

**Changes to legislation:** There are currently no known outstanding effects for the Church of England (Miscellaneous Provisions) Measure 1992, SCHEDULE 3. (See end of Document for details)

## SCHEDULES

### SCHEDULE 3

Section 17(1).

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *Cemeteries Clauses Act 1847*

- 1 In section 27 of the <sup>M1</sup>Cemeteries Clauses Act 1847 (appointment and licensing of chaplain) for the words “The company shall” there shall be substituted the words “The company may”.

##### Commencement Information

- I1** Sch. 3 para. 1 wholly in force at 11.7.1992 see s. 19(2) and [Instrument dated 11.7.1992 made by the Archbishops of Canterbury and York](#).

##### Marginal Citations

- M1** 10 & 11 Vict. c. 65.

##### *Sequestration Act 1849*

- 2 In section 1 of the <sup>M2</sup>Sequestration Act 1849 (which relates to the powers of sequestrators of ecclesiastical benefices)—
- (a) for the words from the beginning to “authority of law” there shall be inserted the words “Every sequestrator of an ecclesiastical benefice”;
  - (b) for the words “appointment of such sequestrator” there shall be inserted the word “sequestration”.

##### Commencement Information

- I2** Sch. 3 para. 2 wholly in force at 1.6.1992 see s. 19(2) and [Instrument dated 27.5.1992 made by the Archbishops of Canterbury and York](#).

##### Marginal Citations

- M2** 12 & 13 Vict. c. 67.

##### *Benefices Act 1898*

- 3 In section 11 of the <sup>M3</sup>Benefices Act 1898 (rules) after the words “section 3 of this Act” there shall be inserted the words “or section 1(2) of the Benefices Measure 1972”.

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#### Commencement Information

**I3** Sch. 3 para. 3 wholly in force at 1.6.1992 see s. 19(2) and [Instrument dated 27.5.1992 made by the Archbishops of Canterbury and York.](#)

#### Marginal Citations

**M3** 61 & 62 Vict. c. 48.

### Church Commissioners Measure 1947

- 4 In section 5 of the <sup>M4</sup>Church Commissioners Measure 1947 (constitution and functions of Board of Governors) in subsection (2) at the end there shall be inserted the words “; and for the purposes of this subsection a member may be elected to act as chairman in the Archbishop’s absence at any meeting to be held during the following period of twelve months.”

#### Commencement Information

**I4** Sch. 3 para. 4 wholly in force at 1.6.1992 see s. 19(2) and [Instrument dated 27.5.1992 made by the Archbishops of Canterbury and York.](#)

#### Marginal Citations

**M4** 10 & 11 Geo. 6. No. 2.

- 5 In the First Schedule to that Measure (constitution of the Commissioners)—
- (a) in paragraph 1 for the words “deans appointed by the General Synod” there shall be substituted the words “persons elected by the deans from amongst themselves”;
  - (b) in paragraph 2—
    - (i) for the words “shall be appointed” there shall be substituted the words “and Commissioners elected by the deans shall be appointed or elected”;
    - (ii) after the words “to be appointed” there shall be inserted the words “or elected”;
    - (iii) after the words “so appointed” there shall be inserted the words “or elected”.

#### Commencement Information

**I5** Sch. 3 para. 5 wholly in force at 11.7.1992 see s. 19(2) and [Instrument dated 11.7.1992 made by the Archbishops of Canterbury and York.](#)

### Diocesan Stipends Funds Measure 1953

- 6 In section 4 of the <sup>M5</sup>Diocesan Stipends Funds Measure 1953 (application of moneys credited to capital accounts) in subsection (1) after paragraph (d) there shall be inserted the following paragraph—
- “(dd) the provision or improvement of parsonage houses;”

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**Commencement Information**

**I6** Sch. 3 para. 6 wholly in force at 1.6.1992 see s. 19(2) and [Instrument dated 27.5.1992 made by the Archbishops of Canterbury and York](#).

