
Changes to legislation: There are currently no known outstanding effects for the Diocesan Boards of Education Measure 2021, Cross Heading: General provisions. (See end of Document for details)

SCHEDULES

SCHEDULE 1

DBE: SCHEME FOR DESIGNATION

General provisions

- 4 The provisions contained in the memorandum and articles of association of each Board of Finance by virtue of section 1(2)(b) of the Diocesan Boards of Finance Measure 1925 are to be taken to include provision authorising the Board to further the work of the Church of England by the exercise of—
- (a) the functions conferred on the Board by virtue of paragraph 3, and
 - (b) the functions which the Board has in its own right (rather than through the DBE committee within the meaning of paragraph 3).
- 5 Every scheme under section 3 must include provision about—
- (a) the composition of the DBE in accordance with Schedule 2;
 - (b) reporting to the diocesan synod in accordance with section 17(2).
- 6 (1) A scheme under section 3 may include provision—
- (a) for the transfer of property or rights for which provision is not made in paragraphs 1 to 3;
 - (b) for the transfer of rights and liabilities under or in connection with a contract of employment;
 - (c) for the transfer of other rights and liabilities.
- (2) For the purposes of sub-paragraph (1)(a), the scheme may provide for property which was held on trust immediately before the transfer to continue to be held subject to the same trusts.
- (3) But any property which was held immediately before the transfer as permanent endowment is, if the transferee is a company limited by guarantee or CIO, to be held by the transferee as corporate trustee.
- 7 (1) A scheme under section 3 may include supplementary, incidental, consequential, transitional or saving provision and may in particular—
- (a) create rights or impose liabilities in relation to property or rights transferred;
 - (b) make provision about the continuing effect of things done, or the continuation of things in the process of being done, in respect of anything transferred;
 - (c) make provision about the interpretation of references to the DBE in an instrument or other document in respect of anything transferred.
- (2) The reference in sub-paragraph (1)(c) to an instrument or other document does not include a reference to a Measure or an Act of Parliament or to legislation made under a Measure or an Act of Parliament.

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- 8
- (1) The consent of the DBE for the purposes of section 3(2) or (3) may be signified by a certificate signed by the bishop of the diocese and by the director of education of the diocese.
 - (2) The consent of the DBE for the purposes of section 4(4) may be signified by a certificate signed by the bishop, and by the director of education, of each of the dioceses concerned.
 - (3) A certificate under this paragraph is to be treated as conclusive for all purposes.

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