



Church of England (Miscellaneous Provisions) Measure 2010

2010 No. 1

10 Cathedrals

- (1) It is hereby declared that the corporate body of a cathedral established under section 9(1)(a) of the Cathedrals Measure 1999 (1999 No. 1) is an ecclesiastical corporation for the purposes of section 96(2) of the Charities Act 1993 (c. 10).
- (2) For section 43 of the Cathedrals Measure 1963 (1963 No. 2) there shall be substituted the following section—

“43 Further provisions as to Oxford

- (1) The bishop shall have power after consulting, first, the dean and then the dean and chapter, to appoint non-residentiary canons in the cathedral church of Christ in Oxford as follows—
 - (a) not more than 35 who are clerks in holy orders either of the Church of England or of a Church in communion with the Church of England,
 - (b) not more than 10 lay canons, being lay persons who are actual communicants within the meaning of the Church Representation Rules contained in Schedule 3 to the Synodical Government Measure 1969 and who, in the opinion of the bishop, have given distinguished service to the diocese of Oxford or to the cathedral church and who have an active commitment to and concern for the life of the cathedral church and its mission and service, and
 - (c) not more than 5 persons who shall be known as “ecumenical canons”, being persons who are baptised and members in good standing of a Church (not in communion with the Church of England) which subscribes to the doctrine of the Holy Trinity.
- (2) A non-residentiary canon appointed under subsection (1)(a) or under subsection (1) as originally enacted shall, unless the bishop otherwise determines, vacate that office—

Status: Point in time view as at 01/07/2010. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Church of England (Miscellaneous Provisions) Measure 2010, Section 10. (See end of Document for details)

- (a) on ceasing to be beneficed, or licensed to serve, in the diocese of Oxford, or
 - (b) on attaining the age of 70 years,whichever event first occurs.
- (3) A non-residentiary canon appointed under subsection (1)(b) or (c) shall hold that office in accordance with the terms of his or her appointment, which shall be specified by the bishop and agreed by him with the dean and chapter of the cathedral church and the terms of appointment shall specify the duration of the appointment, the circumstances in which it can be terminated and such other conditions as the bishop thinks fit.
- (4) The bishop may confer the title of canon emeritus in the cathedral church on any non-residentiary canon who vacates that office under subsection (2) or in accordance with subsection (3).
- (5) The dean and chapter of the cathedral church may, after consulting the bishop, confer the title of canon emeritus on—
 - (a) any former residentiary canon of the cathedral church,
 - (b) any former canon who filled the additional canonry created under section 42, and
 - (c) any former lay canon appointed in accordance with section 2 of the Church of England (Miscellaneous Provisions) Measure 1995 (1995 No. 2).
- (6) Subsection (5) applies whether the former canon held office before or after the coming into force of section 10 of the Church of England (Miscellaneous Provisions) Measure 2010 (2010 No. 1).
- (7) There shall be a college of canons of the cathedral church, the membership of which shall consist of—
 - (a) the dean,
 - (b) every suffragan bishop of the diocese of Oxford,
 - (c) every full-time stipendiary assistant bishop of the diocese,
 - (d) every canon (including any lay canon), and
 - (e) every archdeacon of the diocese.
- (8) The College of Canons shall—
 - (a) receive and consider any report of the dean and chapter relating to the management and activities of the cathedral church, including any financial statement, and
 - (b) discuss such matters concerning the cathedral church as may be raised by any of the members.
- (9) Without prejudice to subsection (8), the rights and duties of non-residentiary canons and of canons emeriti in the cathedral church shall be determined from time to time by the dean and chapter of the cathedral church with the agreement of the bishop.
- (10) If a question arises whether a Church is in communion with the Church of England for the purposes of subsection (1) that question shall be determined in like manner as it is determined for the purposes of the Overseas and Other Clergy (Ministry and Ordination) Measure 1967 (1967 No. 3).

Status: Point in time view as at 01/07/2010. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Church of England (Miscellaneous Provisions) Measure 2010, Section 10. (See end of Document for details)

- (11) In this section “the dean and chapter” means the body consisting of the dean and all the residentiary canons, including the canon who fills the additional canonry created under section 42.”.
- (3) The Care of Cathedrals Measure 1990 (1990 No. 2) shall be amended as follows—
- (a) after section 2(1)(a)(iii) there shall be added the following sub-paragraph—
 - “(iv) any human remains within the precinct of the cathedral church, or”;
 - (b) in section 3(2)(a) after the word “archaeological” there shall be inserted the words “ or human ”;
 - (c) in section 6(1)(a)(iii) after the word “archaeological” there shall be inserted the words “ or human ”;
 - (d) in section 11A(d) after the word “archaeological” there shall be inserted the words “ or human ”; and
 - (e) in section 13(4) for the words “archaeological remains” there shall be substituted the words “ archaeological or human remains ”.

Commencement Information

II S. 10(1)(3) in force at 1.7.2010 by S.I. 2010/2, art. 2, Sch. 1

Status:

Point in time view as at 01/07/2010. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Church of England (Miscellaneous Provisions) Measure 2010, Section 10.