii) the dean of each cathedral of the new diocese;
 - (iii) the archdeacons of the new diocese;
 - (iv) the proctors elected from each of the former dioceses or from any university in a former diocese to the Lower House of the Convocation of York;
 - (v) any other member of that House, being the person chosen by and from among the clerical members of religious communities in the Province, who resides in the new diocese;
 - (vi) the chancellor of the diocese (or if there is no chancellor, the acting chancellor), if in Holy Orders;
 - (vii) the chairman of the diocesan board of finance, and the chairman of the diocesan advisory committee, if in Holy Orders;
 - (viii) all persons who immediately before the beginning of the transitional period were members of the house of clergy of the diocesan synod of a former diocese, having been elected by the houses of clergy of the deanery synods in the former diocese except for any such person who is the incumbent of, or is licensed to, an excluded benefice;
 - (ix) not more than five members co-opted by the house of clergy of the diocesan synod.
- (c) a house of laity comprising—
 - (i) the chancellor of the diocese (or if there is no chancellor, the acting chancellor), if not in holy orders;
 - (ii) the chairman of the diocesan board of finance, and the chairman of the diocesan advisory committee, if not in holy orders;
 - (iii) the members elected from each of the former dioceses to the House of Laity of the General Synod;
 - (iv) any other member of that House, being an ex-officio or co-opted member of the House of Laity of the General Synod or a person chosen by and from among the lay members of religious communities in the province, who resides in the new diocese;
 - (v) all persons who immediately before the beginning of the transitional period were members of the house of laity of the diocesan synod of a former diocese, having been elected thereto by the houses of laity of the deanery synods in the former diocese, except for any such person who was qualified for such election by virtue of his or her name being entered on the roll of an excluded parish;

- (vi) not more than five members co-opted by the house of laity of the diocesan synod, who shall be actual communicants of sixteen years or upwards.

(2) (a) The bishop of Leeds or, while the see of the bishop of diocese is vacant, the bishop to whom the function has been delegated by an instrument under section 14(3) of the 2007 Measure, may nominate ten additional members of the diocesan synod, who may be of the clergy or of the laity and shall be members of the appropriate house.

- (b) Except in regard to their appointment the nominated members shall have the same rights and be subject to the same rules as elected members.
- (c) Where necessary the bishop's council and standing committee shall designate the deanery synod of which the nominated member shall be a member and, where a nominated lay person is on more than one electoral roll, he or she shall choose the parochial church council of which he or she is to be a member.

(3) Any person excepted from the operation of paragraph (1)(b)(viii) by virtue of his or her being an incumbent of, or licensed to, an excluded benefice, or from the operation of paragraph (c)(v) by virtue of his or her being entered on the roll of an excluded parish, shall, during the period referred to in paragraph (1), be a member of the appropriate house of the diocesan synod of the receiving diocese for that benefice or parish.

Duties of Diocesan Synod of new diocese

15.—(1) The diocesan synod of the new diocese shall, at its first meeting, in accordance with standing orders made by it pursuant to rule 34(1) of the Church Representation Rules—

- (a) appoint the bishop's council and standing committee of the synod;
- (b) constitute the diocesan board of finance for the diocese in accordance with the Diocesan Boards of Finance Measure 1925(a) ("the 1925 Measure"); and if the bishop of Leeds (or if the see of the bishop of diocese is vacant, the bishop to whom the function has been delegated by an instrument under section 14(3) of the 2007 Measure) and the transitional board of finance consent, the diocesan synod shall do so by declaring that board to be the Diocesan Board of Finance of the new diocese pursuant to section 2 of the 1925 Measure; and
- (c) determine, under section 9(5) of the Church of England (Miscellaneous Provisions) Measure 2005(b), the manner and terms of appointment of the diocesan secretary.

(2) The diocesan synod shall, at its first, or the next following, meeting appoint every other board, committee or panel which a diocesan synod is required by any Measure to appoint.

(3) For the purposes of paragraph (2), appointing any board, committee or panel includes constituting that board, committee or panel and making provision for the election of, and electing, its members.

Dissolution of diocesan bodies of former dioceses

16. Every diocesan body of a former diocese shall be wound up or dissolved.

Abolition of offices in former dioceses

17.—(1) The following offices are abolished—

- (a) bishop of each former diocese;
- (b) archdeacon of Craven;
- (c) chancellor of each former diocese;
- (d) deputy chancellor of each former diocese;

(a) 15 & 16 Geo. 5 No.3. Relevant amendments were made by the Synodical Government Measure 1969 (1969 No. 2).
(b) 2005 No. 3.

- (e) diocesan registrar of each former diocese;
- (f) deputy registrar of each former diocese;
- (g) diocesan secretary of each former diocese;
- (h) director of education for each former diocese.

