



Church of England (Miscellaneous Provisions) Measure 1992

1992 No. 1

PART I

MISCELLANEOUS PROVISIONS

1 Sequestration.

(1) During the vacancy of a benefice and otherwise where the profits of a benefice are to be sequestered, the churchwardens of every parish comprised in the benefice and the rural dean and such other person as the bishop of the diocese concerned may appoint, if he considers it desirable to do so, shall [^{F1}, subject to subsection (1A) below,] be the sequestrators of the benefice, and any rule of law requiring the bishop of the diocese concerned to issue a writ of sequestration on a benefice becoming vacant shall cease to have effect.

[^{F2}(1A) In the case of a benefice in respect of which a team ministry is established, subsection (1) above shall have effect as if for the words “rural dean” there were substituted the words “ministers in the team ministry”:
Provided that the bishop of the diocese concerned, if he considers that any of the ministers in the team ministry should not be a sequestrator of the benefice, may direct accordingly.

^{F2}(1B) In subsection (1A) above “minister” in relation to a team ministry means a person—
(a) who is a vicar in the team ministry; or
(b) to whom a special responsibility for pastoral care in respect of a part of the benefice has been assigned under section 20(8A) of the Pastoral Measure 1983, that part of the benefice not being a part in respect of which a special cure of souls has been assigned to a vicar in the team ministry by a scheme under that Measure or by his licence from the bishop.]

(2) A writ of sequestration in respect of the profits of a benefice shall not be issued by any court—

Changes to legislation: There are currently no known outstanding effects for the Church of England (Miscellaneous Provisions) Measure 1992, Section 1. (See end of Document for details)

- (a) for the purpose of obtaining satisfaction of a debt owed by the incumbent of the benefice; or
- (b) by reason of the bankruptcy of the incumbent; or
- (c) for the purpose of applying the profits where the incumbent is unable by reason of age or infirmity of mind or body to discharge adequately the duties attaching to the benefice.

Textual Amendments

- F1** Words in s. 1 inserted (1.5.1996) by 1995 No. 1, s. 17(1)(2); Instrument dated 12.1.1996 made by [Archbishops of Canterbury and York](#)
- F2** S. 1(1A)(1B) inserted (1.5.1996) by 1995 No. 1, s. 17(1)(3); Instrument dated 12.1.1996 made by [Archbishops of Canterbury and York](#)

Commencement Information

- I1** S. 1 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](#).

Changes to legislation:

There are currently no known outstanding effects for the Church of England (Miscellaneous Provisions) Measure 1992, Section 1.