



Team and Group Ministries Measure 1995

1995 No. 1

PART I

AMENDMENT OF PASTORAL MEASURE 1983

1 Team ministries

- (1) Section 20 of the Pastoral Measure 1983 (establishment of team ministries) shall have effect subject to the following amendments.
- (2) In subsection (1) in paragraph (b) for the words “licence or permission of the bishop” there shall be substituted the words “a provision contained in a licence or permission of the bishop”.
- (3) In subsection (2) for the words from the beginning to “specified in the scheme” there shall be substituted the words “The office of rector in a team ministry shall be held by each holder thereof for the specified term of years”.
- (4) In subsection (3) for the words from “such term of years” to “bishop’s licence” there shall be substituted the words “the specified term of years”.
- (5) After subsection (3) there shall be inserted—

“(3A) A person ordained to the office of deacon who is authorised under subsection (1)(b) by licence of the bishop—

- (a) to serve in a team ministry as a member of the team; and
- (b) for the purposes of the team ministry to perform, so far as consistent with the office of deacon, all such offices and services as may be performed by an incumbent,

shall serve for the specified term of years; and any such person shall, during that term, have the same security of tenure of his office as an incumbent of a benefice, and shall not be affected by a vacancy in the benefice of the rector.

- (3B) Any other person who is authorised under subsection (1)(b) by licence of the bishop to serve in a team ministry as a member of the team shall serve for a

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term of years to be specified in the licence, but no person shall be authorised as aforesaid unless he has been nominated for that purpose by the rector with the consent of a majority of the other members of the team and of each parochial church council concerned:

Provided that it shall not be necessary for the person concerned to be nominated for that purpose by the rector as aforesaid where that person is authorised to serve in a team ministry for a period immediately following a period of service in the team ministry.”.

(6) In subsection (6)—

- (a) after the word “ministry” there shall be inserted the words “or for which a deacon to whom subsection (3A) applies is authorised to serve in a team ministry”;
- (b) for the words “length of the original term” there shall be substituted the words “specified term of years”;
- (c) for the words “or vicar concerned” there shall be substituted the words “, vicar or deacon concerned”.

(7) After subsection (8) there shall be inserted—

“(8A) A pastoral scheme establishing a team ministry or, subject to the scheme, the bishop’s licence may assign to any member of the team who is not a member of the team chapter a special responsibility for pastoral care in respect of a part of the area of the benefice, so far as consistent with that member’s office; and, if any such provision as aforesaid is made by the bishop’s licence, it may (subject to the scheme) be varied or revoked by a subsequent licence under seal.”.

(8) In subsection (9) after the words “vicars in a team ministry” there shall be inserted the words “and deacons in a team ministry to whom subsection (3A) applies”.

(9) After subsection (9) there shall be inserted—

“(9A) The Ecclesiastical Offices (Age Limit) Measure 1975 shall apply to deacons in a team ministry to whom subsection (3A) applies as if they were vicars in the team ministry and, accordingly, no person shall be capable of being authorised by licence of the bishop to serve in a team ministry as such a deacon if at the time of the issue of the licence he has attained the age of seventy years.”.

(10) In subsection (10) for the words from “shall preside” to the end there shall be substituted the words “, unless a pastoral scheme otherwise provides, the rector shall preside, except that if he requests otherwise or is absent a deputy chairman appointed by the meeting shall preside”.

(11) After subsection (10) there shall be inserted—

“(10A) Any member of the team in a team ministry may, by notice in writing, request the rector to convene a team meeting under subsection (10) to be held within the period of twenty-eight days following the service of the notice; and, if the rector fails to comply with such a request, that member may himself convene the meeting.”.

(12) At the end there shall be inserted—

“(13) Where the rector in a team ministry established for any benefice receives a statutory notice concerning ecclesiastical property in the benefice, he shall—

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- (a) keep every member of the team informed of matters arising from the notice;
 - (b) afford every member of the team an opportunity to express views thereon before taking any action in response to the notice; and
 - (c) have regard to those views before taking any such action.
- (14) Where a benefice for which a team ministry is established becomes vacant the bishop may appoint a person holding the office of vicar in the team ministry to act as rector in the team ministry for the purposes of subsections (3B), (7) and (10), and any person so appointed shall be deemed to hold the office of rector in the team ministry for the purposes of those subsections while the benefice remains vacant.
- (15) In this section “specified term of years” in relation to a team ministry means such term of years as may for the time being be specified for the team ministry for the purposes of subsections (2), (3) and (3A) by a pastoral scheme or pastoral order; and in the case of a team ministry for which no term of years is so specified seven years shall be deemed to be the specified term of years for the purposes of those subsections.
- (16) In this section—
“ecclesiastical property” has the same meaning as in section 12(3) of the Acquisition of Land Act 1981;
“statutory notice” means a notice given in pursuance of any enactment or of any instrument made under an enactment.”.
- (13) Section 20 of the 1983 Measure, as amended by this section, is set out in Schedule 1 to this Measure.