(2) A person holding any office mentioned in sub-paragraphs (a) to (f) of paragraph (1) immediately before the appointed day shall be entitled to compensation in accordance with the provisions of the Reorganisation Schemes (Compensation) Rules 2011(a).

Filling of offices in new diocese

18. The bishop of Leeds (or, if the appointment is made while the see of the bishop of the new diocese is vacant, the bishop to whom the function has been delegated by an instrument under section 14(3) of the 2007 Measure) shall appoint—

- (a) a chancellor of the new diocese in accordance with section 2 of the Ecclesiastical Jurisdiction Measure 1963(b) and Canon G 2,
- (b) a diocesan registrar of the new diocese in accordance with section 4 of the Ecclesiastical Judges and Legal Officers Measure 1976(c) and Canon G 4, and
- (c) a director of education for the new diocese in accordance with section 1(4) of the Diocesan Boards of Education Measure 1991(d).

Records

19.—(1) Subject to paragraph (3), all records and other documents relating to a former diocese, including its consistory court, its benefices and parishes, its clergy or any other diocesan office or body or the holders or members of any such office or body, filed in the diocesan registry of a former diocese, or otherwise in the possession or custody of the diocesan registrar, shall be transferred to the registrar of the new diocese for filing in the diocesan registry of that diocese or keeping in the possession or custody of the diocesan registrar of that diocese, as the case may be.

(2) Subject to paragraph (3), any records in the custody of a diocesan body of a former diocese shall, upon the dissolution or winding up of that body, be transferred to the corresponding body of the new diocese.

(3) Where any records or documents to which paragraphs (1) or (2) apply relate exclusively to an excluded benefice or parish, those records or documents shall not be transferred to the registrar, or to the corresponding body, of the new diocese but shall instead be transferred to the registrar, or to the corresponding body (as the case may be), of the receiving diocese for that excluded benefice or parish.

(4) Each diocesan record office for a former diocese, or part of a former diocese, shall become a diocesan record office for the corresponding part of the new diocese as if it had been so designated by the bishop of Leeds by an instrument in writing under section 7 of the Parochial Registers and Records Measure 1978 (“the 1978 Measure”) and, subject to paragraph (7), as if he had divided the new diocese into parts for the purposes of that section such that each former diocese, or such part of a former diocese for which there was a diocesan record office, comprised such corresponding part.

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- (a) Rules made by the Dioceses Commission under paragraph 16(2) of Schedule 2 to the Dioceses, Pastoral and Mission Measure 2007.
 - (b) 1963 No. 1. Relevant amendments were made by the Church of England (Worship and Doctrine) Measure 1974 (1974 No. 3), the Ecclesiastical Judges and Legal Officers Measure 1976 (1976 No. 2), the Courts and Legal Services Act 1990 (1990 c. 41), the Care of Churches and Ecclesiastical Jurisdiction Measure 1991 (1991 No. 1), the Church of England (Miscellaneous Provisions) Measure 1992 (1992 No. 1), the Church of England (Miscellaneous Provisions) Measure 1995 (1995 No. 2), the Church of England (Miscellaneous Provisions) Measure 2006 (2006 No. 1) and the Church of England (Miscellaneous Provisions) Measure 2010 (2010 No. 1).
 - (c) 1976 No. 2.
 - (d) 1991 No. 2.

(5) Where any register book belonging to a parish, other than an excluded parish, in a former diocese or other record formerly in parochial custody in such a parish, has, prior to the appointed day, been deposited in a diocesan record office of a former diocese it shall be deemed to have been so deposited as if the parish in question had been a parish in the new diocese.

(6) Paragraphs (4) and (5) are without prejudice to the power of the bishop of Leeds, under section 7 of the 1978 Measure, to designate further record offices for the new diocese, or any part of the new diocese, and any deemed designation of a place as a diocesan record office shall not be taken as affecting the right of the bishop to withdraw the designation or the right of the authority responsible for register books and records deposited in such office to withdraw its agreement to the designation.

(7) An excluded benefice or parish shall not be comprised in the corresponding part of the new diocese for the purposes of paragraph (4).

(8) The diocesan record office of the receiving diocese or, if the receiving diocese has more than one diocesan record office, the diocesan record office for the part of the receiving diocese to which that parish is transferred, shall be the diocesan record office for the purposes of an excluded parish.

(9) Any records deposited in a diocesan record office of a former diocese that relate exclusively to an excluded benefice or parish shall be transferred to the diocesan record office of the receiving diocese for that benefice or parish or, if the receiving diocese has more than one diocesan record office, to the diocesan record office for the part of the receiving diocese to which that benefice or parish is transferred.

