

Status: Point in time view as at 01/01/2015.

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SCHEDULES

SCHEDULE 1

Section 1.

REGISTRATION OF PATRONS

Preparation of list of patrons

- 1 The registrar of each diocese shall before the expiration of the period of one month beginning with the date on which section 1 of this Measure comes into force prepare a list of all the benefices in the diocese which shall specify in relation to each benefice the person who in the opinion of the registrar is entitled to be registered under this Measure as the patron thereof and shall contain, in a case where he considers that more than one person is entitled to be so registered, such information as may be prescribed as to the exercise of the right to present to that benefice upon a vacancy.
- 2 (1) Before the expiration of the period of six weeks beginning with the date on which section 1 of this Measure comes into force the registrar shall—
 - (a) send to each person who is named in the list prepared under paragraph 1 above a notice specifying the benefice or benefices in respect of which the registrar considers he is entitled to be registered and containing such information as may be prescribed (including, in the case of patronage vested in more than one person, prescribed information as to the exercise of the right of presentation),
 - (b) advertise in the prescribed manner such information concerning the list prepared by the registrar and the provisions of this Measure as may be prescribed.
- (2) Any notice under sub-paragraph (1)(a) above shall inform the person to whom the notice is sent that the registrar proposes at the end of the registration period to register that person as a patron of the benefice specified in the notice and also to register the information contained in the notice unless before that date some other person applies to be registered in respect of the same right of patronage or expresses disagreement with that information; and the person to whom the notice is sent shall be required to acknowledge in the prescribed form the receipt of the notice.
- (3) The registrar shall send to the incumbent of the benefice concerned and to the secretary of the parochial church council concerned a copy of any notice sent by him under sub-paragraph (1)(a) above.

Application for registration

- 3 Any person who claims to be a patron of a benefice at the date on which section 1 of this Measure comes into force may before the end of the registration period apply to the registrar of the diocese in which the benefice is situated to be registered as a patron of that benefice, notwithstanding that he is not named on the list prepared by that registrar under paragraph 1 above.

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- 4 Any person to whom a right of patronage of a benefice is transferred after the date on which section 1 of this Measure comes into force shall before the expiration of the period of twelve months beginning with the date on which the transfer takes effect apply to the registrar of the diocese to be registered as a patron of that benefice.
- 5 Any person who claims in relation to any benefice—
- (a) that he is entitled to be registered as a patron of that benefice in place of, or in addition to, any person who is so registered, or
 - (b) that any information registered as to the exercise of a right of presentation to that benefice is incorrect,
- may at any time apply to the registrar of the diocese for the register to be rectified under section 4 of this Measure.
- 6 Any application made under paragraph 3, 4 or 5 above shall be accompanied by such documents and other information as may be prescribed.

Determination of disputes

- 7 Where the registrar—
- (a) decides that any person—
 - (i) who is named in a list prepared under paragraph 1 above, or
 - (ii) who has made an application under paragraph 3, 4 or 5 above,
 is not entitled to be registered as a patron of the benefice concerned; or
 - (b) decides that information which any patron of a benefice wishes to be registered as to the exercise of his right to present to that benefice ought not to be registered; or
 - (c) decides that any person who is registered as a patron of a benefice was not entitled to be so registered; or
 - (d) decides that any information which is registered as to the exercise of a right to present to a benefice is incorrect,
- he shall serve a notice on that person informing him of his decision and of the effect of paragraphs 8 and 9 below.
- 8 A person on whom a notice is served under paragraph 7 above may, before the expiration of the period of twenty-eight days beginning with the date of the notice, appeal against the registrar's decision by sending him a notice of appeal.
- 9 (1) On receiving a notice of appeal under paragraph 8 above the registrar shall refer the appeal to the chancellor of the diocese and the chancellor shall decide whether to uphold the appeal or dismiss it and shall inform the registrar and the appellant of his decision.
- (2) Any proceedings on an appeal to the chancellor of a diocese under this paragraph shall be held in public and any party to such proceedings shall be entitled to appear by counsel or a solicitor.