2 Team ministries established under Pastoral Measure 1968

After section 20 of the 1983 Measure there shall be inserted—

“20A Team ministries established under 1968 Measure

- (1) Subject to the following provisions of this section, in the case of a team ministry established for the area of any benefice under a pastoral scheme made and confirmed by Order in Council under the Pastoral Measure 1968 (referred to in this section as “a 1968 Measure team ministry”), the scheme shall be deemed to contain provisions of the kind referred to in section 20(1)(b), that is to say, provisions for the pastoral care of persons in that area by those who are to share the cure of souls therein together with all other persons who are from time to time authorised by licence or permission of the bishop to serve in that area as members of the team.
- (2) The persons who are to share the cure of souls in the said area shall constitute the team chapter, and the team chapter together with the other persons deemed to be referred to in the scheme by virtue of subsection (1) shall constitute the team.
- (3) The pastoral committee of each diocese shall, as soon as possible after the passing of the Team and Group Ministries Measure 1995, send to the secretary of the parochial church council of every parish comprised in the area of a benefice in the diocese for which a 1968 Measure team ministry is established a

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notice stating that written representations to the effect that subsections (1) and (2) should not apply to the team ministry may be made to the pastoral committee within the period of six months immediately following the date on which the notice was sent, and require him to affix a copy on or near the principal door of every church in the parish and every building licensed by the bishop for public worship in the parish.

- (4) Subsections (1) and (2) shall not apply to any team ministry until the expiration of the period of six months immediately following the date on which the notice referred to in subsection (3) was sent to the parishes concerned and if, within the said period of six months, written representations as aforesaid with respect to a 1968 Measure team ministry are received by a pastoral committee—
- (a) the pastoral committee shall forthwith refer the representations to the Commissioners, and the Commissioners shall then as soon as possible consider the representations and determine whether or not subsections (1) and (2) are to apply to the team ministry; and
 - (b) subsections (1) and (2) shall not apply to the team ministry unless and until the Commissioners determine that they are to apply to it.”

3 Alteration of team and group ministries

- (1) Section 22 of the 1983 Measure (provisions which may be included in pastoral scheme) shall have effect subject to the following amendments.
- (2) In subsection (1)—
- (a) after paragraph (b) there shall be inserted—
 - “(bb) alter a team ministry by providing for the right of presentation of the rector to be transferred to a patronage board constituted by the scheme or to the diocesan board of patronage;
 - (bbb) alter a team ministry by providing for the vicars therein to be chosen by the body entitled to present the rector, in accordance with paragraph 2(1) of Schedule 3;”;
 - (b) for paragraph (c) there shall be substituted—
 - “(c) with the consent of the rector or vicar concerned, change the office of a rector in a team ministry from a freehold office to an office held for the specified term of years or alter the term of years for which an office of rector or vicar in a team ministry is held to accord with the specified term of years;”;
 - (c) after paragraph (c) there shall be inserted—
 - “(cc) specify the term of years (for which certain members of a team are to hold office or serve) for the purposes of section 20(2), (3) and (3A);”.
- (3) At the end there shall be inserted—
- “(3) In this section “specified term of years” has the same meaning as in section 20.”.

4 Compensation

- (1) Section 26 of the 1983 Measure (compensation of clergy) shall have effect subject to the following amendments.

(2) That section shall be renumbered as subsection (1) thereof.

(3) At the end there shall be inserted—

“(2) Subsection (1) (and Schedule 4) shall have effect in relation to a deacon to whom section 20(3A) applies as it has effect in relation to a vicar in a team ministry.”.

5 Pastoral orders

(1) Section 37 of the 1983 Measure (powers exercisable by pastoral order) shall have effect subject to the following amendments.

(2) That section shall be re-numbered as subsection (1) thereof.

(3) For paragraph (e) there shall be substituted—

“(e) the power to—

- (i) assign a special cure of souls or other responsibilities to vicars in team ministries under section 20(8);
- (ii) assign to any member of a team who is not a member of the team chapter a special responsibility for pastoral care, so far as consistent with that member’s office, under section 20(8A);
- (iii) specify the term of years (for which certain members of a team are to hold office or serve) for the purposes of section 20(2), (3) and (3A) under section 22(1)(cc);
- (iv) alter a team ministry or change the office of a rector or vicar in a team ministry under section 22(1)(b) or (c);
- (v) alter a team ministry under section 22(1)(bb) or (bbb);
- (vi) alter a group ministry under section 22(1)(e);
- (vii) provide for supplementary, consequential or transitional matters under section 22(1)(f);”.