Consistory courts

20. Subject to paragraphs 15 and 16 of Schedule 4, the consistory court of each former diocese is abolished and all functions exercisable by a consistory court shall be exercised in relation to the new diocese by the consistory court established for that diocese by section 1(1) of the Ecclesiastical Jurisdiction Measure 1963(a).

Property

21.—(1) Any property vested in the bishop of a former a diocese in his corporate capacity shall vest in the bishop of Leeds in his corporate capacity.

(2) Any property, other than excluded property, vested in or held by a diocesan body of a former diocese immediately before the appointed day shall vest in the corresponding body of the new diocese.

(3) Any property vested in, or held by, a diocesan body of a former diocese immediately before the day appointed for the coming into operation of article 6 on trusts that relate to an excluded parish or benefice and that do not also relate to any benefice or parish which is not an excluded benefice or parish shall vest in the corresponding body of the receiving diocese.

(4) Any diocesan glebe land of a former diocese situated in an excluded parish shall vest in the diocesan board of finance of the receiving diocese and be held as part of the diocesan glebe land of that diocese.

Trusts

22.—(1) The trusts of any charity, other than an excluded charity, the property of which is vested in, or is under the management or control of, any person holding office in, or any diocesan body of, a former diocese, with or without, in any case, other persons, shall have effect with the substitution, for that person, of the person holding the corresponding office in the new diocese and, for that body, of the corresponding body of the new diocese.

(a) 1963 No. 1. Relevant amendments were made by the Clergy Discipline Measure 2003 (2003 No. 3).

(2) Where the person holding office in a former diocese referred to in paragraph (1) was the bishop of that diocese, the corresponding office in the new diocese is the bishop of Leeds.

(3) Where the person holding office in a former diocese referred to in paragraph (1) was the bishop of a suffragan see, the corresponding office in the new diocese is the holder of that suffragan see (by whatever name called in the new diocese).

(4) Where the person holding office in a former diocese referred to in paragraph (1) was an archdeacon, the corresponding office in the new diocese shall be determined as follows—

- (a) subject to sub-paragraph (c), where the person holding office in the former diocese was the archdeacon of Craven, the corresponding office in the new diocese is the archdeacon of Richmond and Craven;
- (b) subject to sub-paragraph (c), where the person holding office in the former diocese was the archdeacon of an archdeaconry other than the archdeaconry of Craven, the corresponding office in the new diocese is the archdeacon of that archdeaconry (by whatever name known in the new diocese);
- (c) where the charity in question relates exclusively to a particular area or areas and each such area is comprised wholly in an archdeaconry of the new diocese other than the archdeaconry whose archdeacon would be the corresponding office under sub-paragraphs (a) or (b), the corresponding office in the new diocese is the archdeacon of the archdeaconry in which that area is, or those areas are, wholly comprised;
- (d) in sub-paragraph (c), “area” includes a parish, benefice or deanery.

(5) Where the person holding office in a former diocese referred to in paragraph (1) was a rural dean, paragraph (4), with the exception of sub-paragraph (a), shall apply as if the references there to an archdeacon and an archdeaconry were, respectively, to a rural dean and a deanery.

(6) The trusts of any excluded charity, the property of which is vested in, or is under the management or control of, any person holding office in, or any diocesan body of, a former diocese, with or without, in any case, other persons, shall have effect with the substitution, for that person, of the person holding the corresponding office in the receiving diocese and, for that body, of the corresponding body of the receiving diocese.

(7) Where the person holding office in a former diocese referred to in paragraph (6) was the bishop or a suffragan bishop of that diocese, the corresponding office in the receiving diocese is the bishop of that diocese.

(8) Where the person holding office in a former diocese referred to in paragraph (6) was an archdeacon or a rural dean, the corresponding office in the receiving diocese is the archdeacon of the archdeaconry, or the rural dean of the deanery (as the case may be), to which the relevant excluded benefice or parish is transferred under article 6.

(9) For the purposes of paragraph (8) the relevant excluded benefice or parish is the excluded benefice or parish to which the excluded charity in question relates.

Property and trusts: supplementary provisions

23.—(1) Article 22 also applies in relation to any person who is a charity trustee within the meaning of the Charities Act 2011(a).

(2) Any change in the vesting of property under article 21 or 22 shall have effect without any conveyance or other assurance.

(3) Any property the vesting of which is changed under article 21 or 22 shall, subject to the provisions of this Scheme, continue to be subject to all trusts, charges, tenancies, liabilities and other legal incidents affecting that property.

(4) This paragraph applies to any property vested in a diocesan authority pursuant to section 6 of the Parochial Church Councils (Powers) Measure 1956, or section 3 of the Incumbents and Churchwardens (Trusts) Measure 1964

(a) 2011 c. 25.

