



# Patronage (Benefices) Measure 1986

1986 No. 3

## PART IV

### GENERAL AND SUPPLEMENTARY PROVISIONS

#### *Supplementary provisions*

#### **39 Interpretation.**

(1) In this Measure, unless the context otherwise requires—

[<sup>F1</sup>“the 2010 Measure” means the Vacancies in Suffragan Sees and Other Ecclesiastical Offices Measure 2010 (No. 2);]

“actual communicant member of the Church of England” means a member of the Church of England who is confirmed or ready and desirous of being confirmed and has received Communion according to the use of the Church of England or of a Church in communion with the Church of England at least three times during the twelve months preceding the date on which he makes the declaration of membership;

“actual communicant member of a Church in communion with the Church of England” means a communicant member of a Church in communion with the Church of England who has received Communion according to the use of the Church of England or of a Church in communion with the Church of England at least three times during the twelve months preceding the date on which he makes the declaration of membership;

“archbishop” means the archbishop of the province in which the benefice is or, where the benefice is in the diocese of the archbishop of that province or the archbishopric of that province is vacant or the archbishop is the patron of that benefice, the archbishop of the other province;

“benefice” means the office of rector or vicar of a parish or parishes, with cure of souls, but not including the office of vicar in a team ministry or any office in a cathedral church;

“the bishop” means the bishop of the diocese concerned;

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*Changes to legislation: There are currently no known outstanding effects for the Patronage (Benefices) Measure 1986, Section 39. (See end of Document for details)*

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“clerk in Holy Orders” means a priest or deacon of the Church of England and “priest” includes a bishop;

“the declaration of membership” has the meaning assigned to it by section 8(1);

“the designated officer” has the meaning assigned to it by section 7(5);

“parish” means a parish constituted for ecclesiastical purposes and does not include a conventional district;

“pastoral committee”, “pastoral order” and “pastoral scheme” have the same meanings respectively as in the [<sup>F2</sup>the Mission and Pastoral Measure 2011 (see section 106 of that Measure)];

“patron”, in relation to any benefice, means the person or persons entitled, otherwise than by virtue of section 16, to present to that benefice upon a vacancy, including—

- (a) in any case where the right to present is vested in different persons jointly, every person whose concurrence would be required for the exercise of the joint right, and
- (b) in any case where the patronage is vested in different persons by way of alternate or successive right of presentation, every person who would be entitled to present on the next or any subsequent turn;

“register of patrons” means a register compiled and maintained under section 1;

“registered” means registered under this Measure in a register of patrons;

“registered person”, in relation to a benefice, means any person who or office which is for the time being registered as a patron of that benefice;

“registration period” has the meaning assigned to it by section 1(2);

“the Standing Committee” means the Standing Committee of the General Synod.

(2) Where a pastoral scheme or pastoral order provides for the holding of benefices in plurality any reference in this Measure to a benefice shall be construed as including a reference to benefices held in plurality.

(3) If any question arises whether a Church is a Church in communion with the Church of England, it shall be conclusively determined for the purposes of this Measure by the Archbishops of Canterbury and York.

#### **Textual Amendments**

- F1** Definition in s. 39(1) inserted (1.1.2015) by [Church of England \(Miscellaneous Provisions\) Measure 2014 \(No. 1\)](#), s. 21(2), [Sch. 2 para. 9\(7\)](#); S.I. 2014/2077, art. 2(2)
- F2** Words in s. 39(1) substituted (1.1.2020) by [The Legislative Reform \(Patronage of Benefices\) Order 2019 \(S.I. 2019/1183\)](#), arts. 1(1), [7\(5\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Patronage (Benefices) Measure 1986, Section 39.