Mission and Pastoral Measure 2011

2011 No. 3

PART 5

CONTENTS AND EFFECT OF PASTORAL SCHEMES AND ORDERS

Other provisions as to clergy and ministry

38 Designation, selection and admission of certain incumbents

(1) A pastoral scheme providing for the creation of a new benefice may provide for the designation or selection of the first incumbent of the new benefice and of the incumbent of any benefice concerned which falls vacant before the new benefice comes into being, and for restricting rights of presentation on any such vacancy.

(2) A pastoral scheme providing for the transfer, under section 31(1)(c), of a parish from one benefice to another may, if there is a vacancy in the office of incumbent in the benefice to which the parish is transferred at the time when the transfer takes effect, provide for the designation or selection of the incumbent of that benefice and for restricting rights of presentation on the vacancy.

(3) A pastoral scheme providing for the holding of two or more benefices in plurality may provide for the designation or selection of the incumbent who is to hold all the benefices concerned and of the incumbent of any such benefice falling vacant before all the said benefices come to be held in plurality, and for restricting rights of presentation on any such vacancy.

(4) Subsections (1), (2) and (3) shall not apply for the first rector of a team ministry or the first incumbent of a benefice in a group ministry to whom sections 34(4) and 35(3) respectively apply.

(5) Paragraph 5 of Schedule 3 shall apply with respect to the admission and induction of incumbents of benefices created or affected by pastoral schemes in accordance with the provisions of that paragraph.

Commencement Information

I1 S. 38 in force at 1.7.2012 by S.I. 2012/1, **art. 2**

Changes to legislation:
There are currently no known outstanding effects for the Mission and Pastoral Measure 2011, Section 38.