(5) If the vesting of any property to which paragraph (4) applies is changed under article 21 or 22, the property shall remain subject to the same powers of the parochial church council in relation to its management, administration or disposition, or to the same powers exercisable in respect of it by managing trustees, as before the change in vesting.

(6) The Church Commissioners shall apportion to the capital account of the diocesan stipends fund of each receiving diocese that diocese's proportion of the monies and other property standing to the credit of the capital account of the diocesan stipends fund of the relevant former diocese at the beginning of the day on which article 6 comes into operation and any monies or property so apportioned shall be transferred accordingly.

(7) A receiving diocese's proportion is represented by the number of benefices that are transferred to that diocese as a proportion of the total number of benefices in the relevant former diocese immediately prior to the coming into operation of article 6.

(8) The relevant former diocese is the former diocese from which excluded benefices are transferred to the receiving diocese in question.

Transfer of rights and liabilities etc.

24.—(1) Any reference in any document to a former diocese, or to a diocesan body of a former diocese, shall be construed as a reference to the new diocese, or to the corresponding body of the new diocese, as the case may be.

(2) Subject to paragraphs (3) and (4), all rights and liabilities vested in a diocesan body of a former diocese on the appointed day are transferred to the corresponding body of the new diocese on that date.

(3) (a) Paragraph (2) does not apply to any liabilities in relation to the pension schemes established under section 27 of the Clergy Pensions Measure 1961(a) and section 1(1)(b) of the Pensions Measure 1997(b) ("the 1997 Measure") that are vested in the diocesan board of finance of a former diocese immediately before the appointed day.

(b) Sub-paragraph (a) is without prejudice to the application of section 4(4) of the 1997 Measure to the diocesan board of finance of the new diocese with effect from the appointed day.

(4) To the extent that any rights and liabilities relate to an excluded parish or benefice, they are transferred to the corresponding body of the receiving diocese.

(5) All rights and liabilities vested in the bishop of a former a diocese in his corporate capacity are transferred to the bishop of Leeds in his corporate capacity.

Transitional Provisions

25. Schedule 4, which makes transitional provision, has effect.

Repeals

26. The Orders in Council specified in Schedule 5 are repealed to the extent that they are inconsistent with this Scheme.

Supplementary

27.—(1) In the event of any question arising as to the interpretation of any provision of this scheme, that question shall be determined by the Vicar-General of the Province of York.

(a) 9&10 Eliz. 2 No. 3. Relevant amendments were made by the Church of England (Pensions) Measure 1988 (1988 No. 4) and the Civil Partnership (Judicial Pensions and Church Pensions, etc) Order 2005 (SI 2005/3325).

(b) 1997 No. 1. Relevant amendments were made by the Civil Partnership (Judicial Pensions and Church Pensions, etc) Order 2005 (SI 2005/3325).

(2) Any function exercisable by the Archbishop of York under this Scheme shall, during the absence abroad or incapacity through illness of that archbishop or a vacancy in the see of York, be exercisable by the Archbishop of Canterbury or, if the see of Canterbury is vacant or the Archbishop of Canterbury is similarly absent or incapacitated, by the senior bishop of the province of York.

(3) In paragraph (2) “senior bishop of the province of York” means the bishop of Durham or, if the see of Durham is vacant, the diocesan bishop who has held office as a diocesan bishop in the province of York without interruption for the longest time.

Made by the Dioceses Commission

Church House, Westminster
Date

Name
Chair
Dioceses Commission

SCHEDULES

SCHEDULE 1

Article 6

Transfer of excluded parishes and benefices to receiving dioceses

<i>Parish</i>	<i>Benefice</i>	<i>Receiving diocese</i>	<i>Archdeaconry</i>	<i>Deanery</i>
Hurst Green	Hurst Green and Mitton	Blackburn	Blackburn	Whalley
Mitton	Hurst Green and Mitton	Blackburn	Blackburn	Whalley
Waddington	Waddington	Blackburn	Blackburn	Whalley
Grindleton	Bolton by Bowland with Grindleton	Blackburn	Blackburn	Whalley
Bolton by Bowland	Bolton by Bowland with Grindleton	Blackburn	Blackburn	Whalley
Gisburn	Gisburn	Blackburn	Blackburn	Whalley
Penistone	Penistone and Thurlstone	Sheffield	Doncaster	Tankersley
Saint Saviour, Thurlstone	Penistone and Thurlstone	Sheffield	Doncaster	Tankersley

SCHEDULE 2

Cathedrals

PART 1

Article 7(2)

Modification of 1999 Measure

1. The following modifications to the provisions of the 1999 Measure shall have effect for the purposes of Article 7(2).

2. For section 3(4)(d) substitute, “two persons appointed by the College of Canons from among its members who are either canons of the cathedral in question or who hold office as suffragan or full-time stipendiary assistant bishop, or archdeacon, in the diocese”.

