

SCHEDULES

SCHEDULE 2

MINOR AND CONSEQUENTIAL AMENDMENTS

Mission and Pastoral Measure 2011

- 19 (1) The [Mission and Pastoral Measure 2011 \(No. 3\)](#) is amended as follows.
- (2) In section 6(4), the words from the words “and any such person” to “accommodation” are repealed.
- (3) Section 7 is amended as follows—
- (a) in subsection (1), for the words “draft proposals” in the second place and in subsections (2) and (3), in each place there is substituted the word “proposals”, and
- (b) in subsection (2), at the end there are added the words “, unless notice has already been given by the bishop under section 85(1) of the suspension of the right of presentation to the benefice”.
- (4) In section 21(3) the words from the words “and any such person” to “accommodation” are repealed.
- (5) In section 39(3), after the word “vacant”, in the second place where it occurs, there are inserted the words “, where the holder of the office is entitled to receive a stipend or other emoluments of office including the provision of accommodation,”.
- (6) In section 45(1)(d), after the words “part of a parsonage house” there are inserted the words “, a house or part of a house which, before it became diocesan glebe land under a pastoral scheme, was a parsonage house or part of a parsonage house”.
- (7) In section 57, after subsection (5) there are inserted the following subsections—
- “(5A) The Churches Conservation Trust shall have power, with the consent of the Commissioners, to transfer, by way of grant, property or funds held by it, other than any church building, to such charitable foundations as it thinks fit.
- (5B) The Churches Conservation Trust shall have power, with the consent of the Commissioners, to dispose of any fixtures, fittings or other contents of a church building vested in the Trust under this Part or acquired by the Trust under subsection (6).”.
- (8) In section 90(3) for “76” there is substituted “77”.
- (9) Section 95 is amended as follows—
- (a) the temporary maintenance account is re-named “the closed church buildings support account” and the heading to that section shall become “The closed church buildings support account”;

Status: This is the original version (as it was originally enacted).

- (b) in subsection (3), for the words “and maintenance” there are substituted the words “, maintenance and, where the scheme authorises it, demolition”; and
- (c) after subsection (3) there is added the following subsection—

“(3A) The Commissioners may also apply moneys standing to the credit of the closed church buildings support account (whether the building is vested in the Commissioners or a diocesan board of finance) for the purpose of applying for planning permission or listed building consent in respect of a building closed for regular public worship in the circumstances mentioned in relation to that body in subsection (3).”.

- (10) Any reference in the Mission and Pastoral Measure 2011 to the temporary maintenance account shall be construed as a reference to the closed church buildings support account.

- (11) In section 101, at the end there is added the following subsection—

“(7) Any reference in this section to serving, sending or giving a notice or other document includes a reference to sending it by electronic means.”.

- (12) In paragraph 11 of Schedule 4—

- (a) in sub-paragraph (1)(a), for the words from “the Clergy Pensions Measure 1961” to “pensionable service” there are substituted the words “the Funded Scheme rules, shall be deemed for the purposes of those rules and this paragraph to be a period of pensionable service (but not “service” for any other purpose of those rules)”;
- (b) in sub-paragraph (1)(b), for the words “on attaining the retiring age within the meaning of that Measure, he or she shall be deemed to retire for the purposes of that Measure” there are substituted the words “on attaining the age at which he or she is entitled to receive a pension under the Funded Scheme rules, he or she shall be deemed to be so entitled and to retire for the purposes of those rules” and the words from “and, if his or her” to the end of that paragraph are omitted;
- (c) sub-paragraph (1)(c) including the definition of “prescribed period” is omitted;
- (d) in sub-paragraph (4), for the words from “on attaining the retiring age” to the end of the sub-paragraph there are substituted the words “on attaining the age at which he or she is entitled to receive a pension under the Funded Scheme rules he or she is deemed to be so entitled and to retire for the purposes of this paragraph and compensation shall cease to be payable when he or she attains that age”;
- (e) after sub-paragraph (5) there is inserted the following sub-paragraph—

“(5A) Where the mission and pastoral committee has suspended any periodical payments under paragraph 7 to any person, that person is deemed not to be in pensionable service under paragraph 11(1)(a) for the period during which the periodical payments are suspended.”;

- (f) for sub-paragraph (6) there is substituted the following sub-paragraph—

“(6) Any reference to the Funded Scheme rules is a reference to the rules made under section 2 of the Pensions Measure 1997.”; and

- (g) after sub-paragraph (6) there is added the following sub-paragraph—

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

“(7) The diocesan board of finance for the diocese concerned is the responsible body for the purposes of the Pensions Measure 1997 in respect of a person who is deemed to be in pensionable service for the purposes of this paragraph.”