



# Mission and Pastoral Measure 2011

2011 No. 3

## PART 7

### MISSION

#### *Mission initiatives*

#### **80 Mission initiatives**

- (1) Where a person or group of persons is carrying out or is proposing or wishes to carry out an initiative in any diocese or any part of a diocese (in this Part referred to as a “mission initiative”) and—
  - (a) that person or group or any other person or body exercising ecclesiastical functions in the diocese requests the bishop of the diocese to make an order under this section, or
  - (b) the bishop, without any such request being made, considers that it would be appropriate to make an order under this section,then if the bishop is satisfied that the initiative would be likely, through fostering or developing a form of Christian community, to promote or further the mission of the Church or any aspect of it, he may make such an order.
- (2) An order under this section shall endorse the initiative and make provision for it in accordance with this section and sections 81 to 84 and shall be known as a bishop's mission order.
- (3) Where any mission initiative is being or is to be carried out in more than one diocese the bishop's mission order shall be made jointly by the bishop of each diocese affected by the order and subsection (1) shall have effect accordingly.
- (4) Any bishop's mission order shall specify the objectives of the mission initiative and the areas in which it is being or is to be carried out and specify a person or persons or a group of persons who or which is or are to lead the mission initiative and be responsible to the bishop or bishops, as the case may be, for the conduct of it (in this section and sections 81 to 84 referred to as the “leader” or “leaders”) and the role of

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the leader or leaders and the bishop or bishops shall make such provision in the order as he thinks fit or they think fit for the administration of the Sacraments in accordance with the enactments and other laws relating thereto.

- (5) Any bishop's mission order may include provision—
- (a) for participation in a local ecumenical project (commonly known as a “local ecumenical partnership”),
  - (b) for other ecumenical co-operation with other Churches, and
  - (c) for collaboration with any religious organisations,
- and in this section and sections 81 to 83 any provision mentioned in this subsection is referred to as a “co-operation provision”.
- (6) Before making any bishop's mission order the bishop or bishops, as the case may be, shall—
- (a) consult such other Churches and religious organisations as he thinks fit or they think fit,
  - (b) consult any person or group of persons who or which appears to him or them to have a significant interest in or to be likely to be significantly affected by the order, including any body which he or they consider would adequately represent the interests of any such person or group,
  - (c) consult the mission and pastoral committee in the diocese or each diocese affected by the order, and
  - (d) obtain the consent of the proposed leader or leaders.
- (7) For the purposes of subsection (6)(b), the following shall be deemed to have an interest in the order—
- (a) any person having or sharing the cure of souls in the area of any benefice affected by the order, and
  - (b) any other person or body, including a parochial church council or registered patron, who may have an interest in the cure of souls in any such area,
- and in considering whether a person or body has a significant interest in or would be likely to be significantly affected by the order, the bishop or bishops shall have regard to the objectives of the initiative endorsed by the order and any other circumstances which he or they think relevant.
- (8) Without prejudice to subsection (6), where it is proposed to include a co-operation provision in a bishop's mission order, the bishop or bishops, as the case may be, shall, as well as carrying out such consultation as is referred to in that subsection, consult the appropriate authority of each Church or religious organisation which is to participate in the local ecumenical project, or which is otherwise concerned.
- (9) The bishop or bishops, as the case may be, may authorise a person or body to carry out the consultation referred to in subsections (6) and (8) on his or their behalf.
- (10) No person may officiate in any place in accordance with a bishop's mission order unless—
- (a) if that person is ordained as a priest or deacon, he or she has received authority from the bishop by virtue of being instituted to a benefice or licensed by the bishop to serve or having written permission to officiate in any diocese affected by the order or may, otherwise, under any Canon of the Church of England, officiate in that place without the authority of the bishop, or

