



Mission and Pastoral etc. (Amendment) Measure 2018

2018 No. 4

12 Right of patronage to lapse to diocesan bishop

(1) In section 16 of the Patronage (Benefices) Measure 1986 (presentation to benefices remaining vacant for nine months), for subsection (1) substitute—

“(1) This section applies where a benefice becomes vacant and, at the end of the period of twelve months beginning with the day on which the vacancy arose or (if later) the day on which the bishop gave the notice under section 7, the bishop has not received—

- (a) a notice of presentation under section 13(6), or
- (b) if the bishop is the registered patron, an acceptance of any offer made by the bishop to collate a priest to the benefice.

(1A) The right of presentation to the benefice shall be exercisable by the bishop in accordance with this section.”

(2) In subsection (2) of that section, for “nine months” substitute “ twelve months ”.

(3) Omit subsections (3) and (4) of that section.

(4) In subsection (5) of that section—

- (a) for the words from the beginning to “the bishop,” substitute “ Before deciding on the priest to whom an offer to be collated to the benefice is to be made, the bishop shall consult ”,
- (b) for “nine months” substitute “ twelve months ”,
- (c) omit “the bishop or”, and
- (d) for the words from “the archbishop shall” to “as the case may be,” substitute “ the bishop shall not make any offer to that priest under this section unless the consent of ”.

(5) After subsection (5) of that section insert—

Changes to legislation: There are currently no known outstanding effects for the Mission and Pastoral etc. (Amendment) Measure 2018, Section 12. (See end of Document for details)

“(5A) Before the bishop has decided on the priest to whom an offer to be collated to the benefice is to be made, the parochial church council may resolve that the archbishop should instead make the decision; and where the parochial church council so resolves, the secretary to the council shall send a copy of the resolution to the archbishop.

(5B) Having received a copy of a resolution made under subsection (5A), the archbishop shall proceed to decide to whom an offer to be collated to the benefice is to be made; and once a priest accepts such an offer made by the archbishop, the archbishop shall send the bishop a notice presenting the priest to the bishop for admission to the benefice.”

(6) Omit subsection (6) of that section.

(7) This section applies only in relation to a vacancy arising in a benefice after the commencement of this section.

Commencement Information

II S. 12 in force at 1.7.2018 by S.I. 2018/722, art. 2(e)

Changes to legislation:

There are currently no known outstanding effects for the Mission and Pastoral etc. (Amendment) Measure 2018, Section 12.