



# Mission and Pastoral etc. (Amendment) Measure 2018

2018 No. 4

## **4 Pastoral schemes and orders: presumption in favour of deanery plan**

- (1) In section 11 of the Mission and Pastoral Measure 2011 (making of schemes and orders), after subsection (4) insert—

“(4A) In the case of a draft scheme which gives effect to proposals included in a deanery plan to which this section applies, the Commissioners, having considered any representations made with respect to the draft scheme, shall seal a copy of the draft scheme and so make the scheme, unless they consider that there are material considerations which indicate that it should not be made.

(4B) Subsections (1) to (4) have effect subject to subsection (4A).”

- (2) In that section, after subsection (6) insert—

“(6A) In the case of a draft order which gives effect to proposals included in a deanery plan to which this section applies, the Commissioners, having considered any representations made with respect to the draft order, shall issue a certificate that the order should be made and submit the draft order and certificate to the bishop, unless they consider that there are material considerations which indicate that the order should not be made.

(6B) Subsections (5) and (6) have effect subject to subsection (6A).”

- (3) In that section, after subsection (7) insert—

“(8) In this section, “deanery plan” means a plan for pastoral reorganisation which has been approved by the deanery synod of each deanery which would be affected by implementation of the plan; and a deanery plan is one to which this section applies if—

- (a) the persons who are the interested parties for the purposes of section 6(8A) have been consulted on the plan,

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**Changes to legislation:** There are currently no known outstanding effects for the Mission and Pastoral etc. (Amendment) Measure 2018, Section 4. (See end of Document for details)

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- (b) any person holding office under Common Tenure, and any incumbent or archdeacon not subject to Common Tenure, whose office would or might be abolished if the plan took effect has had an opportunity to meet the mission and pastoral committee, and
  - (c) the proposals to which the draft scheme or order gives effect are to the same effect, or substantially the same effect, as proposals included in the plan.”
- (4) In section 26 of the Mission and Pastoral Measure 2011 (making of schemes and orders), after subsection (4) insert—
- “(5) In the case of a draft scheme which gives effect to proposals included in a deanery plan to which this section applies, the Commissioners, having considered any representations made with respect to the draft scheme, shall seal a copy of the draft scheme and so make the scheme, unless they consider that there are material considerations which indicate that it should not be made.
- (6) Subsections (1) to (4) have effect subject to subsection (5).
- (7) In this section, “deanery plan” means a plan for pastoral reorganisation which has been approved by the deanery synod of each deanery which would be affected by implementation of the plan; and a deanery plan is one to which this section applies if—
- (a) the persons who are the interested parties for the purposes of section 21(9A) have been consulted on the plan,
  - (b) any person holding office under Common Tenure, and any incumbent or archdeacon not subject to Common Tenure, whose office would or might be abolished if the plan took effect has had an opportunity to meet the mission and pastoral committee, and
  - (c) the proposals to which the draft scheme gives effect are to the same effect, or substantially the same effect, as proposals included in the plan.”

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**Commencement Information**

- I1** S. 4(1) in force at 1.3.2019 by S.I. 2019/66, **art. 2(b)**
- I2** S. 4(2)(3) in force at 1.10.2018 by S.I. 2018/722, **art. 3(d)**
- I3** S. 4(4) in force at 1.10.2018 for specified purposes by S.I. 2018/722, **art. 3(d)**
- I4** S. 4(4) in force at 1.3.2019 for specified purposes by S.I. 2019/66, **art. 2(b)**

**Changes to legislation:**

There are currently no known outstanding effects for the Mission and Pastoral etc. (Amendment) Measure 2018, Section 4.