Rules

- 10 (1) There shall be a committee to be known as the Patronage (Appeals) Committee which shall consist of—
- the Dean of the Arches and Auditor or, if the Dean nominates the Vicar-General of the Province of Canterbury, or the Vicar-General of the Province of York to act in his place, the Vicar-General so nominated;

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one chancellor and one diocesan registrar nominated jointly by the Archbishops of Canterbury and York; and
two persons nominated by the Standing Committee.

- (2) Any three members of the Patronage (Appeals) Committee, one of whom shall be the Dean of the Arches and Auditor or the Vicar-General nominated by the Dean under sub-paragraph (1) above, may exercise all the powers of the Committee.

Modifications etc. (not altering text)

- C1** Sch. 1 para. 10(1): functions transferred (1.1.1999) by S.I. 1998/1715, arts. 1(2)(4), 2, Sch. 1; 1998 No. 1, s. 5; Instrument dated 14.10.1998 made by Archbishops of Canterbury and York

- ^{F11} The Patronage (Appeals) Committee shall have power to make rules regulating the procedure and practice on or in connection with proceedings on an appeal under this Schedule including, without prejudice to the generality of the preceding provision, rules regulating matters relating to costs, fees and expenses in respect of any such proceedings.

Textual Amendments

- F1** S. 11 amended (1.2.1994) by 1993 No. 2, s. 3(7); Instrument dated 1.1.1994 made by Archbishops of Canterbury and York

- 12 (1) Any rules made by the Patronage (Appeals) Committee shall be laid before the General Synod and shall not come into force until approved by the General Synod, whether with or without amendment.
- (2) Where the Standing Committee determines that the rules do not need to be debated by the General Synod, then, unless—
- (a) notice is given by a member of the General Synod in accordance with its Standing Orders that he wishes the rules to be debated, or
- (b) notice is so given by any such member that he wishes to move an amendment to the rules and at least twenty-five other members of the Synod indicate when the amendment is called that they wish the amendment to be moved, the rules shall for the purposes of sub-paragraph (1) above be deemed to have been approved by the General Synod without amendment.
- (3) The ^{M1}Statutory Instruments Act 1946 shall apply to rules approved by the General Synod under this paragraph as if they were statutory instruments and were made when so approved, and as if this Measure were an Act providing that any such rules shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Modifications etc. (not altering text)

- C2** Sch. 1 para. 12(2): functions transferred (1.1.1999) by S.I. 1998/1715, arts. 1(2)(4), 2, Sch. 1; 1998 No. 1, s. 5; Instrument dated 14.10.1998 made by Archbishops of Canterbury and York

Marginal Citations

- M1** 1946 c. 36.

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Registration

- 13 (1) In the case of any disagreement as to the person entitled to be registered as patron of a benefice or as to the exercise of the right of presentation, the registrar as soon as practicable after he—
- (a) has determined that a person is entitled to be registered as a patron of a benefice (and has determined the information, if any, to be registered as to the exercise of the right of presentation) and either the period mentioned in paragraph 8 above has expired or the appeal has been dismissed; or
 - (b) has been informed of the decision of the chancellor on an appeal brought under paragraph 9 above, being a decision as to the person entitled to be registered as a patron of that benefice or as to any information to be registered in respect of the exercise of right of presentation,
- shall register that person as a patron of that benefice in the register of patrons accordingly (together with any information to be registered as to the exercise of the right of presentation) and shall inform him that he has done so.
- (2) Unless the person entitled to the right of patronage in question has already been registered under sub-paragraph (1) above, the registrar shall at the end of the registration period register in the register of patrons as a patron of the benefice specified in a notice under paragraph 2 above the person to whom the notice was sent (and the information in that notice) and shall inform him that he has done so.

Notices to parishes

- 14 After the registrar has registered any person as a patron of a benefice he shall within one month from the end of the registration period or, in the case of a right of patronage registered after the end of that period, as soon as practicable after the registration, send to the secretary of the parochial church council of the parish, or of each of the parishes, belonging to the benefice a notice stating that that person has been registered and giving the name and address of that person and particulars of the benefice and of the information which has been registered in relation thereto.

