



Church of England (Miscellaneous Provisions) Measure 2006

2006 No. 1

^{F1} Amendment of Parsonages Measure 1938

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Textual Amendments

F1 S. 1 repealed (1.3.2019) by [Church Property Measure 2018 \(No. 8\)](#), s. 53(2), [Sch. 3](#) (with [Sch. 2](#)); [S.I. 2019/97](#), art. 2

2 Amendment of Church Commissioners Measure 1947

The Church Commissioners Measure 1947 (10 & 11 Geo. 6 No. 2) shall have effect subject to the amendments specified in Schedule 2 to this Measure.

Commencement Information

II S. 2 in force at 1.10.2006 by [S.I. 2006/2](#), Instrument made by Archbishops

3 Amendment of Diocesan Stipends Funds Measure 1953

(1) The Diocesan Stipends Funds Measure 1953 (1 & 2 Eliz. 2 No. 2) shall be amended as follows.

(2) In section 4(1)—

(a) for paragraph (a) there shall be substituted the following paragraph—

“(a) the acquisition of any land to be held as diocesan glebe land of the diocese by the board or any subsidiary of the board set up under a scheme made under section 19 of the Endowments

Changes to legislation: There are currently no known outstanding effects for the Church of England (Miscellaneous Provisions) Measure 2006. (See end of Document for details)

and Glebe Measure 1976 (1976 No. 4) or investment in any such subsidiary;” and

(b) paragraph (aa) shall be omitted.

(3) For section 5(3) there shall be substituted the following subsection—

“(3) Before giving any directions under subsection (2) above with respect to the application of the said moneys in providing or augmenting the stipends or other emoluments of the persons mentioned in subsection (1) above, the bishop or the person so authorised shall have regard to any recommendations made by the Central Stipends Authority with respect to the forms and levels of the stipends and other emoluments of those persons.”.

Commencement Information

I2 S. 3 in force at 1.10.2006 by S.I. 2006/2, Instrument made by Archbishops

4 Amendment of Church Funds Investment Measure 1958

Section 2 of the Church Funds Investment Measure 1958 (6 & 7 Eliz. 2 No. 1) shall have effect, and shall be deemed always to have had effect, as if the corporate funds of the Archbishops' Council were included amongst the funds mentioned in paragraph (d) of that section.

Commencement Information

I3 S. 4 in force at 1.10.2006 by S.I. 2006/2, Instrument made by Archbishops

F25 Amendment of Church Property (Miscellaneous Provisions) Measure 1960

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Textual Amendments

F2 S. 5 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

6 Powers of Church Commissioners relating to Farnham Castle

- (1) Subject to subsections (3) and (4) below, Farnham Castle shall be held by the Commissioners as part of their corporate property and, accordingly, the provisions of the Farnham Castle Measure 1961 (9 & 10 Eliz. 2 No. 1) (“the 1961 Measure”) mentioned in subsection (2) below are hereby repealed.
- (2) The provisions of the 1961 Measure referred to in subsection (1) above are the words “, but subject to the succeeding section” in section 1(2), section 2 and the definition of “approved” in section 3.
- (3) Before exercising any power to sell or otherwise dispose of Farnham Castle or any part thereof or any interest in or over it the Commissioners shall consider what consequences would be likely to result from the exercise of that power and what

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restrictive or other conditions, if any, should be imposed upon the purchaser, lessee or grantee and, if they consider that Farnham Castle or any part thereof may be prejudicially affected by the exercise of that power, they shall consult English Heritage and such other person or body qualified to advise on the matter as they think fit.

(4) The Commissioners may enforce any covenants imposed on the sale, exchange or gift of the whole or, in the case of a partial disposition, on the sale, exchange or gift of the last remaining part, of Farnham Castle as if the Commissioners were the owners of adjacent land and the covenants were expressed to be entered into for the benefit of that land and, in the case of covenants of a positive character, as if they were negative.

(5) In this section—

“the Commissioners” means the Church Commissioners;

“English Heritage” means the Historic Buildings and Monuments Commission for England, known as English Heritage; and

“Farnham Castle” has the meaning assigned to it by the 1961 Measure.

Commencement Information

I4 S. 6 in force at 1.10.2006 by S.I. 2006/2, Instrument made by Archbishops

F37 **Amendment of Ecclesiastical Jurisdiction Measure 1963**

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Textual Amendments

F3 S. 7 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

8 **Amendment of Synodical Government Measure 1969**

The Constitution of the General Synod set out in Schedule 2 to the Synodical Government Measure 1969 (1969 No. 2) shall be amended as follows—

(a) for Article 4(2) there shall be substituted the following paragraph—

“(2) The Presidents shall, after consultation with the Appointments Committee of the Church of England, appoint from among the members of any House of the Synod a panel of such number of persons as the Presidents may determine, who shall be available to take the chair at meetings of the Synod, being persons who shall be chosen for their experience of chairing and ability to chair meetings; and it shall be the duty of one of the persons on the panel, in accordance with arrangements approved by the Presidents and subject to any special directions of the Presidents, to take the chair at meetings of the Synod at which neither of the Presidents take the chair.”; and

(b) for Article 5(4) there shall be substituted the following paragraph—

“(4) Without prejudice to Article 11(1) below, where a vote is to be taken by a division either of the whole Synod or by Houses, Standing Orders may provide for the vote to be taken either by physical separation

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of the members voting or by other means including such electronic method of voting as may from time to time be determined by the Business Committee.”.

