

SCHEDULES

SCHEDULE 4

Section 97

TRANSITIONAL, SAVING AND TRANSITORY PROVISIONS

PART 1

TRANSITIONAL AND SAVING PROVISIONS

Continuity of the law

- 1 The repeal and re-enactment of provisions by this Measure does not affect the continuity of the law.
- 2 A reference, express or implied, in this Measure, another enactment or an instrument or document, to a provision of this Measure is, subject to its context, to be read as being or including a reference to the corresponding provision repealed by this Measure, in relation to times, circumstances or purposes in relation to which the repealed provision had effect.
- 3 A reference, express or implied, in an enactment, instrument or document to a provision repealed by this Measure is, subject to its context, to be read as being or including a reference to the corresponding provision of this Measure, in relation to times, circumstances or purposes in relation to which the corresponding provision has effect.
- 4 Any subordinate legislation made, any appointment or nomination made or any other thing done, or having effect as if made or done, under (or for the purposes of or in reliance on) a provision repealed and re-enacted by this Measure, and in force or effective immediately before the commencement of the corresponding provision of this Measure, has effect after that commencement as if made or done under (or for the purposes of or in reliance on) that corresponding provision.
- 5 Paragraphs 1 to 4 have effect in place of section 17(2) of the Interpretation Act 1978; but nothing in this Schedule affects any other provision of that Act.

Effect of previous transitionals and savings

- 6 The repeals made by this Measure do not affect the operation of a transitional provision or saving relating to the commencement of a provision reproduced in this Measure so far as the transitional provision or saving is not specifically reproduced in this Measure but remains capable of having effect in relation to the corresponding provision of this Measure or otherwise.
- 7 (1) The repeal by this Measure of a provision previously repealed subject to savings does not affect the continued operation of those savings.

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- (2) The repeal by this Measure of a saving on the previous repeal of a provision does not affect the operation of the saving in so far as it is not specifically reproduced in this Measure but remains capable of having effect.

Use of existing forms etc.

- 8 A reference to a provision repealed by this Measure which is contained in a form or other document made, served, granted or issued after the commencement of the repeal is, subject to its context, to be read as being or including a reference to the corresponding provision of this Measure.

Duplicated repeals

- 9 (1) This paragraph applies in relation to a provision, the repeal of which is provided for both by this Measure and by the Statute Law (Repeals) Measure 2018.
- (2) If the repeal of the provision by this Measure comes into force before its repeal by the Statute Law (Repeals) Measure 2018 has come into force, the entry for that provision in the Schedule to that Measure is itself repealed.

PART 2

TRANSITORY PROVISIONS

Proceedings for determining rights to compensation for loss of office etc.

- 10 (1) This paragraph applies if section 6 of the Mission and Pastoral etc. (Amendment) Measure 2018 has not come into force before the commencement of section 81 of this Measure (Rule Committee: membership).
- (2) In this paragraph, “the appointed day” means the day on which section 6 of that Measure comes into force under an order made under section 14 of that Measure.
- (3) Section 81 has effect until the appointed day as if, after subsection (5), there were inserted—
- “(5A) For the purpose of making rules relating to the procedure to be followed in connection with the determination of rights to compensation under Schedule 4 to the Mission and Pastoral Measure 2011 and in other proceedings under that Schedule, the members of the Committee also include—
- (a) one person nominated by the Archbishops’ Council, and
- (b) one person nominated by the Church of England Pensions Board.”
- (4) Section 83 (Rule Committee: power to make rules) has effect until the appointed day as if, in subsection (1), after paragraph (d) there were inserted—
- “(da) Schedule 4 to the Mission and Pastoral Measure 2011 (compensation for loss of office);”.
- (5) Schedule 3 (consequential amendments) has effect until the appointed day as if, after paragraph 18 (but before the following cross-heading) there were inserted—

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- “18A In Schedule 4 (compensation of clergy), in paragraph 14, omit
“established by section 25 of the Care of Churches and Ecclesiastical
Jurisdiction Measure 1991”.”