Benefices held in plurality

- 15 The preceding provisions of this Schedule shall have effect for the purpose of enabling any person who is a patron of two or more benefices which are for the time being held in plurality, to be registered as a patron of those benefices while so held subject to the modification that for references to a benefice there shall be substituted references to benefices so held.

Rights of patronage belonging to an office

- 16 Where a right of patronage of a benefice belongs to, or is claimed to belong to, an office, the provisions of this Schedule shall have effect subject to the following modifications—
- (a) the notice required to be sent under paragraph 2(1)(a) shall be sent to the person who then holds that office and shall state the intention of the registrar to register that office as a patron of that benefice;
 - (b) any person who at the time of the application holds that office, and claims that on the date on which section 1 of this Measure comes into force a right of patronage of that benefice belonged to that office, may apply under paragraph 3 for that office to be registered as a patron of that benefice;

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- (c) any person who at the time of the application holds that office (being an office to which a right of patronage has been transferred after the said date) may apply under paragraph 4 for that office to be registered as a patron of that benefice;
- (d) any notice required to be served under paragraph 7 or information required to be given under paragraph 9 or 13 shall be served on or given to the person who then holds that office.

SCHEDULE 2

Section 23.

MODIFICATION OF PART II IN ITS APPLICATION TO CERTAIN BENEFICES

Benefice comprising two or more parishes

1 Where a benefice comprises two or more parishes then, except in a case in which paragraph 19 or 20 below applies, the provisions of Part II of this Measure shall have effect subject to the modifications for which paragraphs 2 to 18 below provide.

2 In section 7(4), for the words “the parish” there shall be substituted the words “each of the parishes”.

3 In section 9(6) for the words “secretary of the parochial church council” there shall be substituted the words “secretaries of the parochial church councils”.

4 For section 11(1) there shall be substituted:—

“(1) Before the expiration of the period of four weeks beginning with the date on which the notice under section 7(4) of this Measure is sent to the secretaries of the parochial church councils concerned one or more joint meetings of those councils shall be held for the purposes of—

- (a) discharging the duties imposed on them by subsection (1A) below;
- (b) appointing such number of persons, but not less than four, as will enable each of those councils to have at least one representative, [F²but not more than two representatives,] to act as representatives of those councils in connection with the selection of an incumbent;
- (c) deciding whether to request the registered patron to consider advertising the vacancy;
- (d) deciding whether to request a meeting under section 12 of this Measure;
- (e) deciding whether to request a statement in writing from the bishop describing in relation to the benefice the needs of the diocese and the wider interests of the church;

and each person appointed under paragraph (b) shall be a member of one of the parochial church councils concerned.

(1A) At the meeting, or the first meeting, convened under this section, the parochial church councils shall decide whether they will join in preparing a statement describing the conditions, needs and traditions of the parishes belonging to the benefice or whether the parochial church council of each parish will prepare such a statement in relation to that parish, and that decision having been made, the parochial church councils of those parishes

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or the parochial church council of each parish, as the circumstances require, shall prepare such a statement.”