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- (b) if that person is a deaconess, reader or lay worker, he or she is authorised, under any Canon, to do so.
- (11) Subject to subsection (10), any bishop's mission order may include provision authorising a minister to exercise his or her ministry in any place for the purposes of or in connection with the mission initiative in any manner specified in the order and, where he or she is not the minister who has the cure of souls in that place, without obtaining the permission of the minister who has that cure but, before including any such provision, the bishop or bishops shall consult—
- (a) if the order affects one parish only, the incumbent or priest in charge of that parish,
  - (b) subject to paragraphs (c) to (e) below, if the order affects more than one parish in a diocese, either the incumbents or priests in charge of those parishes or the House of Clergy of the deanery synod of the deanery in which the parishes are situated, as the bishop or bishops thinks or think fit,
  - (c) if the order affects all the parishes situated in a deanery, the House of Clergy of the deanery synod of that deanery,
  - (d) if the order affects parishes situated in more than one deanery, the House of Clergy of the deanery synod of each deanery affected or the House of Clergy of the diocesan synod of the diocese in which the parishes are situated, as the bishop or bishops thinks fit or think fit, and
  - (e) if the order affects parishes situated in more than one diocese, the House of Clergy of the deanery synod of each deanery affected or the House of Clergy of the diocesan synod of each diocese affected, as the bishop or bishops thinks fit or think fit.
- (12) Any alms collected in the course of or in connection with an office or service performed in accordance with the order shall be disposed of in such manner as the minister performing the office or service may, subject to the direction of the bishop or bishops of the dioceses affected, determine.
- (13) Subject to subsection (10), any bishop's mission order may include provision authorising the performance of divine service, including Holy Communion, if so specified, in any building other than a parish church, parish centre of worship or place licensed for public worship in accordance with section 43(1) or a guild church, with the consent of the person who has the general management and control of the building.
- (14) Subject to subsection (10), any bishop's mission order may include provision authorising the performance of any divine service, including Holy Communion, in any parish church or place excluded from subsection (13) above with the consent of any minister having the cure of souls in that place.
- (15) Nothing in this section shall authorise any act done in contravention of a resolution passed under section 3(1) or 4(1) of the Priests (Ordination of Women) Measure 1993 (1993 No. 2).

**Commencement Information**

**II** S. 80 in force at 1.7.2012 by [S.I. 2012/1](#), [art. 2](#)

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## 81 Visitors

- (1) A bishop's mission order shall designate a person, to be known as “the Visitor”, who shall, on behalf of the bishop or bishops—
  - (a) exercise oversight of the mission initiative and advise and encourage and, so far as practicable, provide support for it;
  - (b) review the mission initiative at intervals of not more than eighteen months or such lesser period as may be specified in the bishop's mission order and report to the bishop or bishops, as the case may be on the outcome of the reviews and send copies of the reports to the leader or leaders;
  - (c) report regularly to the bishop or bishops on the discharge of his or her duties and the progress of the mission initiative and send copies of the reports to the leader or leaders;
  - (d) at the end of the period of the bishop's mission order report to the bishop or bishops and send copies of the report to the leader or leaders and the mission and pastoral committee or committees;
  - (e) ensure that proper accounting records of the mission initiative are kept and accounts are prepared annually which show a true and fair view of all activities carried out in accordance with professional practice and standards; and
  - (f) advise the bishop or bishops and the leader or leaders on initiating and developing appropriate methods of governance of the mission initiative.
- (2) The leader or leaders shall—
  - (a) consult the Visitor regularly about the general direction and development of the mission initiative, and
  - (b) supply the Visitor with a copy of the annual accounts and any other information which the Visitor requires in order to carry out his or her functions.
- (3) Any person may draw to the Visitor's attention any matter relating to the mission initiative of which he or she thinks the Visitor should be aware.