3. In section 5(2)(a), at the end insert “of each cathedral in the diocese”.

- 4.** For section 5(2)(d) substitute “every canon of each of the cathedrals in the diocese”.
- 5.** At the end of section 5(2)(d) omit “and”, at the end of section 5(2)(e) insert “, and” and after section 5(2)(e) insert—
- “(f) the incumbent of any benefice a church belonging to which is the pro-cathedral of the diocese”.
- 6.** After section 5(2) insert—
- “(2A) The function of presiding in the College of Canons, including the calling together of the College of Canons for the purpose of performing the functions referred to in subsection (3) below, shall be exercised by the presiding dean or, if he or she is unable to preside or elects not to do so on any particular occasion, by such dean (other than the presiding dean) who has held office longest as dean of a cathedral in the diocese.
- (2B) In subsection (2A) above, “presiding dean” means—
- (a) during the period from the foundation of the diocesan bishopric of Leeds until the confirmation of election of the first bishop of the diocese, the dean who has held office longest as dean of a cathedral in the diocese;
- (b) after the confirmation of election of the first bishop of the diocese of Leeds, the dean of a cathedral in the diocese appointed by the bishop to exercise the functions referred to in subsection (2A) above.”
- 7.** In section 5(4)(a), at the end insert “of each cathedral in the diocese”.
- 8.** In section 5(4)(b), for “the cathedral” substitute “any of the cathedrals in the diocese”.
- 9.** After section 8(1) insert—
- “(1A) Where the bishop has consented in writing to the application of this subsection, subsection (1) is to be read as if the reference to the holders of at least two residentiary canonries were a reference to the holder of at least one residentiary canonry.”
- 10.** In section 8(2) after “discharged in or from the cathedral” insert “and includes duties carried out in the parish church of Saint Peter, Leeds”.
- 11.** For section 9(1)(a) substitute—
- “(a) provide that the members for the time being of the Council and the Chapter, and such members for the time being of the College of Canons who are canons of the cathedral in question or who hold office as suffragan or full-time stipendiary assistant bishop, or archdeacon, in the diocese, shall be a body corporate with perpetual succession and a common seal (to be known as the common seal of the cathedral),”.
- 12.** After section 21(1) insert—
- “(1A) Where the bishop has consented in writing to the application of this subsection, subsection (1) is to be read as if the reference to two residentiary canons were a reference to one residentiary canon.”

Modification of Cathedral Constitutions

13. For Article 10 of the Constitution of Bradford Cathedral, article 13 of the Constitution of Ripon Cathedral and article 5 of the Constitution of Wakefield Cathedral there shall be substituted the following article—

“College of Canons

[].—(1) There shall be one College of Canons to discharge functions for all of the cathedrals of the diocese of Leeds in accordance with section 5 of the Cathedrals Measure 1999 as modified by the Dioceses of Bradford, Ripon and Leeds and Wakefield Reorganisation Scheme 201-.

(2) The membership shall consist of—

- (a) the dean of each cathedral in the diocese,
- (b) every suffragan bishop of the diocese,
- (c) every full-time stipendiary assistant bishop of the diocese,
- (d) every canon of each of the cathedrals in the diocese,
- (e) every archdeacon of the diocese, and
- (f) the incumbent of any benefice a church belonging to which is the pro-cathedral of the diocese.

(3) The function of presiding in the College of Canons, including the calling together of the College of Canons for the purpose of performing the functions referred to in subsection (5) below, shall be exercised by the presiding dean or, if he or she is unable to preside or elects not to do so on any particular occasion, by such dean (other than the presiding dean) who has held office longest as dean of a cathedral in the diocese.

(4) In paragraph (3), “presiding dean” means—

- (a) during the period from the foundation of the diocesan bishopric of Leeds until the confirmation of election of the first bishop of the diocese, the dean who has held office longest as dean of a cathedral in the diocese;
- (b) after the confirmation of election of the first bishop of the diocese of Leeds, the dean of a cathedral in the diocese appointed by the bishop to exercise the functions referred to in paragraph (3).

(5) The College of Canons shall perform the functions conferred by the Appointment of Bishops Act 1533 on the dean and chapter.

(6) The College of Canons shall—

- (a) receive and consider the annual report and audited accounts of each of the cathedrals of the diocese, and
- (b) discuss such matters concerning any of the cathedrals in the diocese as may be raised by any of its members.”.