Textual Amendments

- F2** Words in [Sch. 2 para. 4](#) inserted (1.6.1992) by [Church of England \(Miscellaneous Provisions\) Measure 1992 \(No. 1\), s. 17\(1\)](#), [Sch. 3 para.27](#) (with s. 18); [Instrument dated 27.5.1992 made by the Archbishops of Canterbury and York](#).
- 5 In section 11(2), for the words from the beginning to “council”, in the second place where it occurs; there shall be substituted the words “A joint meeting of the parochial church councils for which subsection (1) above provides shall be convened by the secretaries of those councils, and no member of any of those councils”.
- 6 In section 11(3), for the words “the parochial church council” there shall be substituted the words “any of the parochial church councils” and for the words “the parish” there shall be substituted the words “any of the parishes”.
- 7 In section 11(4), for the words from “the council by which he was appointed” to the end there shall be substituted the words “any of the councils by which he was appointed then, except where he ceases to be such a member and those councils decide that he shall continue to act as their representative, his appointment shall be deemed to have been revoked and those councils shall appoint another lay member of any of those councils in his place”.
- 8 For section 11(5) there shall be substituted—
- “(5) If the parochial church councils concerned hold a joint meeting under subsection (1) above but do not appoint representatives under paragraph (b) of that subsection, all the churchwardens who are members of any of the councils concerned shall appoint not more than five of those churchwardens to act as representatives of those councils in connection with the selection of an incumbent.”
- 9 In section 11(8) for “1(a)” there shall be substituted “(1A)” and for the words “secretary of the parochial church council” there shall be substituted the words “secretaries of the parochial church councils”.
- 10 For section 12(1) there shall be substituted—
- “(1) Where a request for a meeting under this section is made—
- (a) by a notice sent by the registered patron or the bishop to the secretaries of the parochial church councils concerned or
- (b) by a resolution of those councils passed at a joint meeting held under section 11 of this Measure,
- a joint meeting of those councils with the registered patron and (if the bishop is not the registered patron) the bishop shall be held for the purpose of enabling those present at the meeting to exchange views on the statement or statements prepared under section 11(1A) of this Measure (needs of the parish) and the statement presented under subsection (2) below (needs of the diocese).”
- 11 In section 12(2) for the word “council” there shall be substituted the word “councils”.

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- 12 In section 12(3) for the words “the parochial church council” there shall be substituted the words “each of the parochial church councils concerned” and for “(1)(a)” there shall be substituted “(1A).”
- 13 In section 12(5) for the words “secretary of the parochial church council” there shall be substituted the words “secretaries of the parochial church councils” and for the words “parochial church council” in the second place where those words occur there shall be substituted the words “parochial church councils concerned”.
- 14 In section 12(8)(c) for the word “council” there shall be substituted the words “councils concerned”.
- 15 In section 12(9) for the words “The secretary of the parochial church council shall invite both the rural dean of the deanery in which the parish is” there shall be substituted the words “The secretaries of the parochial church councils concerned shall invite both the rural dean of the deanery which comprises the parishes concerned.”
- 16 In section 16(3) for the words “of the parish”, in the first place where those words occur, there shall be substituted the words “of each of the parishes belonging to the benefice”.
- 17 In section 19(1) for the words “of the parish” there shall be substituted the words “of each of the parishes”.
- 18 In section 22(1) for the words “the parish of each benefice” there shall be substituted the words “every parish belonging to each benefice”.

Benefices having team council or joint parochial church council

- 19 Where, by a pastoral scheme or by a scheme made under the Church Representation Rules, a team council is established in respect of a benefice which comprises more than one parish, the functions under Part II of this Measure of the parochial church councils of those parishes shall be exercisable by the team council.
- 20 Where, by a pastoral scheme or by a scheme made under the Church Representation Rules, a joint parochial church council is established for all the parishes of a benefice, the functions under Part II of this Measure of the parochial church councils of those parishes shall be exercisable by the joint parochial church council.

Benefice of which parochial church council is the registered patron

- 21 Where the parochial church council of the parish belonging to a benefice is the registered patron of the benefice, Part II of this Measure shall have effect in relation to that benefice as if the provisions thereof requiring the appointment of parish representatives and the approval of such representatives to the making of an offer to present a priest to the benefice, and any other provisions thereof referring to such representatives, were omitted.

Benefices held in plurality

- 22 Where two or more benefices are held in plurality, the provision of Part II of this Measure shall have effect in relation to them as if they were a single benefice comprising two or more parishes.

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SCHEDULE 3

Section 26.

