



# Patronage (Benefices) Measure 1986

1986 No. 3

## PART II

### EXERCISE OF RIGHTS OF PRESENTATION

#### *General provisions as to filling of vacancies*

#### **11 Requirements as to meetings of parochial church council.**

- (1) [<sup>F1</sup>As soon as practicable after the start date specified in the notice under section 7(4) and in any event before the end of the period of six months beginning with that date, one or more meetings of the parochial church council] shall be held for the purposes of—
- (a) preparing a statement describing the conditions, needs and traditions of the parish;
  - (b) appointing two lay members of the council to act as representatives of the council 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; <sup>F2</sup> . . .
  - (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 <sup>F3</sup>[<sup>F4</sup> ...].
- <sup>F5</sup>[(f) <sup>F6</sup> .....]
- (2) A meeting of the parochial church council for which subsection (1) above provides shall be convened by the secretary thereof, and no member of that council who is—
- (a) the outgoing incumbent or the [<sup>F7</sup>spouse][<sup>F8</sup>or civil partner] of the outgoing incumbent, or
  - (b) the registered patron, or
  - (c) the representative of the registered patron,
- shall attend that meeting.

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*Changes to legislation: There are currently no known outstanding effects for the Patronage (Benefices) Measure 1986, Section 11. (See end of Document for details)*

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- (3) None of the following members of the parochial church council, that is to say—
- (a) any person mentioned in subsection (2) above, and
  - (b) any deaconess or lay worker licensed to the parish,
- shall be qualified for appointment under subsection (1)(b) above.
- (4) If before the vacancy in the benefice is filled any person appointed under subsection (1) (b) above dies or becomes unable for any reason to act as the representative of, or ceases to be a member of, the council by which he was appointed, then, except where he ceases to be such a member and the council decides that he shall continue to act as its representative, his appointment shall be deemed to have been revoked and the council shall appoint another lay member of the council (not being a member disqualified under subsection (3) above) to act in his place for the remainder of the proceedings under this Part of this Measure.
- (5) If a parochial church council holds a meeting under subsection (1) above but does not appoint any representatives at that meeting, then, subject to subsection (6) below, two churchwardens who are members of that council (or, if there are more than two churchwardens who are members of the council, two churchwardens chosen by all the churchwardens who are members) shall act as representatives of the council in connection with the selection of an incumbent.
- (6) A churchwarden who is the registered patron of a benefice shall not be qualified under subsection (5) above to act as a representative of the parochial church council or to choose any other churchwardens so to act, and in any case where there is only one churchwarden qualified to act as such a representative that churchwarden may act as the sole representative of that council in connection with the selection of the incumbent.
- (7) Any representative of the parochial church council appointed under subsection (1) or (4) above and any churchwarden acting as such a representative by virtue of subsection (5) or (6) above is in this Part of this Measure referred to as a “parish representative”, and where a churchwarden is entitled to act as the sole parish representative any reference in this Part to the parish representatives shall be construed as a reference to that churchwarden.
- (8) A copy of the statement prepared under subsection (1)(a) above together with the names and addresses of the parish representatives shall, as soon as practicable after the holding of the meeting under that subsection, be sent by the secretary of the parochial church council to the registered patron and, unless the bishop is the registered patron, to the bishop.

#### **Textual Amendments**

- F1** Words in s. 11(1) substituted (1.1.2020) by [The Legislative Reform \(Patronage of Benefices\) Order 2019 \(S.I. 2019/1183\)](#), arts. 1(1), **3(1)** (with arts. 8, 9)
- F2** Word in s. 11(1)(d) omitted (1.2.1994) by virtue of [1993 Measure No. 2, s. 10, Sch. 3 para. 10\(a\)](#); [Instrument dated 31.1.1994 made by Archbishops of Canterbury and York](#)
- F3** Word in s. 11(1)(e) repealed (17.11.2014) by [Bishops and Priests \(Consecration and Ordination of Women\) Measure 2014 \(No. 2\), s. 4\(2\), Sch.](#); 2014 No. 5, art. 2
- F4** Word in s. 11(1)(e) inserted (1.2.1994) by virtue of [1993 Measure No. 2, ss. 3\(7\)](#); [Instrument dated 31.1.1994 made by Archbishops of Canterbury and York](#)
- F5** S. 11(1)(f) inserted (1.2.1994) by virtue of [1993 Measure No. 2, ss. 3\(7\)](#); [Instrument dated 31.1.1994 made by Archbishops of Canterbury and York](#)

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**Changes to legislation:** There are currently no known outstanding effects for the Patronage (Benefices) Measure 1986, Section 11. (See end of Document for details)

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- F6** S. 11(1)(f) repealed (17.11.2014) by Bishops and Priests (Consecration and Ordination of Women) Measure 2014 (No. 2), s. 4(2), **Sch.**; 2014 No. 5, art. 2
- F7** Words in s. 11(2)(a) substituted (1.2.1994) by 1993 Measure No. 2, s. 10, **Sch. 3 para. 10(b)**; Instrument dated 31.1.1994 made by Archbishops of Canterbury and York
- F8** Words in s. 11(2)(a) inserted (5.12.2005) by Civil Partnership Act 2004 (Overseas Relationships and Consequential, etc. Amendments) Order 2005 (S.I. 2005/3129), art. 1, **Sch. 3 para. 3(2)**

**Changes to legislation:**

There are currently no known outstanding effects for the Patronage (Benefices) Measure 1986, Section 11.