SCHEDULE 3
Alteration of Archdeaonries

PART 1

Article 10(2)

Parishes transferred to Archdeaconry of Leeds

Parishes transferred from the Archdeaconry of Bradford

Otley
Guiseley with Esholt
Yeadon
Rawdon
Calverley
Saint John the Evangelist, Farsley
Pudsey Saint Lawrence and Saint Paul

Parishes transferred from the Archdeaconry of Pontefract

Drighlington
Gildersome
Saint Peter Morley
Saint Andrew Bruntcliffe
Saint Paul, Townend, Morley
Woodkirk otherwise West Ardsley
East Ardsley

PART 2

Article 10(3)

Parishes in Archdeaconry of Craven transferred to Archdeaconry of Bradford

Saint Barnabas, Thwaites Brow
Morton
Saint Mary, Riddlesden
Ingrow with Hainworth
Denholme Gate
Cross Roads cum Lees, Saint James
Cullingworth
Harden and Wilsden
Keighley Saint Andrew
Oxenhope
Saint James, Silsden
Saint Michael, Haworth
Keighley All Saints
Utley Saint Mark
Oakworth

Saint Stephen, Steeton
Cononley with Bradley
Saint Thomas, Sutton
Cowling
Kildwick
Christ Church, Lothersdale

PART 3

Articles 10(4)(b) and 11(3)

Parishes in Archdeaconry of Bradford transferred to Archdeaconry of Richmond

Fewston and Blubberhouses
Weston with Denton
Leathley
Farnley

PART 4

Article 10(7)

Parishes in Archdeaconry of Pontefract transferred to Archdeaconry of Halifax

Birkenshaw with Hunsworth
Birstall
Saint Philip and Saint James, Scholes
Cleckheaton Saint Luke and Whitechapel
Cleckheaton, Saint John
Gomersal
Brownhill, Saint Saviour
Saint James, Heckmondwike
Christ Church, Liversedge
Saint Barnabas, Hightown
Hartshead
Robert Town
Christ the King, Battyeford
Mirfield Team Parish
Whitley Lower
Thornhill
Thornhill Lees
Saint Saviour Ravensthorpe
Team Parish of Dewsbury
Saint Paul, Hanging Heaton
Saint Andrew, Purdwell
Christ Church, Staincliffe
Batley, Saint Thomas
Batley
Saint John the Evangelist, Carlinghow

SCHEDULE 4

Article 25

Transitional Provisions

Diocesan bodies

1. The Commission shall designate in writing such bodies as appear to it to be suitable for the purpose as transitional diocesan bodies to exercise the functions that are required to be, or may be, exercised in relation to a diocese by such diocesan body (“the corresponding diocesan body”) or bodies as the Commission shall specify in respect of each transitional diocesan body.

2. The Commission may in writing constitute and appoint the members of any body intended to be designated as a transitional diocesan body (other than a body which is constituted as a company) and in so doing it shall have regard to any statutory provisions as to the constitution and membership of the relevant corresponding body.

3. A transitional diocesan body shall exercise the functions concerned from the appointed day until the corresponding diocesan body has been constituted for the new diocese and if any question arises as to whether a corresponding diocesan body has been so constituted, that question shall be determined by the Commission.

4. The Commission shall not designate any diocesan body of a former diocese as a transitional diocesan body.

5. Before designating a body as the transitional board of finance the Commission shall satisfy itself that the body in question is a company that is capable of being constituted the diocesan board of finance for the new diocese.

Patronage

6. From the appointed day until the diocesan board of patronage has been constituted for the new diocese, paragraph (2) of article 12 shall apply as if the reference to the diocesan board of patronage of the new diocese were a reference to the transitional diocesan body exercising the functions that would otherwise be exercised by a diocesan board of patronage.

Property and trusts

7. During the period referred to in paragraph 3 of this Schedule, article 21(2) and 22(1) shall apply as if references to the corresponding body of the new diocese were references to the transitional diocesan body exercising the functions that would otherwise be exercisable by that corresponding body.

Bishop’s Council and Standing Committee

8. Until the diocesan synod appoints the bishop’s council and standing committee in accordance with article 15(1)(a), the persons who were members of the bishop’s councils and standing committees of the diocesan synods of each of the former dioceses shall have authority to act as the bishop’s council and standing committee of the new diocese and shall be known as the acting bishop’s council and standing committee.

9. The persons referred to in paragraph 8 shall make the necessary arrangements for the first meeting of the diocesan synod of the new diocese and shall settle the agenda for that meeting.

Chancellor and diocesan registrar

10. The Archbishop of York shall designate in writing persons to exercise the functions of the offices of chancellor and diocesan registrar of the new diocese from the appointed day until persons are appointed to fill those offices, and the persons so designated shall be known, respectively, as the acting chancellor and the acting diocesan registrar.

