



Priests (Ordination of Women) Measure 1993 (No. 2)

1993 No. 2

PART II

DISCHARGE OF FUNCTIONS

2 Bishops

- (1) A bishop of a diocese in office at the relevant date may make any one or more of the following declarations—
 - (a) that a woman is not to be ordained within the diocese to the office of priest; or
 - (b) that a woman is not to be instituted or licensed to the office of incumbent or priest-in-charge of a benefice, or of team vicar for a benefice, within the diocese; or
 - (c) that a woman is not to be given a licence or permission to officiate as a priest within the diocese.
- (2) A declaration by a bishop under subsection (1) above shall be contained in a written notice signed by him.
- (3) A bishop who has made a declaration under subsection (1) above may by written notice signed by him withdraw the declaration.
- (4) A copy of any notice given under subsection (2) or (3) above shall be sent to the following—
 - (a) Her Majesty;
 - (b) the Duke of Cornwall;
 - (c) the Lord Chancellor;
 - (d) the archbishop of the province concerned;
 - (e) the secretary of the diocesan synod of the diocese concerned;
 - (f) the registrar of the province concerned;
 - (g) the registrar of the diocese concerned;

Status: This is the original version (as it was originally enacted).

- (h) the designated officer for the diocese concerned, within the meaning of section 7(5) of the Patronage (Benefices) Measure 1986.
- (5) Where the bishop of a diocese who has made a declaration under subsection (1) above and not withdrawn it ceases to hold that office, the declaration shall continue to be in force until the expiry of a period of six months beginning with the date on which another person becomes the bishop of that diocese.
- (6) Where a declaration by a bishop under this section is in force, a bishop discharging any functions of the bishop of the diocese (including functions by virtue of an instrument under section 10 of the Dioceses Measure 1978 or a scheme under section 11 of that Measure) shall not act in contravention of the declaration.
- (7) A declaration under subsection (1)(c) above shall not prevent a woman from being allowed under any Canon of the Church of England to officiate as a priest in a church or chapel for one period of not more than seven days in any period of three months without reference to the bishop or other Ordinary.
- (8) In this section “relevant date” means the date on which the Canon enabling a woman to be ordained to the office of priest is promulgated.

3 Parishes

- (1) Subject to the following provisions of this section the parochial church council of a parish may pass either or both of the resolutions set out as Resolution A and Resolution B in Schedule 1 to this Measure.
- (2) Subject to the following provisions of this section a parochial church council which has passed a resolution under subsection (1) above may by resolution rescind it, and the first-mentioned resolution shall continue in force until rescinded.
- (3) A motion for a resolution in the form set out as Resolution A in Schedule 1 to this Measure shall not be considered by a parochial church council if the incumbent or priest-in-charge of the benefice concerned, or any team vicar or assistant curate for that benefice, is a woman ordained to the office of priest.
- (4) A resolution shall not be passed by a parochial church council under subsection (1) or (2) above unless—
 - (a) except where notice of a vacancy has been sent to the secretary of the council under section 7(4) of the Patronage (Benefices) Measure 1986, the secretary of the council has given to the members of the council at least four weeks' notice of the time and place of the meeting at which the motion proposing the resolution is to be considered; and
 - (b) the meeting is attended by at least one half of the members of the council entitled to attend.
- (5) A copy of any resolution passed by a parochial church council under subsection (1) or (2) above shall be sent to the following—
 - (a) the bishop of the diocese concerned;
 - (b) the rural dean of the deanery concerned;
 - (c) the lay chairman of the deanery synod concerned;
 - (d) the registrar of the diocese concerned;
 - (e) the designated officer for the diocese concerned, within the meaning of section 7(5) of the Patronage (Benefices) Measure 1986;