CONSTITUTION AND PROCEDURE OF A DIOCESAN BOARD OF PATRONAGE

- 1 (1) A Diocesan Board of Patronage (hereinafter referred to as “the Board”) shall consist of—
- (a) the bishop of the diocese;
 - (b) three clerks in Holy Orders beneficed in or licensed to any parish in the diocese elected by the house of clergy of the diocesan synod by the method of the single transferable vote;
 - (c) five lay persons elected by the house of laity of that synod by the method of the single transferable vote; and
 - (d) for the purpose of transacting any business relating to a particular benefice, the archdeacon in whose archdeaconry, and both chairmen of the deanery synod of the deanery in which, that benefice is.
- 2 (2) An archdeacon shall not be qualified to be elected under sub-paragraph (1)(b).
- 3 The bishop of the diocese may nominate any suffragan bishop or assistant bishop holding office in the diocese to act in his place as a member of the Board on such occasions as he may determine.
- 4 The Board shall elect one of its members other than the bishop to be the chairman of the Board.
- (1) The election of members of the Board shall take place every six years in the same year as, but after, the election of members of the diocesan synod, and the elected members of the Board shall hold office for a term of six years beginning with 1st January next following their election.
- (2) Where a casual vacancy occurs among the elected members of the Board, then—
- (a) if the vacancy is among the members elected under paragraph 1(1)(b) above, the vacancy shall be filled by the election by the elected clerical members of the Bishop’s Council of a person qualified to be elected under that paragraph,
 - (b) if the vacancy is among the members elected under paragraph 1(1)(c) above, the vacancy shall be filled by the election by the elected lay members of the Bishop’s Council of a lay person.
- (3) Any person elected to fill a casual vacancy shall hold office only for the unexpired portion of the term of office of the person in whose place he is elected.
- (4) An elected member of the Board, if qualified for election, shall be eligible for re-election on the termination of any period of office.
- 5 (1) The quorum of the Board shall be six.
- (2) Subject to sub-paragraph (1), the Board may act notwithstanding any vacancy in its membership.
- 6 A clerical member of the Board shall not take part in any proceedings of the Board connected with the exercise of a right of presentation in favour of himself.
- 7 Subject to the preceding provisions and to any directions as to procedure given by the diocesan synod, the Board shall have power to regulate its own procedure.
- 8 No election shall be held under this Schedule until after the election of members of the diocesan synod to be held in the year 1988 and any member of a diocesan

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board of patronage who holds office on the date on which this Schedule comes into force shall, subject to paragraph 4(2) and (3) above, continue in office until the 31st December 1988.

SCHEDULE 4

Section 41.

MINOR AND CONSEQUENTIAL AMENDMENTS

M²Pluralities Act 1838

Marginal Citations

M2 1838 c. 106.

- 1 In section 58 of the Pluralities Act 1838 for the words from “upon any such” to the end there shall be substituted the words “no offer of any benefice which becomes void under this section shall be made under any provision of the Patronage (Benefices) Measure 1986 or otherwise to the person by reason of whose non-residence the benefice so became void”.

M³Parsonages Measure 1938

Marginal Citations

M3 1938 No. 3.

- 2 In section 2A of the Parsonages Measure 1938 for the words “the Diocesan Dilapidations Board and the patron of the benefice” there shall be substituted the words “and the Diocesan Dilapidations Board”.
- 3 In section 3(1) of that Measure for the words “the patron”, where first occurring, there shall be substituted the words “the registered patron”, and the words from “Provided” to the end shall be omitted.
- 4 In section 7 of that Measure immediately before the word “patron” wherever occurring, there shall be inserted the word “registered”.
- 5 In section 13 of that Measure immediately before the word “patron”, wherever occurring, there shall be inserted the word “registered”.
- 6 In section 15(1) of that Measure paragraph (i) shall be omitted and in paragraphs (ii) and (iii) immediately before the word “patron” there shall be inserted the word “registered”.
- 7 In section 16 of that Measure immediately before the word “patron”, where first occurring, there shall be inserted the word “registered”, and at the end of that section there shall be inserted the words “and for the purposes of this Measure Her Majesty shall be deemed to be the registered patron of a benefice the patronage of which is vested in the Crown or is part of the possessions of the Duchy of Lancaster, and the possessor for the time being of the Duchy of Cornwall shall be deemed to be

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the registered patron of a benefice the patronage of which is part of the possessions of that Duchy”.

