



Pastoral Measure 1983

CHAPTER 1

PASTORAL MEASURE 1983

PART I

PROCEDURE FOR MAKING PASTORAL SCHEMES AND ORDERS

Pastoral committees

- 1 Constitution and procedure of pastoral committees.
- 2 Duties of pastoral committees.
- 3 Formulation and submission to bishop of draft proposals.
- 4 Approval by bishop of draft proposals.
- 5 Amendment of proposals and preparation of draft scheme or order by Commissioners.
- 6 Notice and publication of draft schemes or orders.
- 7 Amendment of draft schemes or orders.
- 8 Making of schemes or orders.
- 9 Confirmation of schemes by Order in Council.
- 10 Transmission of copies of Order in Council or order.
- 11 Validity and operation of schemes and orders.

Modified procedure for schemes and orders affecting more than one diocese

- 12 Limited extension of diocesan proposals and schemes to other dioceses.
- 13 Joint pastoral committees.

Supplementary

- 14 Power of bishop to formulate and submit proposals on certain matters.
- 15 Withdrawal of scheme or order at request of bishop.
- 16 Supplementary powers of Commissioners and pastoral committees.

*Status: Point in time view as at 01/04/1994.**Changes to legislation: Pastoral Measure 1983 (repealed) is up to date with all changes known to be in force on or before 02 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

PART II

CONTENTS AND EFFECT OF PASTORAL SCHEMES AND ORDERS

Changes in benefices, parishes, extra-parochial places, archdeaconries and deaneries

- 17 Creation, alteration or dissolution of benefices, parishes and extra-parochial places.
- 18 Holding of benefices in plurality.
- 19 Archdeaconries and deaneries.

Team and group ministries

- 20 Establishment of team ministries.
- 20A Team ministries established under 1968 Measure.
- 21 Establishment of group ministries.
- 22 Termination and alteration of team ministries and group ministries.

Other provisions as to clergy and ministry

- 23 Status and duties of new benefices.
- 24 Designation, selection and admission of certain incumbents.
- 25 Operation of schemes dispossessing clergy or dissolving archdeaconries or deaneries.
- 26 Compensation of clergy.

Churches, churchyards and parsonage houses

- 27 Provisions as to parish churches.
- 28 Redundant churches.
- 29 Places of worship.
- 30 Use of certain churchyards and burial grounds.
- 31 Parsonage houses.
- 32 Patronage

Endowments, stipends and other remuneration

- 33 Provisions as to endowments, income, etc.

Provisions as to sinecures

- 34 Sinecure rectories and chapelries.

Pastoral schemes affecting more than one diocese

- 35 Limited extension of pastoral schemes to other dioceses.
- 36 Schemes for the alteration of diocesan boundaries.

Pastoral orders

- 37 Powers exercisable by pastoral order.

Supplementary

- 38 Supplementary provisions of pastoral schemes and orders.
- 39 Amendment and revocation of pastoral schemes and orders.
- 40 Application of Schedule 3 containing supplementary provisions and powers.

Status: Point in time view as at 01/04/1994.

Changes to legislation: Pastoral Measure 1983 (repealed) is up to date with all changes known to be in force on or before 02 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

PART III

REDUNDANT CHURCHES

Appointment of statutory bodies for purposes relating to redundant churches

- 41 Appointment of Advisory Board for Redundant Churches.
- 42 Appointment of diocesan redundant churches uses committees.
- 43 Commissioners to appoint Committee with duties in respect of redundant churches.
- 44 Appointment of Redundant Churches Fund.
- 45 Power to establish new body to replace the Advisory Board and the Redundant Churches Fund

Redundancy provisions in pastoral schemes

- 46 Provision by pastoral scheme for appropriation or demolition of redundant church to be replaced by new church.
- 47 Other provision by pastoral scheme for redundant church.
- 48 No other cases to be dealt with by pastoral scheme.

Redundancy schemes

- 49 Waiting period.
- 50 Procedure for making redundancy schemes.
- 51 Contents of redundancy schemes.
- 52 Application of remainder of proceeds of sales and other disposals.
- 53 Orders of Commissioners determining or varying payments to Redundant Churches Fund.
- 54 Redundancy schemes in respect of churches closed or demolished otherwise than under this Measure.
- 55 Schemes under Charities Act 1960 for redundant chapels belonging to charities.
- 56 Churches not to be closed or disposed of otherwise than under this Measure.

Amendment and revocation of redundancy schemes and redundancy provisions in pastoral schemes

- 57 Amendment of redundancy schemes and provisions.
- 58 Restoration of redundant building to use as a church building.

Vesting of property and other supplementary provisions

- 59 Vesting of property.
- 60 Rights of way and other easements.
- 61 Removal of legal effects of consecration of buildings and land.
- 62 Power to impose and enforce covenants.
- 63 Trusts for the repair etc. of redundant buildings and contents.
- 64 Disposal of font, communion table and plate, and other contents.
- 65 Disposal of human remains.

Preservation of redundant churches by Secretary of State

- 66 Transfer of redundant churches to Secretary of State.