- (f) the registered patron of the benefice concerned, within the meaning of section 39(1) of that Measure.
- (6) Where a resolution under subsection (1) above is in force a person discharging any function in relation to the parish or benefice concerned shall not act in contravention of the resolution:
- Provided that this subsection shall not apply in relation to a service held in a parish church cathedral on the direction of the bishop of the diocese.
- (7) The Patronage (Benefices) Measure 1986 shall have effect as if in section 11 (requirements as to meetings of parochial church council) there were inserted at the end of subsection (1) the word “and” and the following paragraph—
- “(f) deciding whether to pass a resolution under section 3(1) or (2) of the Priests (Ordination of Women) Measure 1993.”
- (8) Subsections (1) to (6) above and Schedule 1 to this Measure shall apply in relation to a guild church designated and established under section 4 of the City of London (Guild Churches) Act 1952 as they apply in relation to a parish, but as if the references to the parochial church council of the parish were references to the guild church council of the guild church.
- (9) In the case of a parish in which there is a parish church cathedral and in respect of which functions of the parochial church council have been transferred to the administrative body of the cathedral in pursuance of section 12 of the Cathedrals Measure 1963, this section shall have effect as if the references to the parochial church council of the parish were references to the administrative body of the cathedral or any other body to whom functions under this section have been delegated in pursuance of subsection (6) of the said section 12.
- (10) In this section “parish” means—
- (a) an ecclesiastical parish; and
 - (b) a district which is constituted a conventional district for the cure of souls.

4 Cathedrals

- (1) The administrative body of a cathedral church other than a parish church cathedral may pass either or both of the resolutions set out as Resolution A and Resolution B in Schedule 2 to this Measure.
- (2) An administrative body which has passed a resolution under subsection (1) above may by resolution rescind it, and the first-mentioned resolution shall continue in force until rescinded.
- (3) A motion for a resolution under subsection (1) above in respect of a cathedral church shall not be considered by an administrative body if the dean or any of the residentiary canons of the cathedral church is a woman ordained to the office of priest.
- (4) A copy of any resolution passed under subsections (1) or (2) above shall be sent to the following—
- (a) Her Majesty;
 - (b) the bishop of the diocese concerned;
 - (c) the secretary of the diocesan synod of the diocese concerned;
 - (d) the registrar of the diocese concerned.

- (5) Where a resolution under subsection (1) above is in force in respect of a cathedral church a person discharging any function in relation to the conduct of services in the cathedral church or in relation to the appointment of the dean shall not act in contravention of the resolution.

5 Ecclesiastical offences

It shall be an offence against the laws ecclesiastical, for which proceedings may be taken under the Ecclesiastical Jurisdiction Measure 1963—

- (a) for any bishop to act in contravention of a declaration under section 2(1) above; or
- (b) for any bishop, priest or deacon to act in contravention of a resolution under section 3(1) above or to permit any act in contravention of such a resolution to be committed in any church or any building licensed for public worship according to the rites and ceremonies of the Church of England; or
- (c) for any bishop, priest or deacon to act in contravention of a resolution under section 4(1) above or to permit any act in contravention of such a resolution to be committed in any cathedral church.

6 Discriminatory discharge of certain functions

Without prejudice to section 19 of the Sex Discrimination Act 1975, nothing in Part II of that Act shall render unlawful sex discrimination against a woman in respect of—

- (a) her ordination to the office of priest in the Church of England;
- (b) the giving to her of a licence or permission to serve or officiate as such a priest;
- (c) her appointment as dean, incumbent, priest-in-charge or team vicar or, in the case of a woman ordained to the office of priest, as assistant curate.

7 Benefices in the patronage of the Crown etc

- (1) Sections 2 and 3 above shall apply in relation to a Crown benefice and to a benefice the patronage or a share of the patronage of which is vested in the Lord Chancellor as they apply in relation to any other benefice.
- (2) Section 4(5) above, in so far as it relates to the appointment of the dean of a cathedral church, shall apply in respect of the appointment of any dean by Her Majesty.
- (3) In this section “Crown benefice” has the same meaning as in the Patronage (Benefices) Measure 1986.

8 Interpretation of Part II

In this Part—

“administrative body” has the same meaning as in the Cathedrals Measure 1963;

“benefice” includes—

- (a) the office of incumbent of a parish church cathedral but does not include any other office in a cathedral church; and
- (b) the office of priest-in-charge of a district which is constituted a conventional district for the cure of souls;

“cathedral church” means any cathedral church in England except the cathedral church of Christ in Oxford;

“parish church cathedral” means any cathedral church other than a cathedral church in respect of which there is a corporate body known as the dean and chapter.