11. Before designating a person under paragraph 10, the Archbishop shall satisfy himself that that person has the qualifications that are required to be held by the holder of the office whose functions he or she is to exercise.

12. A person designated under paragraph 10, having taken such oaths and made such declaration as are required to be taken and made by the holder of the office whose functions he or she has been designated to exercise, shall, during the period beginning with the appointed day and, subject to paragraph 13, ending with the day on which an appointment to fill that office takes effect, have all the powers and perform all the duties of that office.

13. A person designated to exercise the functions of the office of chancellor of the new diocese may continue to exercise the powers and perform the duties of that office for the purposes of any proceedings or cause of faculty in the consistory court of the new diocese during the course of which a person is appointed to fill the office of chancellor of the new diocese.

14. The acting chancellor shall also exercise the functions of the office of vicar-general of the new diocese until a person is appointed to fill that office.

Pending Proceedings

15. Any proceedings pending in the consistory court of a former diocese immediately before the appointed day shall be heard and determined in the court where the proceedings are pending unless, in the case of proceedings that do not relate exclusively to an excluded benefice or parish, the chancellor of the new diocese directs that they shall be heard in the consistory court of the new diocese or, in the case of proceedings that relate exclusively to an excluded benefice or parish, the chancellor of the receiving diocese directs that they shall be heard in the consistory court of that diocese, in which case the proceedings shall be transferred to that court accordingly.

16. Where proceedings are heard and determined in the consistory court of a former diocese pursuant to paragraph 15 the chancellor and the diocesan registrar of the former diocese, or any deputy of either of them, may continue to act as such for that purpose notwithstanding the abolition of the offices held by those persons by article 17(1).

17. Subject to paragraph 19, any proceedings against a priest or deacon instituted under Part 3 of the Ecclesiastical Jurisdiction Measure 1963 or section 10 of the Clergy Discipline Measure 2003(a) and any proceedings under the Incumbents (Vacation of Benefices) Measures 1977 and 1993(b) pending immediately before the appointed day that do not relate to the incumbent of an excluded benefice or a priest or deacon licensed to an excluded benefice shall proceed and be determined as if they had been instituted, and any steps in the proceedings taken, in the new diocese.

18. Subject to paragraph 19, any proceedings as are mentioned in paragraph 17 that relate to the incumbent of an excluded benefice or a priest or deacon licensed to an excluded benefice shall proceed and be determined as if they had been instituted, and any steps in the proceedings taken, in the receiving diocese.

19. Any proceedings which have been referred to the bishop's disciplinary tribunal constituted for a former diocese in accordance with section 22 of the Clergy Discipline Measure 2003 and are pending immediately before the appointed day shall be heard and determined by that tribunal.

20. Any visitation of a cathedral of a former diocese pending immediately before the appointed day shall proceed as if it had been commenced by the bishop of Leeds.

21. Any proceedings instituted under section 18 of the Care of Cathedrals Measure 2011(c) on behalf of the bishop of a former diocese pending immediately before the appointed day shall proceed and be determined as if they had been instituted on behalf of the bishop of Leeds; save that the reference in section 20(7) of that Measure to the bishop from whom any fact relevant to the institution of proceedings has been concealed shall be construed as a reference to the bishop of the former diocese in respect of any period before the appointed day and as a reference to the bishop of Leeds in respect of any period thereafter.

(a) 2003 No. 3.

(b) 1977 No. 1; 1993 No. 1.

(c) 2011 No. 1.

Surrogates

22. Every surrogate who immediately before the appointed day—

- (a) is deputed by an ecclesiastical judge of a former diocese who has power to grant common licences (within the meaning of the Marriage Act 1949),
- (b) has taken an oath before that judge, or a commissioner appointed under the seal of that judge, faithfully to execute his or her office according to law, to the best of his knowledge and
- (c) is not the incumbent of, or a clerk in holy orders licensed to, an excluded benefice

shall be deemed to have been so deputed by, and to have taken such oath to, the vicar-general of the new diocese (irrespective of whether the office of vicar-general is vacant at any material time).

Diocesan Secretary and Director of Education

23. The Archbishop of York shall designate in writing a person to exercise the functions of the office of diocesan secretary of the new diocese, and a person to exercise the functions of the office of director of education for the new diocese, until a person is appointed to the office in question and the persons so designated shall be known, respectively, as the acting diocesan secretary and the acting director of education.

24. If the bishops' councils and standing committees of each of the former dioceses have jointly nominated a person to be the acting diocesan secretary or the acting director of education the Archbishop of York shall designate that person accordingly if he or she is willing and able to exercise the functions in question.

