



Incumbents (Vacation of Benefices) Measure 1977

1977 No. 1

PART III

ENQUIRIES AND SUBSEQUENT PROCEEDINGS

7 Constitution and procedure of committees and tribunals.

[^{F1}(1) Provincial tribunals for the purposes of this Measure shall be constituted in accordance with the provisions of Schedule 1 to this Measure:

Provided that where, in the course of an enquiry conducted by a provincial tribunal, a member of the tribunal other than the chairman dies or becomes unable to act as a member by reason of illness or other incapacity, the tribunal may, with the consent of the parties, continue to conduct the enquiry in the absence of that member.]

[^{F2}(2) The provisions of Part III of the said Schedule shall have effect with respect to the procedure on and in connection with an enquiry conducted by any such committee or tribunal.]

[^{F2}(3) A diocesan committee of enquiry shall have power to appoint a barrister or solicitor to advise and assist the committee in the exercise of its functions.]

(4) Without prejudice to subsection (5) below, at any meeting of any such [^{F3}committee or] tribunal to which the incumbent concerned is invited, or at which he is entitled to be present, he may, if he so desires, be assisted, or in his absence represented, by some other person whether having professional qualifications or not.

[^{F1}(5) At an enquiry under this Measure the parties may be represented by a barrister or solicitor.]

[^{F4}(6) For the purposes of this section the parties, in relation to an enquiry, are—
(a) the incumbent concerned;

Status: Point in time view as at 01/09/1994. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Incumbents (Vacation of Benefices) Measure 1977, Section 7. (See end of Document for details)

- (b) the archdeacon in whose archdeaconry the benefice of the incumbent concerned is;
- (c) the parochial church council of the parish concerned or, in the case of an enquiry under Part I of this Measure requested by the persons mentioned in section 1A(1)(c), the persons specified in the request as being willing to act as the representatives of the first-mentioned persons;
- (d) in the case of such an enquiry requested by the persons mentioned in section 1A(1)(d), the persons specified in the request as being willing to act as the representatives of the first-mentioned persons.]

Textual Amendments

- F1** S. 7(1)(5) substituted (1.9.1994) by 1993 Measure No. 1, s. 14(1), **Sch. 3 para. 5(a)(b)** (with s. 15); Instrument dated 25.7.1994 made by Archbishops of Canterbury and York
- F2** S. 7(2)(3) repealed (1.9.1994) by 1993 Measure No. 1, s. 14(2), **Sch.4** (with s. 15); Instrument dated 25.7.1994 made by Archbishops of Canterbury and York
- F3** Words in s. 7(4) repealed (1.9.1994) by 1993 Measure No. 1, s. 14(2), **Sch.4** (with s. 15); Instrument dated 25.7.1994 made by Archbishops of Canterbury and York
- F4** S. 7(6) inserted (1.9.1994) by 1993 Measure No. 1, s. 14(1), **Sch. 3 para. 5(c)** (with s. 15); Instrument dated 25.7.1994 made by Archbishops of Canterbury and York

Status:

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