

Status: Point in time view as at 01/01/2020.

Changes to legislation: There are currently no known outstanding effects for the Church Representation and Ministers Measure 2019, Cross Heading: Churchwardens Measure 2001. (See end of Document for details)

SCHEDULES

SCHEDULE 2

CHURCH REPRESENTATION RULES: CONSEQUENTIAL AMENDMENTS

Churchwardens Measure 2001

19 The Churchwardens Measure 2001 is amended as follows.

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Commencement Information

I1 Sch. 2 para. 19 in force at 1.1.2020 by S.I. 2019/1460, art. 2

20 In section 2 (general disqualifications), in subsection (3C), for “giving a waiver” substitute “deciding whether to give a waiver”.

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Commencement Information

I2 Sch. 2 para. 20 in force at 1.1.2020 by S.I. 2019/1460, art. 2

21 In section 4 (time of choosing churchwardens), in subsection (1), for “30th April” substitute “31st May”.

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Commencement Information

I3 Sch. 2 para. 21 in force at 1.1.2020 by S.I. 2019/1460, art. 2

22 In section 5 (meeting of parishioners to choose churchwardens), for subsection (4) substitute—

“(4) The notice shall, for a period including the last two Sundays before the meeting, be displayed—

- (a) in the case of the parish church or, where there is more than one church in the parish, each of those churches, on or near the principal door, and
- (b) in the case of each building in the parish licensed for public worship, in a location readily visible to members of the congregation.”

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Commencement Information

I4 Sch. 2 para. 22 in force at 1.1.2020 by S.I. 2019/1460, art. 2

23 After section 5 insert—

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“5A Election appeal

- (1) An appeal may be made against the allowance or disallowance of a vote in an election under section 4.
- (2) An appeal may be made against the result of an election under section 4.
- (3) An error in the church electoral roll of the parish is not a ground of appeal against the result of an election unless—
 - (a) it has been determined on an appeal under Rule 57 of the Church Representation Rules that an error was made in the roll or the question is awaiting determination under that Rule, and
 - (b) the error would or might be material to the result.
- (4) The allowance or disallowance of a vote is not a ground of appeal under this section against the result of an election unless the allowance or disallowance would or might be material to the result of the election.
- (5) An appeal under this section may be brought by—
 - (a) a person entitled to take part in the meeting of the parishioners for making the election, or
 - (b) a candidate in the election.
- (6) Notice of an appeal under this section—
 - (a) must be in writing, and
 - (b) must give brief particulars of the grounds of the appeal.
- (7) Notice of an appeal under this section must be given to the lay chair of the deanery synod (as defined by Rule 26(7) of the Church Representation Rules).
- (8) Notice of an appeal under subsection (1) must be given no later than 14 days after the vote in question was allowed or disallowed.
- (9) Notice of an appeal under subsection (2) must be given no later than 14 days after the result of the election is declared by the person presiding at the meeting.
- (10) Rules 60 and 61 of the Church Representation Rules (procedure on appeals) apply in relation to an appeal under subsection (1) or subsection (2) as they apply in relation to an appeal under Rule 57 or, as the case may be, Rule 58 which relates to the laity.”

Commencement Information

I5 Sch. 2 para. 23 in force at 1.1.2020 by S.I. 2019/1460, art. 2

24

In section 6 (admission)—

- (a) in each of subsections (1), (2) and (4), for “31st July”, in each place it appears, substitute “ 31st August ”, and
- (b) in subsection (3), for “July” substitute “ August ”.

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I6 Sch. 2 para. 24 in force at 1.1.2020 by S.I. 2019/1460, art. 2

- 25 In section 6A (suspension), in subsection (5), for “suspending a person in reliance on subsection (1)(b) or revoking” substitute “deciding whether to suspend a person in reliance on subsection (1)(b) or whether to revoke”.

Commencement Information

I7 Sch. 2 para. 25 in force at 1.1.2020 by S.I. 2019/1460, art. 2

- 26 In section 8(1) (vacation of office)—
- (a) in paragraph (a), for “rule 1” substitute “Rule 4”, and
 - (b) in paragraph (b), for “rule 2(4)” substitute “Rule 7”.

Commencement Information

I8 Sch. 2 para. 26 in force at 1.1.2020 by S.I. 2019/1460, art. 2

- 27 In section 13 (interpretation)—
- (a) in the definition of “minister”, for “rule 54(1)” substitute “Rule 83(1)”, and
 - (b) in the definition of each of “actual communicant”, “parish” and “public worship”, for the words from “have the same” to the end substitute “each have the same meaning as in the Church Representation Rules (see Rules 82 and 83)”.

Commencement Information

I9 Sch. 2 para. 27 in force at 1.1.2020 by S.I. 2019/1460, art. 2

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