(4) At the end there shall be inserted—

“(2) In the case of a team ministry established for the area of any benefice under a pastoral scheme made and confirmed by Order in Council under the Pastoral Measure 1968, being a team ministry in respect of which the Commissioners have determined under section 20A that subsections (1) and (2) of that section are not to apply, a pastoral order may apply those subsections to the team ministry.”.

6 Supplementary provisions re pastoral schemes and orders

(1) Schedule 3 to the 1983 Measure (supplementary provisions applicable to matters arising out of pastoral schemes and orders) shall have effect subject to the following amendments.

(2) In paragraph 1—

- (a) in sub-paragraph (7) after the words “Subject to” there shall be inserted the words “sub-paragraph (7A) and”;
- (b) after sub-paragraph (7) there shall be inserted—

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- “(7A) (a) This sub-paragraph applies to every vicar in a team ministry and every member of a team to whom section 20(3A) applies or to whom a special responsibility for pastoral care is assigned under section 20(8A).
- (b) Every person to whom this sub-paragraph applies shall have the right to attend at the meetings of the patronage board or the diocesan board of patronage, as the case may be, at which the person to be presented as rector of the team ministry is considered and chosen and shall be entitled between them to one vote, which shall be exercised by such one of them or such two or more of them (acting unanimously or by a majority) as may be present at any such meeting.”;
- (c) at the end there shall be inserted—

“(13) Sub-paragraphs (3) to (11) shall apply in relation to a pastoral scheme or order altering a team ministry under section 22(1)(bb) or 37(e) (v) as they apply in relation to a pastoral scheme establishing a team ministry.”.

(3) In paragraph 2—

- (a) in sub-paragraph (2) the words “and every vicar therein” shall be omitted;
- (b) for sub-paragraph (3) there shall be substituted—
- “(3) (a) This sub-paragraph applies to every vicar in a team ministry and every member of a team to whom section 20(3A) applies or to whom a special responsibility for pastoral care is assigned under section 20(8A).
- (b) Where such a scheme provides as aforesaid, every person to whom this sub-paragraph applies shall have the right to attend at the meetings referred to in sub-paragraph (2) and shall be entitled between them to one vote, which shall be exercised by such one of them or such two or more of them (acting unanimously or by a majority) as may be present at any such meeting.”;
- (c) after sub-paragraph (5) there shall be inserted—
- “(6) (a) The body or other persons who are entitled to choose a person to be a vicar in a team ministry shall not make to any person an offer of appointment as such until the making of the offer to the person in question has been approved by the parish representatives.
- (b) If, before the expiration of the period of two weeks beginning with the date on which the said body or other persons sent to the parish representatives a request for them to approve under this sub-paragraph the making of the offer to the person named in the request, no notice is received from any representative of his refusal to approve the making of the offer, the representatives shall be deemed to have given their approval under this sub-paragraph.
- (c) If any parish representative refuses to approve under this sub-paragraph the making of the offer to the person named in the request, the representative shall notify the said body or

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other persons in writing of the grounds on which the refusal is made.

- (d) Where approval of an offer is refused under this sub-paragraph, the said body or other persons may request the archbishop of the province in which the benefice in question is to review the matter and if, after review, the archbishop authorises the said body or other persons to make the offer in question, that offer may be made accordingly.
- (7) In sub-paragraph (6) the expression “parish representatives” means two lay members of the parochial church council concerned appointed by that council to act as representatives of the council in connection with the selection of vicars in the team ministry.
- (8) Sub-paragraphs (2), (3), (5) and (6) shall apply in relation to a pastoral scheme or order altering a team ministry under section 22(1)(bbb) or section 37(e)(v) as they apply in relation to a pastoral scheme establishing a team ministry.”.
- (4) In paragraph 11 in sub-paragraph (3) for the words from “, the trusts” to the end there shall be substituted the words “or, where a special cure of souls is not so assigned, a special responsibility for pastoral care in respect of such a part of that area is assigned to a member of the team under section 20(8A), the trusts of the charity or the constitution of the corporation shall have effect with the substitution for the incumbent of that benefice of that vicar or that member, as the case may be, but, except as aforesaid those trusts and that constitution shall (where necessary) have effect with the substitution for that incumbent of any such member of the team as may be nominated for the purposes of this sub-paragraph by the bishop of the diocese concerned.”.