*Status: Point in time view as at 01/04/1994.**Changes to legislation: Pastoral Measure 1983 (repealed) is up to date with all changes known to be in force on or before 02 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)***PART IV**

MISCELLANEOUS, ADMINISTRATIVE AND GENERAL

Restrictions on presentation

- 67 Suspension of presentation for period not exceeding five years.
- 68 During suspension period sequestration of profits and other matters.
- 69 Restrictions on presentation pending the making of pastoral schemes and orders.
- 70 Modification of Benefices (Exercise of Rights of Presentation) Measure 1931 where presentation is suspended or restricted.
- 71
- 72
- 73 Suspension of new rights of patronage.

Miscellaneous provisions

- 74 Priest in charge to replace incumbent as trustee of certain charities during vacancy in benefice, etc.
- 75 Induction in one parish church.
- 76 Grant of land for new churches etc and vesting of certain churches.

Administrative provisions

- 77 Diocesan pastoral accounts.
- 78 Payment of expenses from diocesan pastoral accounts, and application of other moneys therein.
- 78A Temporary maintenance account.
- 79 Power of Commissioners to determine boundaries.
- 80 Power of Commissioners to determine questions relating to patronage.
- 81 Application to benefices in the patronage of the Crown or Duke of Cornwall.
- 82 Patrons who are minors.
- 83 Provisions as to notices and other documents.
- 84 Provisions where there is no parochial church council, incumbent, etc.

General provisions

- 85 Pluralities not to be authorised except under Measure.
- 86 Meaning of “benefice” and “parish”.
- 87 General interpretation.
- 88 Saving for planning legislation.
- 89 Provisions as to guild churches.
- 90 Churches, etc. affected by private and local Acts.
- 91 Preservation of amendment of section 5(3) of the Parsonages Measure 1938.
- 92 Transitional provisions.
- 93 Repeals.
- 94 Short title, extent and commencement.

SCHEDULES**SCHEDULE 1 — Constitution and procedure of the pastoral committee of a diocese**

Status: Point in time view as at 01/04/1994.

Changes to legislation: Pastoral Measure 1983 (repealed) is up to date with all changes known to be in force on or before 02 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 1 The Bishop shall be a member of the pastoral committee...
- 2 If the bishop does not desire to be the chairman...
- 3 Every suffragan bishop in the diocese and the archdeacon of...
- 4 The diocesan board of finance, the diocesan parsonages board (if...
- 5 The remaining members of the committee shall be appointed or...
- 6 Members (other than ex officio members) of the committee shall...
- 7 Not less than one-third of the members of the committee...
- 8 The committee may act notwithstanding any vacancy in their membership....
- 9 Every question submitted to a meeting of the committee shall...
- 10 The committee shall have power to appoint sub-committees and to...
- 11 Where in accordance with section 3(5) or (6) any person...
- 12 Subject to the foregoing provisions of this Schedule and to...

SCHEDULE 2 — Appeals to the Judicial Committee of the Privy Council

- 1 Any person who intends to apply for leave to appeal...
- 2 Where five or more persons acting jointly duly made written...
- 3 If the Clerk of the Privy Council is satisfied that...
- 4 Within the period of 28 days beginning with the date...
- 5 The Judicial Committee of the Privy Council shall consider an...
- 6 After receiving notice that leave to appeal has been granted...
- 7 The Commissioners shall without delay after receiving the said copy...
- 8 Except with the leave of the Judicial Committee of the...
- 9 An appeal shall be set down as soon as the...
- 10 A map showing clearly the boundaries of any ecclesiastical area...
- 11 Where an appellant, having been granted leave to appeal under...
- 12 All bills of costs under any order of the Judicial...
- 13 The Judicial Committee of the Privy Council may give such...

SCHEDULE 3 — Supplementary Provisions Applicable to Matters Arising out of Pastoral Schemes and Orders

Team and group ministries

- 1 (1) A pastoral scheme establishing a team ministry shall provide...
- 2 (1) A pastoral scheme establishing a team ministry which provides...
- 3 Where a group ministry is established by a pastoral scheme...
- 4 (1) Where a pastoral scheme establishes a team ministry, the...

Admission and induction to benefices

- 5 (1) Any person who is designated by or selected under...

Patronage rights

- 6

General provisions as to vesting of property

- 7 (1) Where a pastoral scheme creates a new benefice by...

Loans

- 8 (1) This paragraph applies to loans made under any Act...

Status: Point in time view as at 01/04/1994.

Changes to legislation: Pastoral Measure 1983 (repealed) is up to date with all changes known to be in force on or before 02 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Property transferred to diocesan board of finance

- 9 (1) Where any property is transferred under section 31 by...

Crediting of sums to and adjustment of funds and accounts by Commissioners

- 10 Where by virtue of this Measure or a pastoral scheme...

Church and parochial trusts

- 11 (1) Where any benefice is dissolved by a pastoral scheme,...

Parochial church meetings and councils

- 12 (1) A pastoral scheme which creates a new parish may...
13 (1) Where a pastoral scheme provides for two or more...

