



Church of England (Miscellaneous Provisions) Measure 1992 (No. 1)

1992 No. 1

PART I

MISCELLANEOUS PROVISIONS

9 Amendment of Cathedrals Measure 1976

(1) The Cathedrals Measure 1976 shall have effect subject to the following amendments.

(2) In section 3 (confirmation of scheme by Order in Council)—

- (a) in subsection (1) for the words from “to appeal” to the end there shall be substituted the words “, on obtaining the leave of the Judicial Committee of the Privy Council, to appeal to Her Majesty in Council and shall specify such date as may be determined by the Commission, being a date not less than twenty-eight days after the service of the notice, on or before which an application for such leave must be made.

When submitting a scheme for confirmation by Her Majesty in Council the Commission shall inform the Clerk of the Privy Council of the date which is to be specified in notices under this subsection relating to the scheme.”;

- (b) in subsection (2) for the words from “by lodging notice of appeal” to the end there shall be substituted the words “, but only with the leave of the Judicial Committee of the Privy Council”;

(c) for subsection (3) there shall be substituted the following subsection—

“(3) If—

- (a) no application for leave to appeal is made on or before the date specified in notices under subsection (1) above; or
(b) the Judicial Committee refuses to grant such leave; or
(c) an appellant, having been granted leave to appeal under this section, fails to lodge his petition of appeal within a period

Status: This is the original version (as it was originally enacted).

of three months beginning with the date on which leave was granted or such extended period as the Registrar of the Privy Council may allow,

Her Majesty may by Order in Council confirm the scheme.”;

- (d) in subsection (4) for the words from the beginning to “Judicial Committee of the Privy Council” there shall be substituted the words “If leave to appeal is granted and a petition of appeal is lodged within the said period or extended period, the Judicial Committee of the Privy Council shall hear the appeal”.
- (3) In section 4 (publication of notice of confirmation of scheme)—
- (a) subsection (1) shall be omitted;
- (b) in subsection (2) for the words “such Order in Council” there shall be substituted the words “Order in Council by which a scheme is confirmed under section 3 of this Measure”.
- (4) In section 5 (supplementary provisions with respect to schemes) in subsection (1) for the words from “notice” to the end there shall be substituted the words “the Order in Council is made”.
- (5) Nothing in subsection (2) above shall affect any right of appeal under section 3 of the said Measure in respect of a scheme made under section 2 before the coming into force of this section, and the said section 3 shall continue to have effect in respect of such a scheme as if the said subsection (2) had not been enacted.