



Benefices Measure 1972

1972 No. 3

A Measure passed by the General Synod of the Church of England to provide an additional ground for refusing to institute or admit a presentee to a benefice, and for purposes connected therewith. [10th February 1972]

Commencement Information

II Measure wholly in force at Royal Assent.

1 Additional ground for refusing to institute.

- (1) Where a clerk in Holy Orders who has not previously held a benefice or the office of vicar in a team ministry is presented to a benefice, the grounds on which the bishop may in his discretion refuse to institute or admit him to the benefice shall include the following additional ground, namely, that the presentee has had no experience or less than three years' experience as a full-time parochial minister.
- (2) Where the bishop refuses to institute or admit a presentee on the ground aforesaid, he shall signify in writing the refusal and ground thereof to the person presenting to the benefice and the presentee, and either of those persons may, within one month after the signification, appeal in writing to the archbishop of the province, who may either uphold the bishop's decision or direct him to institute or admit the presentee: Provided that where the bishop of the diocese is an archbishop, the appeal shall lie to the archbishop of the other province.

[^{F1}(2A) The procedure and practice on or in connection with proceedings on an appeal under subsection (2) above shall be in accordance with rules made under section 11 of the Benefices Act 1898.]

- (3) In this section—

“benefice” has the meaning assigned to it by section 89 of the ^{M1}Pastoral Measure 1968;

“bishop” means the bishop of the diocese and includes, during a vacancy in a see, the guardian of the spiritualities;

Changes to legislation: There are currently no known outstanding effects for the Benefices Measure 1972. (See end of Document for details)

“parochial minister” means an assistant curate or curate in charge licensed to a parish.

Textual Amendments

F1 S. 1(2A) inserted (1.6.1992) by Church of England (Miscellaneous Provisions) Measure 1992 (No. 1), s. 17(1), **Sch. 3 para.11**; Instrument dated 27.5.1992 made by the Archbishops of Canterbury and York.

Marginal Citations

M1 1968 No. 1.

2 Extent and application.

- (1) This Measure extends to the whole of the provinces of Canterbury and York, except the Channel Islands and the Isle of Man, but may be applied to the Channel Islands or either of them, as defined in the ^{M2}Channel Islands (Church Legislation) Measures 1931 and ^{M3}1957, in accordance with those Measures.
- (2) This Measure applies to benefices in the patronage of the Crown or the Duchy of Cornwall.
- (3) References in section 1 of this Measure to the previous holding of a benefice or the office of vicar in a team ministry and to experience as a full-time parochial minister shall be construed as applying to any benefice or any such office and any parish in the provinces of Canterbury and York and to any benefice (or corresponding office) and any parish in the Church in Wales, the Church of Ireland or the Episcopal Church of Scotland.

Marginal Citations

M2 1931 No. 4.

M3 1957 No. 1.

3 Short Title.

This Measure may be cited as the Benefices Measure 1972.

Changes to legislation:

There are currently no known outstanding effects for the Benefices Measure 1972.