### Commencement Information

**I2** S. 81 in force at 1.7.2012 by [S.I. 2012/1](#), [art. 2](#)

## 82 Supplementary provisions

- (1) A bishop's mission order may contain such supplementary provisions as the bishop or bishops, as the case may be, thinks or think fit and, if he or they thinks or think fit, he or they may include any such provisions in a supplementary instrument being provisions which, in his or their opinion, would further the objectives of the mission initiative.
- (2) Without prejudice to the generality of subsection (1) the bishop's mission order or supplementary instrument may make provision—
  - (a) for the stipends, remuneration, pensions or housing and other expenses of any persons exercising functions under the bishop's mission order;
  - (b) for any other offices or functions which such persons may hold or perform in conjunction with their functions under the order;
  - (c) for the replacement, where necessary, of any persons or bodies exercising functions under the order by other persons or bodies;

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- (d) for the organisation, governance and financing of the mission initiative including the management and control of any property used by those exercising functions under the order;
  - (e) for any measures required for the protection of children, young persons and other vulnerable persons and for health and safety and insurance;
  - (f) for relationships between persons involved with the mission initiative and persons who have the cure of souls within any area to which the bishop's mission order relates and with other churches, institutions and religious organisations; and
  - (g) after consulting the Visitor and such other persons or body as the bishop or bishops thinks or think fit, for representation of persons to whom the order relates on such deanery synod as he thinks or they think fit in accordance with a scheme made by the diocesan synod of the diocese in which the deanery is situated.
- (3) Where a co-operation provision is included or is to be included in a bishop's mission order, and without prejudice to section 80(6) above, the bishop or bishops, as the case may be, and the Visitor shall discharge all their functions under this Part after consultation with the appropriate authority of each Church or religious organisation which is to participate in the local ecumenical project, or which is otherwise concerned.
- (4) The bishop or bishops may vary any bishop's mission order or any supplementary instrument by a further order or instrument but, in the case of an order, shall not do so except after consulting the mission and pastoral committee or committees of the diocese or dioceses concerned and the leader or leaders, the Visitor, any relevant person having the cure of souls and any other person or body which he thinks or they think fit and section 80(8) or (11) or subsection (3) shall apply if any variation relates to any such provision as is referred to in any of those subsections.
- (5) The bishop or bishops may revoke any bishop's mission order and any supplementary instrument by a further order or instrument but, in the case of an order, shall not do so without carrying out the like consultation as is referred to in subsection (4).
- (6) Any leader shall have the right to make written or oral representations (or both) to the mission and pastoral committee or committees in respect of any order varying or revoking a bishop's mission order and any such order may include provision in respect of the management or disposal of property and of any other matters for which it is, in the opinion of the bishop or bishops, expedient to make provision.
- (7) Any bishop's mission order or supplementary instrument shall specify its duration, but, subject to section 83, no such order, taken together with any order varying it, shall extend beyond the period of five years from the date on which it is made.
- (8) Any order under section 80 or this section and any instrument under this section shall be signed by the bishop or bishops, as the case may be, or by a person authorised by him or them and shall also (except in the case of an order or instrument varying or revoking an order or instrument) be signed by the leader or leaders and contain a declaration by the leader or leaders of acceptance of the terms of the order or instrument.
- (9) In section 80 “ecumenical co-operation” means co-operation in matters affecting the ministry, congregational life or buildings of the Churches concerned and “local ecumenical project” has the same meaning as in the Church of England (Ecumenical Relations) Measure 1988 (1988 No. 3).

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*Changes to legislation: There are currently no known outstanding effects for the Mission and Pastoral Measure 2011, Part 7. (See end of Document for details)*