- 8 At the end of section 20 of that Measure there shall be inserted the words “and ”registered patron’ has the same meaning as in the Patronage (Benefices) Measure 1986”.

^{M4}New Parishes Measure 1943

Marginal Citations

M4 1943 No. 1.

- 9 In section 28 of the New Parishes Measure 1943 for the words “parochial church council or patron” there shall be substituted the words “or parochial church council”.

^{M5}Parsonages (Amendment) Measure 1947

Marginal Citations

M5 1947 No. 3.

- 10 In section 1 of the Parsonages (Amendment) Measure 1947 immediately before the word “patron” there shall be inserted the word “registered”, and at the end of that section there shall be added the following paragraph—

“In this section “registered patron>” has the same meaning as in the Patronage (Benefices) Measure 1986.”

^{M6}City of London (Guild Churches) Act 1952

Marginal Citations

M6 1952 c. xxviii.

- 11 In section 9(6) of the City of London (Guild Churches) Act 1952 for the words from the beginning to “1931” there shall be substituted the words “The Patronage (Benefices) Measure 1986”.
- 12 In section 10(1) of that Act for the word “is” there shall be substituted the words “was at the passing of this Act”.

^{M7}Synodical Government Measure 1969

Marginal Citations

M7 1969 No. 2.

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- 13 In Schedule 3 of the Synodical Government Measure 1969 (Church Representation Rules)—
- (a) in rule 16(3) there shall be inserted at the end the words “or the functions of a parochial church council under Part II of the Patronage (Benefices) Measure 1986”;
 - (b) in rule 17—
 - (i) in paragraph (1)(c) there shall be inserted at the beginning the words “subject to paragraph 20 of Schedule 2 to the Patronage (Benefices) Measure 1986”;
 - (ii) in paragraph (2) after the words “said Measure” there shall be inserted the words “and to paragraph 20 of Schedule 2 to the Patronage (Benefices) Measure 1986”;
 - (c) in rule 17A—
 - (i) in paragraph (1)(c) there shall be inserted at the beginning the words “subject to paragraph 19 of Schedule 2 to the Patronage (Benefices) Measure 1986”;
 - (ii) in paragraph (2) after the words “the said Measure” there shall be inserted the words “and to paragraph 19 of Schedule 2 to the Patronage (Benefices) Measure 1986”;
 - (d) in rule 17B—
 - (i) in paragraph (1)(c) after “1983” there shall be inserted the words “and its functions under Part II of the Patronage (Benefices) Measure 1986”;
 - (ii) at the end of paragraph 3 there shall be added the words “except that the functions of a parochial church council under Part II of the Patronage (Benefices) Measure 1986 may not be delegated to a group council”.

M⁸ Repair of Benefice Buildings Measure 1972

Marginal Citations

M8 1972 No. 3.

- 14 In the proviso to section 12(3) of the Repair of Benefice Buildings Measure 1972 for the words “the patron” there shall be substituted the words “after consulting the registered patron”, and after the word “consent”, where last occurring, there shall be inserted the words “and after such consultation”.
- 15 In section 21(1) of that Measure for the words from “without” to “patron” there shall be substituted the words “until after he has consulted the registered patron, and obtained the consent of the Board”.
- 16 In section 31(1) of that Measure for the definition of “patron” there shall be substituted the words “‘registered patron’ has the same meaning as in the Patronage (Benefices) Measure 1986”.

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M⁹Pastoral Measure 1983

Marginal Citations

M9 1983 No. 1.

