



# Incumbents (Vacation of Benefices) Measure 1977

1977 No. 1

## PART II

### INSTITUTION OF ENQUIRY INTO DISABILITY OF INCUMBENT

#### 6 Enquiry whether incumbent is unable to discharge duties by reason of age or infirmity.

(1) Subject to subsection (2) below, in any case where the bishop of a diocese is satisfied that it is proper to do so he may by notice in writing instruct the secretary of the diocesan synod to [<sup>F1</sup>institute an enquiry as to whether] the incumbent of a benefice in the diocese is unable by reason of age or infirmity of mind or body to discharge adequately the duties attaching to his benefice and, if so, whether it is desirable that he should resign his benefice or be given assistance in discharging those duties.

[<sup>F2</sup>(1A) An enquiry under this section shall be conducted by a provincial tribunal for the province in which the benefice in question is situated.]

(2) This section shall not apply to an incumbent who is also—

- (a) a suffragan bishop to whom the [<sup>F3</sup>Bishops (Retirement) Measure 1986] applies; or
- (b) a dean <sup>F4</sup>... or archdeacon to whom the <sup>M1</sup>Church Dignitaries (Retirement) Measure 1949 applies.

#### Textual Amendments

- F1** Words in s. 6(1) substituted (1.9.1994) by 1993 Measure No. 1, s. 14(1), **Sch. 3 para. 4(a)** (with s. 15); Instrument dated 25.7.1994 made by Archbishops of Canterbury and York
- F2** S. 6(1A) inserted (1.9.1994) by 1993 Measure No. 1, s. 14(1), **Sch. 3 para. 4(b)** (with s. 15); Instrument dated 25.7.1994 made by Archbishops of Canterbury and York
- F3** Words in s. 6(2)(a) substituted (1.9.1994) by 1993 Measure No. 1, s. 14(1), **Sch. 3 para. 4(c)** (with s. 15); Instrument dated 25.7.1994 made by Archbishops of Canterbury and York

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**Changes to legislation:** *There are currently no known outstanding effects for the Incumbents (Vacation of Benefices) Measure 1977, Part II. (See end of Document for details)*

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**F4** Words in s. 6(2)(b) omitted (coming into force in accordance with s. 53(3) of the amending Measure) by virtue of Cathedrals Measure 2021 (No. 2), **Sch. 4 para. 19** (with ss. 42(4), 48, 52(1))

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**Marginal Citations**

**M1** 1949 No. 1.

**Changes to legislation:**

There are currently no known outstanding effects for the Incumbents (Vacation of Benefices) Measure 1977, Part II.