PART II

AMENDMENT OF OTHER ENACTMENTS

7 Diocesan Boards of Finance Measure 1925

In section 3 of the Diocesan Boards of Finance Measure 1925 (exercise of powers, etc. by Diocesan Boards of Finance) at the beginning there shall be inserted the figure “(1)” and at the end there shall be inserted—

- “(2) A Diocesan Board of Finance for any diocese constituted under this Measure proposing to alter or dispose of any house occupied by a member of the team in a team ministry established for a benefice in the diocese shall—
- (a) keep that member informed of matters arising from the proposal;
 - (b) afford that member an opportunity to express views before taking any action to implement the proposal; and
 - (c) have regard to those views before taking any such action.”.

8 Parsonages Measure 1938

- (1) The Parsonages Measure 1938 shall have effect subject to the following amendments.
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- (2) In section 1 (powers of selling parsonage houses, etc.) in subsection (3) at the end of paragraph (iii) the word “or” shall be omitted and after that paragraph there shall be inserted—

“(iii) in cases where the property proposed to be disposed of is occupied by a member of the team in a team ministry, without that member’s consent; or”.

- (3) In section 2A (power to divide and improve parsonage houses during vacancy in benefice) after subsection (1) there shall be inserted—

“(1A) Where the residence house of a benefice is occupied by a member of the team in a team ministry, the sequestrators shall not carry out any work authorised under this section without that member’s consent.”.

- (4) In section 3 (provisions as to exercise of foregoing powers) at the end there shall be inserted—

“(4) An incumbent or bishop proposing to exercise any of the powers conferred on him by any of the foregoing sections of this Measure in respect of the residence house of a benefice for which a team ministry is established shall, if the house is or is to be occupied by the incumbent,—

- (a) keep every member of the team informed of matters arising from the proposal;
- (b) afford every member of the team an opportunity to express views thereon before taking any action to implement the proposal; and
- (c) have regard to those views before taking any such action.”.

9 Parochial Church Councils (Powers) Measure 1956

In section 6 of the Parochial Church Council (Powers) Measure 1956 (supplementary provisions relating to certain property) after subsection (3) there shall be inserted—

“(3A) Where any property which is occupied by a member of the team in a team ministry is vested in the diocesan authority pursuant to subsection (2) of this section and the council proposes to alter or dispose of the property or any part thereof, the council shall—

- (a) keep that member informed of matters arising from the proposal;
- (b) afford that member an opportunity to express views thereon before taking any action to implement the proposal; and
- (c) have regard to those views before taking any such action.”.

10 Churchwardens (Appointment and Resignation) Measure 1964

In section 13 of the Churchwardens (Appointment and Resignation) Measure 1964 (interpretation) the word “minister” shall be omitted and at the end there shall be inserted—

““minister” has the same meaning as that assigned to that expression in rule 44(1) of the Church Representation Rules except that, where a special responsibility for pastoral care in respect of the parish in question has been assigned to a member of the team in a team ministry under section 20(8A) of the Pastoral Measure 1983 but a special cure of souls in respect of the parish

has not been assigned to a vicar in the team ministry by a scheme under that Measure or by his licence from the bishop, it means that member.”.

11 Church Representation Rules

In the Church Representation Rules contained in Schedule 3 to the Synodical Government Measure 1969 in Appendix II (general provisions relating to parochial church councils) in paragraph 1 (officers of the council) at the end there shall be inserted—

“(h) For the purposes of this paragraph, where a special cure of souls in respect of a parish has been assigned to a vicar in a team ministry, or where there has been no such assignment but a special responsibility for pastoral care in respect of the parish has been assigned to a member of the team under section 20(8A) of the Pastoral Measure 1983, that vicar or that member, as the case may be, shall be deemed to be the minister unless incapacitated by absence or illness or any other cause, in which case the rector in the team ministry shall be deemed to be the minister.”.

12 Sharing of Church Buildings Act 1969

In section 1 of the Sharing of Church Buildings Act 1969 (agreements for sharing church buildings) in subsection (3) at the end of paragraph (a) there shall be inserted—

“and, where a team ministry is established for the benefice comprising that parish,—

- (i) any vicar in the team ministry to whom a special cure of souls in respect of the parish has been assigned by a scheme under the Pastoral Measure 1983 or by his licence from the bishop; or
- (ii) any member of the team to whom a special responsibility for pastoral care in respect of the parish has been assigned under section 20(8A) of that Measure, the parish not being one in respect of which a special cure of souls has been assigned as mentioned in paragraph (i) above”.