F³17

Textual Amendments

F3 Sch. 4 paras. 17-25 repealed (1.7.2012) by Mission and Pastoral Measure 2011 (No. 3), s. 112(3), **Sch. 9** (with ss. 100, 105(4), 107, 108(6), Sch. 8); 2012 No. 1, art. 2

F³18

Textual Amendments

F3 Sch. 4 paras. 17-25 repealed (1.7.2012) by Mission and Pastoral Measure 2011 (No. 3), s. 112(3), **Sch. 9** (with ss. 100, 105(4), 107, 108(6), Sch. 8); 2012 No. 1, art. 2

F³19

Textual Amendments

F3 Sch. 4 paras. 17-25 repealed (1.7.2012) by Mission and Pastoral Measure 2011 (No. 3), s. 112(3), **Sch. 9** (with ss. 100, 105(4), 107, 108(6), Sch. 8); 2012 No. 1, art. 2

F³20

Textual Amendments

F3 Sch. 4 paras. 17-25 repealed (1.7.2012) by Mission and Pastoral Measure 2011 (No. 3), s. 112(3), **Sch. 9** (with ss. 100, 105(4), 107, 108(6), Sch. 8); 2012 No. 1, art. 2

F³21

Textual Amendments

F3 Sch. 4 paras. 17-25 repealed (1.7.2012) by Mission and Pastoral Measure 2011 (No. 3), s. 112(3), **Sch. 9** (with ss. 100, 105(4), 107, 108(6), Sch. 8); 2012 No. 1, art. 2

F³22

Textual Amendments

F3 Sch. 4 paras. 17-25 repealed (1.7.2012) by Mission and Pastoral Measure 2011 (No. 3), s. 112(3), **Sch. 9** (with ss. 100, 105(4), 107, 108(6), Sch. 8); 2012 No. 1, art. 2

F³23

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Textual Amendments

F3 Sch. 4 paras. 17-25 repealed (1.7.2012) by Mission and Pastoral Measure 2011 (No. 3), s. 112(3), Sch. 9 (with ss. 100, 105(4), 107, 108(6), Sch. 8); 2012 No. 1, art. 2

^{F3}24

Textual Amendments

F3 Sch. 4 paras. 17-25 repealed (1.7.2012) by Mission and Pastoral Measure 2011 (No. 3), s. 112(3), Sch. 9 (with ss. 100, 105(4), 107, 108(6), Sch. 8); 2012 No. 1, art. 2

^{F3}25

Textual Amendments

F3 Sch. 4 paras. 17-25 repealed (1.7.2012) by Mission and Pastoral Measure 2011 (No. 3), s. 112(3), Sch. 9 (with ss. 100, 105(4), 107, 108(6), Sch. 8); 2012 No. 1, art. 2

SCHEDULE 5

Section 41.

REPEALS

Acts

Chapter	Short title	Extent of repeal
31 Eliz. 1. c. 6.	The Simony Act 1588.	In section 4, the words from “And that it shall” to “turne onlye”. In Section 5, the words from “and that the patron” to the end. Section 6. In section 9, the words from “and that the patron” to “notwithstandinge”.
3 Jas. 1. c. 5.	The Presentation of Benefices Act 1605.	Section 13.
1 Will. & Mar. c. 26.	The Presentation of Benefices Act 1688.	The whole Act.
13 Anne c. 13.	The Presentation of Benefices Act 1713.	The whole Act except sections 9 and 11.
1 Geo. 1. stat. 2. c. 10.	The Queen Anne’s Bounty Act 1714.	In section 6, the words from the beginning to “benefices,

