



# Incumbents (Vacation of Benefices) Measure 1977

## CHAPTER 1

### INCUMBENTS (VACATION OF BENEFICES) MEASURE 1977

#### PART I

##### INSTITUTION OF ENQUIRY INTO PASTORAL SITUATION IN A PARISH

- 1 Code of Practice as to reconciliation.
- 1A Request for enquiry into pastoral situation in a parish.
- 2 Action to be taken by archdeacon in certain cases before institution of enquiry.
- 3 Institution of enquiry.
- 4 Provisions with respect to resignation of benefice by incumbent.
- 5 Enquiry to be conducted by provincial tribunal.

#### PART II

##### INSTITUTION OF ENQUIRY INTO DISABILITY OF INCUMBENT

- 6 Enquiry whether incumbent is unable to discharge duties by reason of age or infirmity.

#### PART III

##### ENQUIRIES AND SUBSEQUENT PROCEEDINGS

- 7 Constitution and procedure of committees and tribunals.
- 7A Medical examinations.
- 8 Ancillary provisions with respect to enquiry under Part I.
- 9 Report to be made to the bishop.
- 9A Inhibition in disability cases.

- 10 Powers of bishop in cases of breakdown of pastoral relationship.
- 11 Powers of bishop in cases of disability of incumbent.
- 12 Provisions supplementary to ss. 10 and 11.
- 12A Right of appeal against findings of tribunal
- 13 Compensation.
- 14 Provision with respect to pension of incumbent found to be unable to perform duties attaching to benefice.

#### PART IV

##### SUPPLEMENTAL

- 15 .....
- 16 Certain expenses to be paid by Diocesan Board of Finance.
- 17 Exercise of powers of bishop during absence abroad, etc.
- 18 Procedural rules.
- 19 Meaning of “benefice”.
- 19A Meaning of references to pastoral situation.
- 20 Amendments and repeal.
- 21 Short title, extent and commencement.

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#### SCHEDULE 1 — PANELS AND TRIBUNALS

##### PART 1 — GENERAL PANELS

##### *Membership*

- 1 (1) A panel of twelve persons is to be appointed...

##### *Period of service*

- 2 (1) An appointment under paragraph 1(1) or (2) is for...

##### PART 2 — PROVINCIAL TRIBUNALS

##### *Membership*

- 3 (1) A provincial tribunal is to consist of five persons...

##### *Requirement to constitute tribunals*

- 4 (1) Where the secretary of a diocesan synod is required...

##### *Right of objection*

- 5 (1) The incumbent may, within three weeks after a list...

##### *Circulation of list of members*

- 6 As soon as the provincial tribunal which is to conduct...

##### *Secretary*

- 7 (1) The Synodical Secretary of the Convocation of Canterbury, or...

##### PART 3 — APPEAL PANELS

*Introductory*

- 8 Each of the Appeal Panels established under section 12A is...

*Membership*

- 9 (1) The Dean of the Arches and Auditor is to...

*Secretary*

- 10 (1) The registrar of each province must appoint a secretary...

*Expenses*

- 11 The expenses of an Appeal Panel in connection with an...

*Rules*

- 12 (1) The Rule Committee may make rules prescribing the procedure...

PART 4 — TRANSITIONAL PROVISIONS

*Continuation of existing memberships*

- 13 (1) Each person who, immediately before commencement, was a member...

Schedule 2 — Compensation Under Section 13

- 1 (1) If agreement as to the form, amount and conditions...  
2 (1) The basic award shall be in the form of...  
3 (1) The housing allowance shall be in the form of...  
4 The resettlement allowance shall be a single payment of an...  
5 (1) Subject to paragraph (2) below, if a person who...  
6 An application for compensation shall be made to the diocesan...  
7 The cost of compensation shall be borne by the diocesan...  
8 (1) In this Schedule— “ compensation ” means compensation under...

SCHEDULE — CONSTITUTION AND PROCEDURE OF DIOCESAN COMMITTEES AND PROVINCIAL TRIBUNALS

Part I — CONSITUTION OF DIOCESAN COMMITTEES

- 1 The members of a diocesan committee of enquiry shall consist...  
2 (1) As soon as practicable after the passing of this...  
3 (1) The secretary of the diocesan synod shall constitute a...  
4 (1) The incumbent concerned may, within ten days after a...  
5 In the case of an enquiry under Part I of...

Part II — CONSTITUTION OF PROVINCIAL TRIBUNALS

- 6 (1) A provincial tribunal shall consist of five persons appointed...  
7 (1) Where in accordance with section 5(4) of this Measure...  
8 (1) The incumbent concerned may, within three weeks after a...  
9 As soon as the provincial tribunal which is to conduct...  
10 The Synodical Secretary of the Convocation of Canterbury or some...

Part III — PROCEDURE

- 11 A diocesan committee of enquiry (hereafter referred to as “the...  
12 (1) Any person may make written representations to the committee...  
13 (1) The incumbent concerned shall be entitled to appear before,...  
14 (1) Subject to sub-paragraphs (2) and (3) below, the proceedings...  
15 (1) Not less than fourteen days’ notice of the date,...

**Changes to legislation:** *There are currently no known outstanding effects for the Incumbents (Vacation of Benefices) Measure 1977. (See end of Document for details)*

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- 16 (1) If during the course of any enquiry any one...
- 17 For the purposes of this Part of this Schedule the...
- 18 Subject to the provisions of this Measure and of any...

**Changes to legislation:**

There are currently no known outstanding effects for the Incumbents (Vacation of Benefices) Measure 1977.