**Marginal Citations**

**M5** 1 & 2 Eliz. 2 No. 2.

- 7 In section 5 of that Measure (application of moneys credited to income accounts) in subsection (1) after paragraph (a) there shall be inserted the following paragraph—  
“(aa) in meeting expenses incurred in repairing and maintaining parsonage houses;”.

**Commencement Information**

**I7** Sch. 3 para. 7 wholly in force at 1.6.1992 see s. 19(2) and [Instrument dated 27.5.1992 made by the Archbishops of Canterbury and York](#).

- 8 In section 8 of that Measure (interpretation) in subsection (1) at the end there shall be inserted the following definition—  
““parsonage house” has the same meaning as in the Endowments and Glebe Measure 1976”.

**Commencement Information**

**I8** Sch. 3 para. 8 wholly in force at 1.6.1992 see s. 19(2) and [Instrument dated 27.5.1992 made by the Archbishops of Canterbury and York](#).

*Ecclesiastical Jurisdiction Measure 1963*

- 9 In section 55 of the <sup>M6</sup>Ecclesiastical Jurisdiction Measure 1963 (deprivation of priest or deacon following certain proceedings in secular courts) in subsection (1) (e) for the words “a matrimonial order made against him under section 2 of the Matrimonial Proceedings (Magistrates’ Courts) Act 1960” there shall be substituted the words “an order made against him under section 2 of the Domestic Proceedings and Magistrates’ Courts Act 1978”.

**Commencement Information**

**I9** Sch. 3 para. 9 wholly in force at 1.6.1992 see s. 19(2) and [Instrument dated 27.5.1992 made by the Archbishops of Canterbury and York](#).

**Marginal Citations**

**M6** 1963 No. 1.

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### *Cathedrals Measure 1963*

- 10 In section 12 of the <sup>M7</sup>Cathedrals Measure 1963 (provisions as to parishes of parish church cathedrals) for subsection (3) there shall be substituted the following subsection—

“(3) Upon the transfer of the functions of the parochial church council of any parish under subsection (1) of this section, the Church Representation Rules contained in Schedule 3 to the Synodical Government Measure 1969 shall have effect in relation to that parish subject to the following modifications—

- (a) for any reference to the parochial church council there shall be substituted a reference to the administrative body;
- (b) paragraphs (3) and (5) of Rule 8, Rules 12 to 17B, paragraphs (2) and (3) and the words “or extraordinary” in paragraph (4) of Rule 18 and Appendix II shall not apply;
- (c) in paragraph (9) of Rule 8 for the reference to the secretary of the parochial church council there shall be substituted a reference to the clerk to the administrative body; and
- (d) in paragraph (1) of Rule 18 for the reference to a written representation by not less than one-third of the lay members of the parochial church council there shall be substituted a reference to a written representation by not less than one-half of the lay members of the administrative body:

Provided that an annual parochial church meeting shall not be entitled by virtue of this section to receive under paragraph (1) of Rule 8 of the said Rules any information or accounts which they would not have been entitled to receive thereunder if the said transfer had not taken place.”.

#### **Commencement Information**

**I10** Sch. 3 para. 10 wholly in force at 1.6.1992 see s. 19(2) and [Instrument dated 27.5.1992 made by the Archbishops of Canterbury and York](#).

#### **Marginal Citations**

**M7** 1963 No. 2.

### *Benefices Measure 1972*

- 11 In section 1 of the <sup>M8</sup>Benefices Measure 1972 (additional ground for refusing to institute) after subsection (2) there shall be inserted the following subsection—

“(2A) The procedure and practice on or in connection with proceedings on an appeal under subsection (2) above shall be in accordance with rules made under section 11 of the Benefices Act 1898.”.

#### **Commencement Information**

**I11** Sch. 3 para. 11 wholly in force at 1.6.1992 see s. 19(2) and [Instrument dated 27.5.1992 made by the Archbishops of Canterbury and York](#).

