



Mission and Pastoral Measure 2011

2011 No. 3

PART 8

MISCELLANEOUS AND GENERAL

Restrictions on presentation

88 Modification of Patronage (Benefices) Measure 1986 where presentation is suspended or restricted

Where the bishop declares a suspension period in respect of any benefice, or any restriction imposed by or under any provision of section 38 or 87 comes into force in respect of any benefice—

- (a) save as provided in this section no notice under section 7 of the Patronage (Benefices) Measure 1986 of a vacancy or impending vacancy in that benefice shall be given during the suspension period or, as the case may be, while the restriction is in force;
- (b) any such notice relating to that benefice given before the suspension period began or, as the case may be, the restriction came into force shall be deemed to have been revoked and any act done under that Measure consequent upon that notice shall be of no effect;
- (c) that benefice shall be deemed for the purposes of that Measure to become vacant immediately after the day on which the suspension period comes to an end or, as the case may be, the day on which the restriction ceases to be in force, but if a further suspension period is declared, the benefice shall no longer be deemed to be vacant; and
- (d) as soon as practicable after he becomes aware of the vacancy, the bishop shall give notice of that fact to the designated officer (within the meaning of section 7(5) of the Patronage (Benefices) Measure 1986 and, unless he is the designated officer, to the registrar of the diocese and section 7(4) [^{F1}and (4A)] of that Measure shall apply as it applies to a notice under section 7(1) [^{F2}, (2) or (2A)] so however that if the suspension period will come to an end as a result of a notice given by the bishop under section 85(4) of this Measure

Changes to legislation: There are currently no known outstanding effects for the Mission and Pastoral Measure 2011, Section 88. (See end of Document for details)

the notice referred to in this section may be given by the bishop at the same time as the notice under section 85(4) and in any other case the notice may be given not more than fourteen days before the suspension period will end or the restriction will cease to be in force as the case may be.

Textual Amendments

- F1** Words in s. 88(d) inserted (1.1.2020) by [The Legislative Reform \(Patronage of Benefices\) Order 2019 \(S.I. 2019/1183\)](#), arts. 1(1), **2(9)(a)** (with arts. 8, 9)
- F2** Words in s. 88(d) substituted (1.1.2020) by [The Legislative Reform \(Patronage of Benefices\) Order 2019 \(S.I. 2019/1183\)](#), arts. 1(1), **2(9)(b)** (with arts. 8, 9)
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Modifications etc. (not altering text)

- C1** S. 88(d) excluded by 1986 gsm 3 s. 16A(7) (as inserted (1.1.2015) by [Church of England \(Miscellaneous Provisions\) Measure 2014 \(No. 1\)](#), ss. **12(2)**, 21(2); S.I. 2014/2077, art. 2(2) (with Sch. para. 4))
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Commencement Information

- I1** S. 88 in force at 1.7.2012 by [S.I. 2012/1](#), art. 2

Changes to legislation:

There are currently no known outstanding effects for the Mission and Pastoral Measure 2011, Section 88.