Marriages and banns of matrimony

- 14 (1) Section 10(1) of the Marriage Act 1949 (which provides...

Burial rights in new or altered parishes

- 15 (1) On a union of parishes by virtue of a...

Provisions relating only to pastoral schemes affecting diocesan boundaries

- 16 (1) Where a benefice or parish or extra-parochial place is...

SCHEDULE 4 — Compensation of Clergy

- 1 The incumbent of a benefice dissolved by a pastoral scheme...
2 Where the incumbent of a benefice for which a team...
3 Where the incumbent of a benefice, being a benefice for...
4 If the incumbent of any benefice or the archdeacon of...
5 Without prejudice to the generality of the foregoing provisions, the...
6 The right to and the amount of compensation payable under...
7 (1) The compensation shall consist of periodical payments or a...
8 In determining whether any claimant has suffered loss giving a...
9 If any person who is receiving compensation under this Schedule...
10 Any person who has been refused compensation under this Schedule...
11 If any person who is claiming or receiving or has...
12 It shall be the duty of every claimant and every...
13 (1) Subject as hereinafter provided, where any benefice, archdeaconry
or...
14 (1) The functions of the pastoral committee under this Schedule...
15 (1) For the purposes of this Schedule there shall be...
16 (1) The Commissioners may make rules prescribing the procedure to...
17
18 Payments of compensation under this Schedule shall be made by...

SCHEDULE 5 — Statutory Bodies Appointed for Purposes of Part III of Measure*Advisory Board for Redundant Churches*

- 1 Neither the chairman nor any other member of the Advisory...
2 The members of the Advisory Board for Redundant Churches shall...
3 The Board may act notwithstanding a vacancy among its members....

Status: Point in time view as at 01/04/1994.

Changes to legislation: Pastoral Measure 1983 (repealed) is up to date with all changes known to be in force on or before 02 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 4 The quorum of the Board shall be three or such...

Diocesan redundant churches uses committees

- 5 The diocesan redundant churches uses committee of a diocese shall...
6 The chairman and other members of the committee shall hold...
7 The bishop may appoint, or the committee may co-opt, other...
8 The bishop may appoint a member of the committee who...
9 Any of the bodies by whom a member of the...
10 The secretary of the committee shall be appointed by the...
11 The committee may act notwithstanding any vacancy among its members....
12 The quorum of the committee shall be three or such...

Redundant Churches Fund

- 13 The members of the Redundant Churches Fund shall hold office...
14 The Fund may act notwithstanding any vacancy among its members....
15 The quorum of the Fund shall be three or such...

SCHEDULE 6 — Disposal of Human Remains

- 1 The body or person in whom the building, part of...
2 Any notice required to be published and served as aforesaid...
3 (1) The personal representatives or relatives of any deceased person...
4 Any human remains interred in the building or land which...
5 Any tombstone, monument or other memorial commemorating any deceased person...
6 Any tombstone, monument or other memorial not disposed of in...
7 The removal of all human remains shall be effected, and...
8 Upon any removal of remains a certificate of removal and...
9 Any tombstone, monument or other memorial not disposed of in...
10 Where any tombstone, monument or other memorial is removed from...
11 The requirements of this Schedule shall be in addition to...
12 In this Schedule “commonwealth war burial” means a burial of...

SCHEDULE 7 — Sequestration of Benefice Property during Suspension Period

- 1 During any suspension period the sequestrators in addition to exercising...
2 (1) Notwithstanding anything to the contrary contained in any Act...
3 Moneys received by the Commissioners from the sequestrators under paragraphs...
4 Where a suspension period immediately follows a period during which...
5 The sequestrators shall annually at such date as the bishop...
6 Where, on the termination of a suspension period in respect...

SCHEDULE 8 —

Transitional Provisions

- 1 (a) Any pastoral scheme, pastoral order or redundancy scheme which...
2 If before the commencement of this Measure any notice has...
3 Where immediately before the commencement of this Measure any person...

Status: Point in time view as at 01/04/1994.

Changes to legislation: Pastoral Measure 1983 (repealed) is up to date with all changes known to be in force on or before 02 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 4 Section 15 of the Reorganisation Areas Measure 1944 shall continue...
- 5 Where any such scheme or order as is mentioned in...
- 6 Where a building has been declared redundant before the
commencement...
- 7 In any case where, before the commencement of this Measure—...
- 8 The requirements of paragraph 5 of Schedule 1, that not...
- 9 (1) Subject to sub-paragraph (2) the powers conferred by section...
- 10 If any difficulty or question arises as to the effect...
- 11 For the purposes of this Schedule, (a) a pastoral scheme...
- 12 Any right of patronage created under any of the provisions...
- 13 In this Schedule references to the Pastoral Measure 1968 are...
- 14 Nothing in this Schedule shall be taken as prejudicing the...

SCHEDULE 9 — Repeals

Status:

Point in time view as at 01/04/1994.

Changes to legislation:

Pastoral Measure 1983 (repealed) is up to date with all changes known to be in force on or before 02 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.