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Commencement Information

I5 S. 8 in force at 1.10.2006 by S.I. 2006/2, Instrument made by Archbishops

9 Amendment of Repair of Benefice Buildings Measure 1972

In sections 20(5) and 31(2) of the Repair of Benefice Buildings Measure 1972 (1972 No. 2) for the word “patron”, in each place, there shall be substituted the words “registered patron”.

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Commencement Information

I6 S. 9 in force at 1.10.2006 by S.I. 2006/2, Instrument made by Archbishops

10 Amendment of Endowments and Glebe Measure 1976

The Endowments and Glebe Measure 1976 (1976 No. 4) shall have effect subject to the amendments specified in Schedule 3 to this Measure.

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Commencement Information

I7 S. 10 in force at 1.10.2006 by S.I. 2006/2, Instrument made by Archbishops

11 Amendment of Church of England (Miscellaneous Provisions) Measure 1978

In section 8 of the Church of England (Miscellaneous Provisions) Measure 1978 (1978 No. 3), in the headnote, for the words “Church Commissioners” there shall be substituted the words “Diocesan Board of Finance”, for the words “the fee simple of any ecclesiastical property is in abeyance, the fee simple” there shall be substituted the words “any ecclesiastical property is vested in the incumbent of a benefice which is vacant, it” and for the words “Church Commissioners” there shall be substituted the words “Diocesan Board of Finance for the diocese in which the land is situated”.

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Commencement Information

I8 S. 11 in force at 1.10.2006 by S.I. 2006/2, Instrument made by Archbishops

^{F4}**12 Amendment of Pastoral Measure 1983**

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Changes to legislation: There are currently no known outstanding effects for the Church of England (Miscellaneous Provisions) Measure 2006. (See end of Document for details)

Textual Amendments

- F4** S. 12 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, Instrument made by Archbishops

Commencement Information

- I9** S. 12 in force at 1.10.2006 by [S.I. 2006/2](#), Instrument made by Archbishops

13 Amendment of National Institutions Measure 1998

Paragraph 9 of Schedule 1 to the National Institutions Measure 1998 (1998 No. 1) shall be amended as follows—

- (a) in subparagraph (1) the words “who is an actual communicant (as defined in Rule 54(1) of the Church Representation Rules)” shall be omitted and after the words “in the case of a lay person” there shall be inserted the words “ who is an actual communicant (as defined in Rule 54(1) of the Church Representation Rules) ”; and
- (b) in subparagraph (2) there shall be inserted before the word “member” the word “ lay ”.

Commencement Information

- I10** [S. 13](#) in force at 1.10.2006 by [S.I. 2006/2](#), Instrument made by Archbishops

14 Miscellaneous Amendments of Acts

The enactments referred to in Schedule 5 to this Measure, being enactments which relate to functions of the Church Commissioners in connection with transactions affecting certain ecclesiastical property, shall have effect subject to the amendments specified in that Schedule.

Commencement Information

- I11** [S. 14](#) in force at 1.10.2006 by [S.I. 2006/2](#), Instrument made by Archbishops

15 Repeals

The enactments mentioned in Schedule 6 to this Measure are hereby repealed to the extent specified in the second column of that Schedule.

Commencement Information

- I12** [S. 15](#) in force at 1.10.2006 by [S.I. 2006/2](#), Instrument made by Archbishops

16 Citation, commencement and extent

- (1) This Measure may be cited as the Church of England (Miscellaneous Provisions) Measure 2006.

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- (2) This Measure shall come into force on such day as the Archbishops of Canterbury and York may jointly appoint, and different days may be appointed for different provisions.
- (3) This Measure shall extend to the whole of the Provinces of Canterbury and York, except that the Measure, apart from section 13 above, shall only extend to the Isle of Man and the Channel Islands in accordance with the following provisions of this section.
- (4) Section 2 above, this section and Schedule 2 to this Measure shall extend to the Isle of Man and, if an Act of Tynwald or an instrument made under an Act of Tynwald so provides, sections 4, 7, 8, 12 and 15 above, and Schedules 4 and 6 to this Measure, 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.
- (5) This Measure, except sections 1, 2, 3, 6, 7, 11, 13 and 14 above and Schedules 1, 2 and 5 to this Measure, 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.

Commencement Information

I13 S. 16 in force at 1.10.2006 by S.I. 2006/2, Instrument made by Archbishops

Changes to legislation:

There are currently no known outstanding effects for the Church of England (Miscellaneous Provisions) Measure 2006.