### Commencement Information

**I3** S. 82 in force at 1.7.2012 by S.I. 2012/1, art. 2

## 83 Review of duration of mission initiatives and further provisions

- (1) Without prejudice to section 81(1)(b), the Visitor shall conduct a review of the mission initiative not less than six months before the expiry of the bishop's mission order under section 82(7), in consultation with the leader or leaders, the mission and pastoral committee of each diocese affected by the order and such other persons or organisations referred to in section 80(6) as the Visitor thinks fit and, where relevant, any such authority as is referred to in section 82(3).
- (2) The Visitor shall report to the bishop or bishops on the outcome of the review conducted under subsection (1) and the report shall contain the Visitor's recommendations on whether the mission initiative should continue and, if so, whether the bishop's mission order should be renewed and, if it should, on the period (not exceeding five years) of the renewal or, if not, how the mission initiative or its objectives should be continued.
- (3) The Visitor's report may contain such other recommendations or comments as the Visitor may think fit and copies of the report shall be sent to such other persons or bodies as the bishop or bishops may direct.
- (4) The bishop or bishops, after considering the report, may, if he or they consider that the mission initiative should continue, after consulting the mission and pastoral committee or committees and after carrying out such further consultation as he thinks or they think fit make a further bishop's mission order continuing the mission initiative and, if he thinks or they think fit, a further supplementary instrument.
- (5) The further order and supplementary instrument if any, shall specify the duration of the order and instrument and the order shall continue in force—
  - (a) for a period of up to five years; or
  - (b) for a period of up to eighteen months so as to enable arrangements to be made for the mission initiative or its objectives to be continued by other means.
- (6) If the bishop or bishops make a further order under subsection (4) the Visitor shall be under the like duty to review and report on the mission initiative as is conferred on the Visitor by subsections (1), (2) and (3) and section 81(1)(b) shall not apply.
- (7) The bishop or bishops, after considering the report referred to in subsection (6), may, if he or they consider—
  - (a) that the mission initiative should continue, and
  - (b) that there are no other suitable means by which the mission initiative or its objectives can be achieved,
 after consulting the mission and pastoral committee or committees, make a further mission order and, if he thinks or they think fit, a further supplementary instrument.
- (8) Where a bishop's mission order contains or is to contain a provision for participation in a local ecumenical project the order or supplementary instrument may, with the agreement of the appropriate authority of each Church which is to participate in the ecumenical project, provide that the reports referred to in subsections (2) and (6) and the functions of the bishop or bishops under subsections (3), (4), (5), (7), (9), (10), (11)

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and (12) shall, in the case of the reports, be made to and, in the case of the functions, be performed by, or on behalf of, a body of persons which shall include the bishop or bishops and one or more representatives of the appropriate authorities mentioned above and may include persons otherwise representing the Church of England and any functions of the Visitor which, under section 81 or this section, are performed on behalf of the bishop or bishops shall be performed, instead, on behalf of that body.

- (9) Any order or supplementary instrument made under subsection (7) shall continue without limit of time, unless revoked or varied by a further order or instrument.
- (10) Any order or supplementary instrument made under this section shall, so far as appropriate, make provision for any of the matters mentioned in sections 80 to 82 and those sections shall apply accordingly.
- (11) Any order or supplementary instrument may be varied or revoked by a further order or instrument and section 82(4), (5) and (6) shall apply in relation to any such order or instrument as it applies to orders and instruments made under that section.
- (12) Any order or instrument made under this section shall be signed in like manner as is provided by section 82(8) and shall include the like requirement to contain a declaration of acceptance by the leader or leaders.

#### **Commencement Information**

**I4** S. 83 in force at 1.7.2012 by [S.I. 2012/1](#), [art. 2](#)

## **84 Code of Practice**

- (1) The House of Bishops shall draw up and promulgate guidance in a Code of Practice as to the exercise of the functions conferred under this Part.
- (2) The House of Bishops may amend or replace any Code issued under subsection (1) by a further Code of Practice issued in accordance with this section.
- (3) A Code of Practice shall be laid before the General Synod and shall not come into force until approved by the General Synod, whether with or without amendment.
- (4) Where the Business Committee of the General Synod determines that a Code of Practice does not need to be debated by the General Synod then, unless—
  - (a) notice is given by a member of the General Synod in accordance with its Standing Orders that he or she wishes the Code to be debated, or
  - (b) notice is so given by any such member that he or she wishes to move an amendment to the Code,the Code shall, for the purposes of subsection (3), be deemed to have been approved by the General Synod without amendment.
- (5) The bishop or bishops who make any order or instrument under this Part and any leader, any Visitor and any mission and pastoral committee shall be under a duty to have regard to any Code of Practice issued under this section.

#### **Commencement Information**

**I5** S. 84 in force at 1.7.2012 by [S.I. 2012/1](#), [art. 2](#)

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