



Church of England (Miscellaneous Provisions) Measure 2024

2024 No. 1

Ecclesiastical offices

5 Terms of service

- (1) In regulation 2 of the Ecclesiastical Offices (Terms of Service) Regulations 2009 (interpretation), after paragraph (3) insert—

“(3A) These Regulations do not apply to a person licensed under section 2A of the Extra-Parochial Ministry Measure 1967 (ministry by member of religious community) in respect of the performance of offices or services in accordance with that licence.”

- (2) In consequence of subsection (1), in paragraph (2) of that regulation, for “paragraph (3)” substitute “paragraphs (3) and (3A)”.

- (3) In regulation 3 of those Regulations (statement of initial particulars of office), after paragraph (5) insert—

“(6) The Archbishops’ Council may issue guidance on the preparation of a statement under this regulation.

(7) A person preparing a statement under this regulation must, in doing so, have regard to any guidance that is issued under paragraph (6).”

- (4) In regulation 19 of those Regulations (continuing ministerial education), in paragraphs (1) and (3) and in the title, for “continuing ministerial education” substitute “continuing ministerial development”.

- (5) In consequence of subsection (4), in the cross-heading preceding regulation 18 of those Regulations, for “continuing ministerial education” substitute “continuing ministerial development”.

- (6) The amendments made by this section do not affect the power to make further regulations amending or revoking the provision made by those amendments.

Changes to legislation: There are currently no known outstanding effects for the Church of England (Miscellaneous Provisions) Measure 2024, Cross Heading: Ecclesiastical offices. (See end of Document for details)

Commencement Information

II S. 5 in force at 25.1.2024, see s. 22(2)(d)

6 Delegation of episcopal functions

(1) After section 14 of the Dioceses, Pastoral and Mission Measure 2007 insert—

“14A Delegation of archbishop’s functions

- (1) Either archbishop may by an instrument made under hand delegate to the other archbishop, or to such diocesan, suffragan or assistant bishop as may be specified in the instrument, the exercise of the archbishop’s functions at any time when the archbishop is unable to exercise them.
- (2) An instrument under this section may not delegate a function which is capable of being delegated by an instrument under section 13 as a function which the archbishop has in the capacity as bishop of the diocese of Canterbury or, as the case may be, the diocese of York.
- (3) Subsections (2) to (7) and (9) to (15) of section 13 apply to an instrument under this section as they apply to an instrument under that section; and for that purpose—
 - (a) a reference to the bishop, or to the diocese of the bishop, is to be read as a reference to the archbishop, or to the province of the archbishop, making the delegation,
 - (b) a reference to the suffragan bishop is to the archbishop or other bishop to whom the delegation is made,
 - (c) a reference to the registrar of the diocese is a reference to—
 - (i) the registrar of the province of the archbishop making the delegation, and
 - (ii) (if the delegation is to the other archbishop) the registrar of the other province or (if the delegation is to a diocesan, suffragan or assistant bishop) the registrar of the diocese concerned, and
 - (d) a reference to the diocesan registry is to be construed consistently with a reference to the registrar of the diocese (as to which, see paragraph (c)).”
- (2) In section 13 of that Measure (delegation of certain functions of diocesan bishop to suffragan etc.), in subsection (1), omit the words from “except functions under any Canon” to the end.
- (3) In section 14 of that Measure (discharge of certain functions of bishop), in subsection (1), omit the words from “and functions under any Canon” to the end.
- (4) In section 16 of that Measure (legislation which confers functions on diocesan bishop), the existing text becomes subsection (1) and after that subsection insert—
 - “(2) Any Act, Measure or Canon which confers or imposes on an archbishop functions which by virtue of an instrument made under section 14A may be discharged by the other archbishop, or by the bishop specified in the

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instrument, has effect in the province subject to the provisions of the instrument for the time being in force, and references in that Act, Measure or Canon to the archbishop are to be construed accordingly.”

- (5) In consequence of subsection (4), in the title to section 16 of that Measure, after “a diocesan bishop” insert “or an archbishop”.

Commencement Information

I2 S. 6 in force at 25.1.2024, see s. 22(2)(e)

7 Lay residentiary canons

- (1) After section 14 of the Cathedrals Measure 2021 insert—

“14A Lay residentiary canons

- (1) A person who has been admitted to the office of reader or as a lay worker for at least six years and is licensed to exercise office or serve as such is capable of being appointed as a residentiary canon of a cathedral but only if, and in so far as, the constitution so provides.
- (2) A reference in this or any other Measure to a lay residentiary canon of a cathedral is a reference to a reader or lay worker appointed under provision included in the constitution by virtue of this section.
- (3) This section and any provision included in the constitution by virtue of it have effect in spite of—
 - (a) section 10 of the Act of Uniformity 1662 (which provides that only an episcopally ordained priest can be admitted to an ecclesiastical promotion or dignity), and
 - (b) section 27 of the Ecclesiastical Commissioners Act 1840 (which requires a person to have been in holy orders for at least six years to be capable of appointment to a residentiary canonry).”
- (2) Schedule 1 (which contains amendments that are ancillary to the amendment made by subsection (1)) has effect.
- (3) The Archbishops’ Council may by order make provision in consequence of this section; and an order under this section may—
 - (a) amend, repeal or revoke a provision of, or made under, the Cathedrals Measure 2021 or any other Measure;
 - (b) include transitional, transitory or saving provision in connection with the commencement of provision made by the order.
- (4) Schedule 1 does not restrict the power under this section to make consequential provision.
- (5) The amendment made by paragraph 8 of Schedule 1 does not affect the power to make further regulations amending or revoking the provision made by that amendment.

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Commencement Information

I3 S. 7 comes into force in accordance with s. 22(3)

8 Registered patron disqualified from election: exercise of patronage

In the Patronage (Benefices) Measure 1986, after section 25 (but before the following cross-heading) insert—

“25A Exercise of patronage where registered patron disqualified

- (1) Where the registered patron of a benefice or the representative of that patron is disqualified under Rule 68 of the Church Representation Rules (safeguarding issues), the right of patronage is exercisable by the Diocesan Board of Patronage for the diocese for so long as the disqualification has effect.
- (2) Subsection (1) applies to a disqualification having effect immediately before the commencement of this section (as well as to a disqualification taking effect subsequently).”

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Commencement Information

I4 S. 8 in force at 25.1.2024, see s. 22(2)(f)

Changes to legislation:

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