



# Ecclesiastical Offices (Terms of Service) Measure 2009

2009 No. 1

## 11 Amendment of Enactments

- (1) The Archbishops' Council may, by Order, make provision—
  - (a) for such amendments or repeals of any provision of a Measure or other enactment or instrument, or
  - (b) for transitional matters,as appear to the Council to be necessary or expedient in consequence of any provision of this Measure or of Regulations.
- (2) Section 2(5) to (8) above shall apply in relation to any Order made under this section as if any reference therein to draft Regulations or a draft of Regulations or to Regulations were a reference to a draft Order or a draft of an Order or to an Order, as the case may be.
- (3) No draft order under section 2(5) above, as applied by subsection (2) above, shall be laid before the General Synod after the expiry of the period of five years beginning with the day on which this section comes into force.
- (4) The enactments set out in Schedule 2 to this Measure shall have effect subject to the amendments specified in that Schedule.
- (5) Section 3 of the [Episcopal Endowments and Stipends Measure 1943 \(6 & 7 Geo. 6 No. 2\)](#) shall not have effect in relation to a house of residence provided for a diocesan bishop who is subject to Common Tenure but section 4 of that Measure shall apply to the exercise of powers in relation to a house of residence provided under this Measure as it applies in relation to the exercise of powers under that Measure.
- (6) The [Incumbents \(Vacation of Benefices\) Measure 1977 \(1977 No. 1\)](#) (in this subsection and subsection (7) below referred to as “the 1977 Measure”) shall have effect only in relation to benefices of which the incumbent is not subject to Common Tenure, but if—

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*Status: This is the original version (as it was originally enacted).*

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- (a) the incumbent of a benefice makes a declaration under section 1(4) above agreeing to the application of this Measure to him or her, and
- (b) at the time when the declaration is received by the bishop of the diocese a request for an enquiry has been made under section 1A or the bishop has instructed the secretary of the diocesan synod to institute an enquiry under section 6 of the 1977 Measure and proceedings under the Measure in respect of the enquiry have not been concluded,

section 1(5) above shall not have effect and this Measure shall not apply to the incumbent until all such proceedings have been concluded and until (if the incumbent remains in office) the bishop has notified the incumbent in writing that this Measure applies to this incumbent from the date specified in the notice.

- (7) Where, on the coming into force of section 1 above, a vicar in a team ministry is the subject of a request for an enquiry or an enquiry under the provisions of the 1977 Measure referred to in subsection (6)(b) above in relation to which proceedings under that Measure have not been concluded, this Measure shall not apply to the vicar until all such proceedings have been concluded and the bishop has notified him or her in writing that this Measure applies to him or her from the date specified in the notice.
- (8) Section 15(1) of the [Care of Cathedrals Measure 1999 \(1999 No. 1\)](#) shall not have effect in relation to the disposal of a house of residence occupied by or allocated for the use of a holder of an office who is subject to Common Tenure.