



# Dioceses Measure 1978 (repealed)

1978 No. 1

*Provisions with respect to discharge of functions of certain bodies corporate, etc.*

## **19 Schemes with respect to discharge of functions of diocesan bodies corporate, etc.**

- (1) In this and the next following section “diocesan body” means any body corporate or committee established for a diocese or any part thereof, other than a diocesan synod or the bishop’s council and standing committee of a diocese.
- (2) A scheme under this section may make provision for one or more of the following purposes:—
  - (a) for constituting a body corporate or committee to discharge in respect of such dioceses as are specified in the scheme the functions previously discharged in respect of each of those dioceses by such diocesan body as is so specified and for winding up or dissolving each such body;
  - (b) for empowering such diocesan bodies for such dioceses, or such parts of such dioceses, as are so specified to discharge any of their functions jointly and, in particular, to establish a joint committee to discharge any of the functions of each such body;
  - (c) for empowering such a diocesan body for such diocese as is so specified to arrange for any of its functions to be discharged by the corresponding diocesan body for such other diocese as is so specified or by a committee or sub-committee of that body.
- (3) The bishops of the dioceses to which a scheme under this section is to apply (“the participating dioceses”) shall prepare a draft of such scheme and shall, with the consent of the Standing Committee, send copies of the draft to the Commission and the Commissioners for them to advise and comment thereon.
- (4) If the draft scheme would, if implemented, affect a charity established for ecclesiastical purposes of the Church of England, not being an exempt charity within the meaning of the Charities Act 1960, the bishops of the participating dioceses shall cause a copy of the draft to be sent to the Charity Commissioners.

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*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Dioceses Measure 1978 (repealed), Cross Heading: Provisions with respect to discharge of functions of certain bodies corporate, etc.. (See end of Document for details)*

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- (5) After any comments made by the Commission or the Commissioners on the draft scheme have been received by the bishops of the participating dioceses and such amendments, if any, as the said bishops think fit have been made therein, the draft scheme shall be laid before the diocesan synod of every participating diocese for its approval.
- (6) A copy of the draft scheme and of any comments thereon made by the Commission or the Commissioners shall be sent to every member of the diocesan synod of every participating diocese at least six weeks before the session at which the draft scheme is considered.
- (7) If the draft scheme is approved by the diocesan synod of every participating diocese, a copy of the draft scheme shall be signed by the bishops of the participating dioceses who shall thereby make the scheme.
- (8) A scheme under this section shall come into operation on the first day of the month next following the making of the scheme or on such later date as may be specified therein.
- (9) The bishop of each participating diocese shall send a copy of the scheme to the Commissioners and to the registrar of his diocese, and the registrar shall file it in the diocesan registry.

## **20 Further provisions with respect to schemes under s. 19.**

- (1) A scheme under section 19 of this Measure which makes provision for either of the purposes mentioned in subsection (2) (a) or (b) thereof may provide for regulating the term of office of members of the body corporate or committee referred to therein, for regulating the proceedings of that body or committee and for determining the manner in which its expenses are to be defrayed.
- (2) A scheme under the said section 19 may contain such incidental, consequential and supplementary provisions as appear to the bishops by whom the scheme is to be made to be necessary or expedient for bringing the scheme into operation and giving full effect thereto and, in particular, but without prejudice to the generality of the foregoing words, provisions—
  - (a) for the transfer of property and liabilities;
  - (b) for the adjustment of accounts and apportionment of liabilities; and
  - (c) for the settlement of any differences arising in consequence of the operation of the scheme.
- (3) Where a scheme under the said section 19 is in force, any enactment relating to the functions to which the scheme applies or the diocesan bodies by which or the dioceses in respect of which they are to be discharged shall have effect subject to all necessary modifications in its application in relation to those functions and the persons by whom and the dioceses in respect of which (whether in pursuance of the scheme or otherwise) they are to be discharged.
- (4) A scheme under the said section 19 may be varied or revoked by a subsequent scheme made thereunder.

**Status:**

Point in time view as at 01/02/1991.

**Changes to legislation:**

There are currently no known outstanding effects for the Dioceses Measure 1978 (repealed),  
Cross Heading: Provisions with respect to discharge of functions of certain bodies corporate, etc..