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Marginal Citations

M8 1972 No. 3.

F1 ...

Textual Amendments

F1 Sch. 3 para. 12 and cross-heading repealed (1.9.2018) by Ecclesiastical Jurisdiction and Care of Churches Measure 2018 (No. 3), s. 99(2), Sch. 5 (with Sch. 4 Pt. 1); S.I. 2018/720, art. 2

F112 .....

Commencement Information

I12 Sch. 3 para. 12 wholly in force at 11.7.1992 see s. 19(2) and Instrument dated 11.7.1992 made by the Archbishops of Canterbury and York.

Endowments and Glebe Measure 1976

F213 .....

Textual Amendments

F2 Sch. 3 paras. 13-17 repealed (1.3.2019) by Church Property Measure 2018 (No. 8), s. 53(2), Sch. 3 (with Sch. 2); S.I. 2019/97, art. 2

F214 .....

Textual Amendments

F2 Sch. 3 paras. 13-17 repealed (1.3.2019) by Church Property Measure 2018 (No. 8), s. 53(2), Sch. 3 (with Sch. 2); S.I. 2019/97, art. 2

F215 .....

Textual Amendments

F2 Sch. 3 paras. 13-17 repealed (1.3.2019) by Church Property Measure 2018 (No. 8), s. 53(2), Sch. 3 (with Sch. 2); S.I. 2019/97, art. 2

F216 .....

Textual Amendments

F2 Sch. 3 paras. 13-17 repealed (1.3.2019) by Church Property Measure 2018 (No. 8), s. 53(2), Sch. 3 (with Sch. 2); S.I. 2019/97, art. 2

F217 .....

Textual Amendments

F2 Sch. 3 paras. 13-17 repealed (1.3.2019) by Church Property Measure 2018 (No. 8), s. 53(2), Sch. 3 (with Sch. 2); S.I. 2019/97, art. 2

Dioceses Measure 1978

F318 .....

Textual Amendments

F3 Sch. 3 para. 18 repealed (1.9.2008) by Dioceses, Pastoral and Mission Measure 2007 (No. 1), s. 66(2), Sch. 7; S.I. 2008/1, Instrument made by Archbishops

Pastoral Measure 1983

F419 .....

Textual Amendments

F4 Sch. 3 paras. 19-25 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); S.I. 2012/1, art. 2

F420 .....

Textual Amendments

F4 Sch. 3 paras. 19-25 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); S.I. 2012/1, art. 2

F421 .....

Textual Amendments

F4 Sch. 3 paras. 19-25 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); S.I. 2012/1, art. 2

F422 .....

Textual Amendments

F4 Sch. 3 paras. 19-25 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); S.I. 2012/1, art. 2

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<sup>F4</sup>24 . . . . .

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#### *Patronage (Benefices) Measure 1986*

- 26 In section 9 of the <sup>M9</sup>Patronage (Benefices) Measure 1986 (information to be sent to designated officer)—
- (a) in subsection (1) after the word “vacant” there shall be inserted the words “ or the expiration of three weeks after receiving notice of the vacancy from the designated officer under section 7(4) of this Measure, whichever is later, ”;
  - (b) in subsection (2) after the words “two months” there shall be inserted the words “ or three weeks, as the case may be, ”.

#### Commencement Information

- I13** Sch. 3 para. 26 wholly in force at 1.6.1992 see s. 19(2) and [Instrument dated 27.5.1992 made by the Archbishops of Canterbury and York](#).

#### Marginal Citations

- M9** 1986 No. 3.

- 27 In Schedule 2 to that Measure (modification of Part II in its application to certain benefices) in paragraph 4 after the words “one representative,” there shall be inserted the words “ but not more than two representatives, ”.

#### Commencement Information

- I14** Sch. 3 para. 27 wholly in force at 1.6.1992 see s. 19(2) and [Instrument dated 27.5.1992 made by the Archbishops of Canterbury and York](#).

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