



# Patronage (Benefices) Measure 1986

1986 No. 3

## PART II

### EXERCISE OF RIGHTS OF PRESENTATION

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

#### **7 Notification of vacancies.**

- (1) <sup>F1</sup>... Where a benefice becomes vacant by reason of the death of the incumbent, the bishop shall, as soon as practicable after he becomes aware of the vacancy, give notice of that fact to the designated officer of the diocese.
- [<sup>F2</sup>(2) Where a benefice becomes vacant by reason of resignation or cession, the bishop shall, no later than the day on which the vacancy occurs, give notice of that fact to the designated officer of the diocese.
- (2A) Where the bishop is aware that the benefice is shortly to become vacant by reason of resignation or cession, the bishop may give notice of that fact to the designated officer of the diocese; and where the bishop does so before the vacancy occurs, the bishop is to be regarded as having given the notice required under subsection (2).]
- (3) Any notice [<sup>F3</sup>given to the designated officer under subsection (1), (2) or (2A)] above shall also be given to the registrar of the diocese, unless he is the designated officer.
- (4) As soon as practicable after receiving a notice under subsection (1)[<sup>F4</sup>, (2) or (2A)] above the designated officer shall send notice of the vacancy to the registered patron of the benefice and to the secretary of the parochial church council of the parish belonging to the benefice<sup>F5</sup>....
- [<sup>F6</sup>(4A) A notice under subsection (4) shall specify—
  - (a) the date on which the benefice became, or is expected to become, vacant,
  - (b) a date referred to in the notice as “the start date”, being either the date on which the notice is sent or, if the bishop so directs having had regard to all

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*Changes to legislation: There are currently no known outstanding effects for the Patronage (Benefices) Measure 1986, Section 7. (See end of Document for details)*

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the circumstances, a date no later than three months after the date specified under paragraph (a), and

- (c) such information about the procedure for filling the vacancy as may be prescribed or, if no such information is prescribed, such information as the designated officer considers will assist the registered patron and parochial church council in carrying out functions in respect of the vacancy.]

[<sup>F7</sup>(4B) In the case of a benefice in respect of which there is more than one registered patron, the designated officer shall also send the notice under subsection (4) to each person who would be entitled to present to the benefice on the next or any subsequent turn; and, when doing so, the officer must request each of those persons to provide an email address and such other contact details as may be specified in the request.]

[<sup>F8</sup>(4C) Subsections (1) to (2A) are subject to section 88 of the Mission and Pastoral Measure 2011 (which modifies this Measure in cases where presentation to a benefice is suspended or restricted).]

- (5) In this Measure “the designated officer”, in relation to a diocese, means such person as the bishop, after consulting the bishop’s council, may designate or, if no person is designated, the secretary of the pastoral committee of the diocese.

#### **Textual Amendments**

- F1** Words in s. 7(1) omitted (1.1.2020) by virtue of [The Legislative Reform \(Patronage of Benefices\) Order 2019 \(S.I. 2019/1183\)](#), arts. 1(1), **2(2)** (with arts. 8, 9)
- F2** S. 7(2)(2A) substituted for s. 7(2) (1.1.2020) by [The Legislative Reform \(Patronage of Benefices\) Order 2019 \(S.I. 2019/1183\)](#), arts. 1(1), **2(3)** (with arts. 8, 9)
- F3** Words in s. 7(3) substituted (1.1.2020) by [The Legislative Reform \(Patronage of Benefices\) Order 2019 \(S.I. 2019/1183\)](#), arts. 1(1), **2(4)** (with arts. 8, 9)
- F4** Words in s. 7(4) substituted (1.1.2020) by [The Legislative Reform \(Patronage of Benefices\) Order 2019 \(S.I. 2019/1183\)](#), arts. 1(1), **2(5)(a)** (with arts. 8, 9)
- F5** Words in s. 7(4) omitted (1.1.2020) by virtue of [The Legislative Reform \(Patronage of Benefices\) Order 2019 \(S.I. 2019/1183\)](#), arts. 1(1), **2(5)(b)** (with arts. 8, 9)
- F6** S. 7(4A) inserted (1.1.2020) by [The Legislative Reform \(Patronage of Benefices\) Order 2019 \(S.I. 2019/1183\)](#), arts. 1(1), **2(6)** (with arts. 8, 9)
- F7** S. 7(4B) inserted (1.1.2020) by [The Legislative Reform \(Patronage of Benefices\) Order 2019 \(S.I. 2019/1183\)](#), arts. 1(1), **2(7)** (with arts. 8, 9)
- F8** S. 7(4C) inserted (1.1.2020) by [The Legislative Reform \(Patronage of Benefices\) Order 2019 \(S.I. 2019/1183\)](#), arts. 1(1), **2(8)** (with arts. 8, 9)

#### **Modifications etc. (not altering text)**

- C1** S. 7 restricted (1.7.2012) by [Mission and Pastoral Measure 2011 \(No. 3\)](#), **ss. 88(a)**, 112(3) (with **ss. 100**, 105(4), 107, 108(6), **Sch. 8**); 2012 No. 1, art. 2
- C2** S. 7(4) applied by 1983 gsm 1 s. 70(d) (as amended) (11.6.2008) by [Dioceses, Pastoral and Mission Measure 2007 \(No. 1\)](#), s. 66(2), **Sch. 5 para. 15(c)**; 2007 No. 3, Instrument made by Archbishops

**Changes to legislation:**

There are currently no known outstanding effects for the Patronage (Benefices) Measure 1986, Section 7.