Church of England (Miscellaneous Provisions) Measure 2014

2014 No. 1

11 Amendment of Incumbents (Vacation of Benefices) Measure 1977

(1) After section 12 of the Incumbents (Vacation of Benefices) Measure 1977 (No. 1) there is inserted the following section—

"**12A Right of appeal against findings of tribunal**

(1) An appeal may be brought against the findings contained in a report by a provincial tribunal under Part I or II of this Measure in accordance with the following provisions of this section.

(2) In the case of a report under Part I, the incumbent concerned or the parochial church council concerned may appeal against any findings of law or fact in the report.

(3) In the case of a report under Part I, the archdeacon in whose archdeaconry the benefice of the incumbent is or any person requesting an enquiry under section 1A(1)(d) may appeal against any findings of law in the report.

(4) In the case of a report under Part II, the incumbent may appeal against any findings of law or fact.

(5) There shall be an Appeal Panel for each province, which shall be constituted in the same way and from among the same persons as in the case of the Appeal Tribunals established under paragraph 13 of Schedule 4 to the Mission and Pastoral Measure 2011 (No. 3) except that no person who—

(a) was a member of the provincial tribunal which conducted the enquiry which is the subject of the appeal, or

(b) was ineligible to be appointed to that tribunal under Schedule 1 to this Measure,

(6) The appellant must state the grounds, or a summary of the grounds, of the appeal.

(7) Where the appeal is brought under subsection (2) by the parochial church council, section 1A(1)(c), (3) and (4) apply in relation to the appeal except that the references to a request for an enquiry or a notice of intention to make it are to be construed as references to the appeal.

(8) Where the appeal is brought under subsection (3) by a person requesting an enquiry, section 1A(1)(d), (3) and (5) apply in relation to the appeal except that the references to a request for an enquiry or a notice of intention to make it are to be construed as references to the appeal.

(9) Notice of the appeal shall be given in writing to the bishop of the diocese in which the parish in question is and to the secretary of that diocese and section 1A(6) applies as it applies to a request for an enquiry.”.

(2) Schedule 2 contains further amendments to the Incumbents (Vacation of Benefices) Measure 1977.

Commencement Information

I1 S. 11 in force at 19.5.2014 by S.I. 2014/1369, **art. 2**

Changes to legislation:
There are currently no known outstanding effects for the Church of England (Miscellaneous Provisions) Measure 2014, Section 11.