

Status: Point in time view as at 01/06/1992.

Changes to legislation: There are currently no known outstanding effects for the Pastoral Measure 1983 (repealed), SCHEDULE 7. (See end of Document for details)

SCHEDULES

SCHEDULE 7

Section 68.

SEQUESTRATION OF BENEFICE PROPERTY DURING SUSPENSION PERIOD

- 1 [F1During any suspension period the sequestrators] in addition to exercising any powers vested in them by the M1Benefices (Sequestrations) Measure 1933 or by the general law relating to sequestrations, may, with the consent of the bishop, exercise in relation to any property of the benefice any other power which an incumbent would have if the benefice were full, not being a power which by the provisions of any Act or Measure is exercisable during a vacancy by the bishop or the Commissioners.

Textual Amendments

- F1** Words in Sch. 7 para. 1 substituted (1.6.1992) by Church of England (Miscellaneous Provisions) Measure 1992 (No. 1), s. 17(1), Sch. 3 para. 25(a); Instrument dated 27.5.1992 made by the Archbishops of Canterbury and York.

Marginal Citations

- M1** 1933 No. 4.

- 2 (1) Notwithstanding anything to the contrary contained in any Act or Measure, the sequestrators shall, subject to the provisions of sub-paragraph (2), apply the income of the benefice accruing during the vacancy—
- (a) in payment to the bishop of all expenses incurred by him under sections 67 and 68;
 - (b) in payment of all expenses properly incurred in the collection of the income of the benefice;
 - (c) in payment of all expenses incurred in making provision for the performance of the ecclesiastical duties of the benefice, including that of accommodation;
 - (d) in payment of all expenses properly incurred in the exercise of the powers or the performance of the duties by law belonging to sequestrators or conferred or imposed on them by the Benefices (Sequestrations) Measure 1933, or by this Measure, including the payment of any sequestrator who is professionally qualified his proper professional charges for work undertaken by him;
 - (e) in payment of the stipend and expenses of accommodation of an assistant curate.
- (2) During the course of the suspension period the sequestrators may, with the consent of the bishop, and shall, on the direction of the bishop, pay part of the balance in their hands to the Commissioners.

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- (3) At the close of the sequestration the sequestrators shall pay the balance in their hands, as certified by the bishop or some person duly authorised by him, to the Commissioners.
- 3 Moneys received by the Commissioners from the sequestrators under paragraphs 2(2) or (3) shall be allocated to the income account of the diocesan stipends fund.
- [^{F24} Where a suspension period immediately follows a period during which a benefice has been vacant, the foregoing provisions of this Schedule shall apply to any balance in the hands of the sequestrators at the beginning of the suspension period as if it were income of the benefice accruing during that period.]

Textual Amendments

- F2** Sch. 7 para. 4 substituted (1.6.1992) by [Church of England \(Miscellaneous Provisions\) Measure 1992 \(No. 1\)](#), s. 17(1), **Sch. 3 para. 25(b)**; Instrument dated 27.5.1992 made by the Archbishops of Canterbury and York.

- 5 The sequestrators shall annually at such date as the bishop may direct and as soon as possible after the close of the sequestration render to the bishop duly audited income and expenditure accounts and shall furnish such information with respect thereto as the bishop may require.
- 6 Where, on the termination of a suspension period in respect of any benefice, there immediately follows a further period during which the profits of the benefice are sequestrated, the suspension period shall, for the purposes of this Schedule, be deemed to extend to and include that further period.

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