
STATUTORY INSTRUMENTS

1987 No. 773

The Patronage (Benefices) Rules 1987

REGISTRATION AND TRANSFER OF RIGHTS OF PATRONAGE

Register

2. The registrar shall keep at the diocesan registry a register of rights of patronage (hereinafter called 'the register') required to be registered under the Measure.

3.—(1) The form of the register shall be in accordance with that prescribed by the Committee and shall contain in relation to each benefice in the diocese the following particulars—

- (a) the name of the benefice;
- (b) the date of registration of the interest of each registered patron;
- (c) the name, style and address, of each registered patron;
- (d) the interest of each registered patron;
- (e) the name, style and address of any transferee from a registered patron, the date of registration consequent upon that transfer and the interest registered;
- (f) the name of the patron collating a priest or presenting a priest for institution, the name of that priest and the date of his collation or institution to the benefice.

(2) In this rule "transfer" means a transfer inter vivos including a transfer by way of exchange, a transfer by operation of law, a transfer upon the appointment of a new trustee and a transfer by the personal representatives of a deceased person.

Advertising the compilation of the Register

4. Within six weeks of the coming into operation of the Measure, the registrar shall cause advertisements to be placed in such newspaper or newspapers circulating in the diocese as, after consultation with the bishop, he shall think fit. The advertisement shall state—

- (a) that the registrar has prepared a list of all persons whom he considers are entitled to be registered as patron of a benefice in the diocese;
- (b) that each person so listed will receive a notice concerning such registration and should acknowledge receipt of such notice;
- (c) that each person will be so registered at the end of the registration period as a patron of the benefice unless before that date some other person applies to be so registered or otherwise disagrees with the information submitted;
- (d) the hours during which, and the address at which the list may be inspected; and
- (e) that any person who, notwithstanding the fact that he is not named in the list, claims to be entitled to be registered as patron is required to obtain an application form from the registrar and lodge such form duly completed by 31st December 1988.

Application for registration

5.—(1) Subject to paragraph 1 of Schedule 1 of the Measure every application for registration shall be signed by or on behalf of the applicant who shall furnish the particulars required to be registered in the form prescribed by the Committee.

(2) Any person (not being a person named on the list prepared by the registrar) who, before the end of the registration period, applies to the registrar to be registered as patron of a benefice shall apply in accordance with the form prescribed by the Committee. Such person shall also be responsible for the proper charges of the registrar in respect of the investigation of a claim made under paragraphs 3, 4 or 5 of Schedule 1.

(3) Any such person shall at his own expense supply the registrar with all documents and other information as the registrar may require in order to examine the claim.

Failure to apply for Registration

6. If at the end of the registration period the registrar has received no acknowledgement from a prospective patron to whom he has sent a notice under rule 4(b) and no other person has claimed the right of patronage in question, the registrar shall send a second notice to the prospective patron giving him a further month within which to submit his acknowledgement of the notice and advising him that where no person is registered as the patron of a benefice the Measure provides that the Diocesan Board of Patronage for the diocese shall become the patron of that benefice and requires the registrar to register that Board as patron.

Registration of Transfers

7.—(1) On a transfer inter vivos the applicant shall send to the registrar with the instrument of transfer any notice of consent required by the Measure.

(2) On a transfer by personal representatives, the applicant shall send to the registrar with the instrument of transfer an Office Copy of the Grant of Probate or of the Letters of Administration to the estate of the deceased patron.

(3) Where it is necessary for a form in connection with a transfer prescribed under these Rules to be modified to meet the circumstances of a particular case, the registrar shall have power to agree to such modification.

Duty of registrar to register

8. On being satisfied with an application made in accordance with the Measure and these Rules, the registrar shall register a transferee as patron.

Notification of registration

9. On the completion of a registration the registrar shall send the patron, without charge, a certified copy of the relevant entry in the register.

Inspection of Register

10.—(1) The register shall be open to inspection at all reasonable times, and any person may make searches therein and make extracts therefrom on payment of such fees as may be prescribed in a Fees Order.

(2) The registrar shall, on request, supply a certified copy of an entry in the register on payment of such fee as may be prescribed in a Fees Order.