13 Deaconesses and Lay Ministry Measure 1972

In the Deaconesses and Lay Ministry Measure 1972 after section 1 there shall be inserted—

“1A Provision with respect to licensing for fixed term

Without prejudice to section 7(1) of the Church of England (Legal Aid and Miscellaneous Provisions) Measure 1988, it shall be lawful for the General Synod to provide by Canon for empowering the bishop of a diocese, in the case of a benefice in his diocese in respect of which a team ministry is established,—

- (a) to grant a licence to any of the persons mentioned in subsection (1) of section 1 above to serve in the area of the benefice for such term of years as may be specified in the licence; and
- (b) to revoke such a licence summarily and without further process before the expiration of the term so specified for such cause and subject to such conditions as the Canon may provide.”.

14 Endowments and Glebe Measure 1976

(1) The Endowments and Glebe Measure 1976 shall have effect subject to the following amendments.

(2) In section 20 (powers of Diocesan Boards of Finance to deal with diocesan glebe land) after subsection (6) there shall be inserted—

“(6A) Where a transaction is in respect of diocesan glebe land situated in the area of a benefice for which a team ministry is established, subsection (5) above shall have effect in relation to every vicar in the team ministry and, in the case of a house occupied by a member of the team, in relation to that member as it has effect in relation to the incumbent of the benefice.”.

(3) In section 32 (provisions for transfer of parsonage land to Diocesan Board of Finance) in subsection (2) at the end there shall be inserted—

“and, in the case of a benefice in respect of which a team ministry is established, every member of the team”.

15 Church of England (Legal Aid and Miscellaneous Provisions) Measure 1988

In section 7 of the Church of England (Legal Aid and Miscellaneous Provisions) Measure 1988 (provisions as to licences of ministers, deaconesses, lay workers and readers)—

(a) in subsection (1) at the beginning there shall be inserted the words “Subject to subsection (1A) below,”;

(b) after subsection (1) there shall be inserted—

“(1A) (a) In the case of a deacon to whom section 20(3A) of the Pastoral Measure 1983 applies, a licence shall not be revoked by a bishop unless the bishop is satisfied that there has been a serious breakdown of the pastoral relationship between that deacon and the parishioners concerned or he is unable by reason of age or infirmity to discharge his pastoral duties adequately.

(b) In this subsection the reference to a serious breakdown of the pastoral relationship between a deacon and the parishioners concerned shall be construed in accordance with section 19A of the Incumbents (Vacation of Benefices) Measure 1977.”.

16 Care of Churches and Ecclesiastical Jurisdiction Measure 1991

In section 31 of the Care of Churches and Ecclesiastical Jurisdiction Measure 1991 (interpretation) in the definition of “minister” in subsection (1) after paragraph (a) there shall be inserted—

“(aa) in a case where a special responsibility for pastoral care in respect of the parish has been assigned to a member of the team in a team ministry under section 20(8A) of that Measure but a special cure of souls in respect of the parish has not been assigned as mentioned in paragraph (a) above, that member;”.

17 Church of England (Miscellaneous Provisions) Measure 1992

(1) Section 1 of the Church of England (Miscellaneous Provisions) Measure 1992 (sequestration) shall have effect subject to the following amendments.

(2) In subsection (1) after the word “shall” (where it first appears) there shall be inserted the words “, subject to subsection (1A) below,”.

(3) After subsection (1) there shall be inserted—

“(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.

(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.”.

PART III

GENERAL

18 Transitional provisions

The transitional provisions in Schedule 2 to this Measure shall have effect.

19 Extent

(1) Subject to subsection (2) below this Measure shall extend to the whole of the provinces of Canterbury and York except the Channel Islands and the Isle of Man, but the provisions thereof may be applied to the Channel Islands as defined in the Channel Islands (Church Legislation) Measures 1931 and 1957, or either of them, in accordance with those Measures and if an Act of Tynwald or an instrument made in pursuance of an Act of Tynwald so provides, shall extend to the Isle of Man subject to such exceptions, adaptations or modifications as may be specified in the Act of Tynwald or instrument.

(2) The power to apply the provisions of this Measure to the Channel Islands shall not apply to sections 8, 9 and 12.

20 Citation, commencement and interpretation

(1) This Measure may be cited as the Team and Group Ministries Measure 1995.

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- (2) Section 2 of this Measure shall come into operation on the date on which this Measure is passed, and the other provisions of this Measure shall come into operation on such date as the Archbishops of Canterbury and York may jointly appoint; and different dates may be appointed for different provisions.
- (3) In this Measure “the 1983 Measure” means the Pastoral Measure 1983.