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		and” in the second place where those words occur.
		Sections 7 and 8.
11 Geo. 2. c. 17.	The Church Patronage Act 1737.	The whole Act.
44 Geo. 3. c. 43.	The Clergy Ordination Act 1804.	In section 1, the words from “Provided” to the end.
10 Geo. 4. c. 7.	The Roman Catholic Relief Act 1829.	Section 15 insofar as it relates to ecclesiastical benefices.
		In section 16, the words from “Provided”, where last occurring, to the end.
		Section 17.
1 & 2 Vict. c. 106.	The Pluralities Act 1838.	In section 31, the word “benefice”, where it occurs for the second and sixth time, and the words “or benefice”.
		In section 58, the words from “and it shall be lawful” to “second publication thereof as aforesaid”.
3 & 4 Vict. c. 20.	The Queen Anne’s Bounty Act 1840.	Sections 2 to 4.
3 & 4 Vict. c. 113.	The Ecclesiastical Commissioners Act 1840.	Sections 42, 48 and 73.
4 & 5 Vict. c. 39.	The Ecclesiastical Commissioners Act 1841.	Section 22.
9 & 10 Vict. c. 88.	The Church Patronage Act 1846.	The whole Act.
16 & 17 Vict. c. 50.	The Ecclesiastical Commissioners (Exchange & Patronage) Act 1853.	The whole Act.
19 & 20 Vict. c. 50.	The Sale of Advowsons Act 1856.	The whole Act.
21 & 22 Vict. c. 49.	The Jews Relief Act 1858.	In section 4, the words from the beginning to “being; and”.
23 & 24 Vict. c. 124.	The Ecclesiastical Commissioners Act 1860.	Section 42.
31 & 32 Vict. c. 83.	The Army Chaplains Act 1868.	In section 4, the words “and to the patron or patrons”, the words “patron or patrons” in the second place where they

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31 & 32 Vict. c. 114.	The Ecclesiastical Commission Act 1868.	occur and the words “and patron or patrons”. Section 12.
33 & 34 Vict. c. 39.	The Church Patronage Act 1870.	The whole Act.
34 & 35 Vict. c. 45.	The Sequestration Act 1871.	Section 6.
61 & 62 Vict. c. 48.	The Benefices Act 1898.	Section 1. In section 2, paragraph (a) of subsection (1) and subsection (2). Sections 5 and 6.
12 & 13 Geo. 6. c. 76.	The Marriage Act 1949.	In section 20, in subsections (1) to (3) and (6), the words “patron and” and the words “patron or”, wherever they occur, and in subsection (7) the words “patron’ and” and the words “patron or” and the words, “as the case may be”.

Measures

Chapter	Short title	Extent of repeal
14 & 15 Geo. 5. No. 1.	The Benefices Act 1898 (Amendment) Measure 1923.	The whole Measure.
20 & 21 Geo. 5. No. 8.	The Benefices (Transfer of Rights of Patronage) Measure 1930.	The whole Measure except as applied by section 6(3) of the City of London (Guild Churches) Act 1960.
21 & 22 Geo. 5. No. 3.	The Benefices (Exercise of Rights of Presentation) Measure 1931.	The whole Measure.
22 & 23 Geo. 5. No. 1.	The Benefices (Diocesan Boards of Patronage) Measure 1932.	The whole Measure.
23 Geo. 5. No. 1.	The Benefices (Purchase of Rights of Patronage) Measure 1933.	The whole Measure.
1 & 2 Geo. 6. No. 3.	The Parsonages Measure 1938.	In section 3(1), the proviso. Section 4. In section 15(1), paragraph (i).

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		Section 19.
6 & 7 Geo. 6. No. 1.	The New Parishes Measure 1943.	Section 29(2).
7 & 8 Eliz. 2. No. 2.	The Vacancies in Sees Measure 1959.	Section 1 and the Schedule.
8 & 9 Eliz. 2. No. 1.	The Church Property (Miscellaneous Provisions) Measure 1960.	In section 3(2), the words from “and at” to the end. In section 9(1), the words “the patron”. In section 11(1), the words “the patron”.
1972 No. 2.	The Repair of Benefice Buildings Measure 1972.	Section 27(2).
1978 No. 1.	The Dioceses Measure 1978.	In the Schedule, in paragraph 10, the words from “and for” to the end.
1983 No. 1.	The Pastoral Measure 1983.	Section 32(10). Sections 71 and 72. In section 81(1) the words from the beginning to “Crown”, where it first occurs. In Schedule 3, paragraphs 5(4) and 6.

Instrument

Number	Title	Extent of repeal
1938 No. 636.	Rules made by Queen Anne’s Bounty pursuant to section 15 of the Parsonages Measure 1938.	Rule 1. In rule 2, the words “as defined by these Rules”. In rule 3, the words “(as defined by these Rules)”. Rule 7. In the Schedule, Form No. 4.

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