
STATUTORY INSTRUMENTS

2019 No. 1183

The Legislative Reform (Patronage of Benefices) Order 2019

Notification of vacancy

2.—(1) Section 7 of the 1986 Measure (notification of vacancies) is amended as follows.

(2) In subsection (1), omit “Subject to section 70 of the Pastoral Measure 1983,”.

(3) For subsection (2) substitute—

“(2) Where a benefice becomes vacant by reason of resignation or cession, the bishop shall, no later than the day on which the vacancy occurs, give notice of that fact to the designated officer of the diocese.

(2A) Where the bishop is aware that the benefice is shortly to become vacant by reason of resignation or cession, the bishop may give notice of that fact to the designated officer of the diocese; and where the bishop does so before the vacancy occurs, the bishop is to be regarded as having given the notice required under subsection (2).”

(4) In subsection (3), for “required to be given to the designated officer under subsection (1) or (2)” substitute “given to the designated officer under subsection (1), (2) or (2A)”.

(5) In subsection (4)—

(a) for “or (2)” substitute “, (2) or (2A)”, and

(b) omit “; and any such notice shall include such information as may be prescribed.”

(6) After subsection (4) insert—

“(4A) A notice under subsection (4) shall specify—

(a) the date on which the benefice became, or is expected to become, vacant,

(b) a date referred to in the notice as “the start date”, being either the date on which the notice is sent or, if the bishop so directs having had regard to all the circumstances, a date no later than three months after the date specified under paragraph (a), and

(c) such information about the procedure for filling the vacancy as may be prescribed or, if no such information is prescribed, such information as the designated officer considers will assist the registered patron and parochial church council in carrying out functions in respect of the vacancy.”

(7) After subsection (4A) (inserted by paragraph (6)) insert—

“(4B) In the case of a benefice in respect of which there is more than one registered patron, the designated officer shall also send the notice under subsection (4) to each person who would be entitled to present to the benefice on the next or any subsequent turn; and, when doing so, the officer must request each of those persons to provide an email address and such other contact details as may be specified in the request.”

(8) After subsection (4B) (inserted by paragraph (7)) insert—

“(4C) Subsections (1) to (2A) are subject to section 88 of the Mission and Pastoral Measure 2011 (which modifies this Measure in cases where presentation to a benefice is suspended or restricted).”

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(9) In section 88 of the Mission and Pastoral Measure 2011 (modification of 1986 Measure), in paragraph (d)—

- (a) after “section 7(4)” insert “and (4A)”, and
- (b) for “or (2)” substitute “, (2) or (2A)”.