Ecclesiastical offices

25. Any holder of a suffragan see which becomes a suffragan see of the new diocese shall continue to be the bishop of that suffragan see without any further oath or declarations being required.

26. Any archdeacon of an archdeaconry which becomes an archdeaconry of the new diocese shall, subject to the provisions of this Scheme, continue to be the archdeacon of that archdeaconry (by whatever name known in the new diocese) without any further oaths or declarations being required and he or she shall owe, and be deemed to have taken the oath of, canonical obedience to the bishop of Leeds.

27. Any person holding office as incumbent of a benefice, other than an excluded benefice, which was immediately before the appointed day comprised in a former diocese shall continue to be incumbent of that benefice without any further oaths or declarations being required and he or she shall owe, and be deemed to have taken the oath of, canonical obedience to the bishop of Leeds.

28. Any person holding office as incumbent of an excluded benefice shall continue to be incumbent of that benefice without any further oaths or declarations being required and he or she shall owe, and be deemed to have taken the oath of, canonical obedience to the bishop of the receiving diocese.

29. Subject to paragraph 31, clerks in holy orders, deaconesses, readers and layworkers who have been licensed under seal, or given permission to officiate, by the bishop of a former diocese or his commissary shall be deemed to have been so licensed, or given permission to officiate (as the case may be), by the bishop of Leeds and, subject to any modifications made necessary by this Scheme, on the same terms.

30. No further oaths or declarations shall be required of the persons in respect of whom paragraph 29 applies and they shall owe, and be deemed to have taken the oath of, canonical obedience to the bishop of Leeds.

31. Paragraph 29 shall not apply to clerks in holy orders, deaconesses, readers and layworkers licensed to, or given permission to officiate in, an excluded benefice and any such clerk,

deaconess, reader or layworker shall instead be deemed to have been so licensed, or given permission to officiate (as the case may be), by the bishop of the receiving diocese and no further oaths or declarations shall be required of such a person and he or she shall owe, and be deemed to have taken the oath of, canonical obedience to that bishop.

Churchwardens

32. Every person who was, immediately before the appointed day, a churchwarden of a parish comprised in a former diocese, other than an excluded parish, shall continue to be a churchwarden of the parish in question as if the parish had been comprised in the new diocese at the time he or she was chosen to be churchwarden and he or she had been admitted to office by the bishop of Leeds.

33. Every person who at the time when article 6 comes into operation is a churchwarden of an excluded parish shall continue to be a churchwarden of that parish as if the parish had been comprised in the receiving diocese at the time he or she was chosen to be churchwarden and he or she had been admitted to office by the bishop of that diocese.

Saving for authorisations etc

34. All authorisations (including faculties and licences), approvals, consents, directions and all other things done (including the imposition of any penalty) by any court, tribunal or diocesan body of a former diocese, or by any person holding office in a former diocese in the exercise of the functions of his or her office, shall, subject to the provisions of, and so far as they are consistent with, this Scheme, continue to have effect as if the authorisation, approval, consent, direction or other thing had been granted or done by the corresponding court, tribunal or body of, or person holding office in, the new diocese or, in the case of an authorisation, approval, consent, direction or other thing done in relation to an excluded benefice or parish, by the corresponding court, tribunal or body of, or person holding office in, the receiving diocese.

35. The reference in paragraph 34 to an authorisation, approval, consent, direction or other thing done in relation to an excluded benefice or parish includes an authorisation, approval, consent, direction or other thing done in relation to the incumbent of, or a person licensed to or otherwise holding office in respect of, an excluded benefice or parish.

36. Paragraph 34 shall not apply in the case of any instrument of delegation made by the bishop of a former diocese under section 13 of the 2007 Measure, or in the case of any instrument having effect as if made under that section by virtue of paragraph 3 of Schedule 6 to that Measure, and any such instrument shall cease to have effect.

Funds in the hands of the Church Commissioners

37. Any funds in the hands of the Church Commissioners for the benefit, or for the purposes, of a former diocese shall be held by the Church Commissioners for the benefit, or for the like purposes (as the case may be), of the new diocese.

SCHEDULE 5

Article 26

Repeals

Order in Council approved at the Court at Saint James's on 5th October 1836 founding the bishopric of Ripon

Order in Council approved at the Court at Windsor on 17th May 1888 founding the bishopric of Wakefield

Order in Council approved at the Court at Buckingham Palace on 25th November 1919 founding the bishopric of Bradford

Draft Scheme prepared by the Dioceses Commission under section 6 of the Dioceses, Pastoral and Mission Measure 2007.

REORGANSATION SCHEME MADE BY THE
DIOCESES COMMISSION

The Dioceses of Bradford, Ripon and Leeds and Wakefield
Reorganisation Scheme 201-