



# Diocesan Boards of Education Measure 2021

2021 No. 1

## *Structure*

### **3 Single DBE**

- (1) Each diocesan synod must make a scheme designating one of the following as the DBE for the diocese—
  - (a) a company limited by guarantee, or a charitable incorporated organisation (“CIO”), which is registered in the register of charities,
  - (b) an unincorporated body which is registered in the register of charities, or
  - (c) the Diocesan Board of Finance (referred to in this Measure as “the Board of Finance” for the diocese).
- (2) The first scheme under this section must implement a proposal made by the bishop of the diocese with the consent of the existing DBE.
- (3) A subsequent scheme under this section must implement a proposal which—
  - (a) if the existing DBE comes within subsection (1)(a) or (b), is made by the bishop of the diocese with the consent of the existing DBE;
  - (b) if the existing DBE comes within subsection (1)(c), is made by the bishop of the diocese after consultation with the existing DBE and with the consent of the Board of Finance.
- (4) If the archbishop of the province in which the diocese is situated considers that consent under subsection (3) is being unreasonably withheld or delayed, the archbishop may authorise the bishop to make the proposal to the diocesan synod without having obtained that consent; and subsection (3) is accordingly to be read subject to this subsection.
- (5) Before giving an authorisation under subsection (4), the archbishop must consult the Charity Commission on the proposed terms of the scheme; and if the Charity Commission does not respond within the period of 90 days beginning with the day

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**Changes to legislation:** There are currently no known outstanding effects for the Diocesan Boards of Education Measure 2021, Section 3. (See end of Document for details)

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- on which the proposed terms are sent to the Charity Commission for that purpose, the Charity Commission is to be regarded as having no comments on the proposed terms.
- (6) Where the first scheme under this section provides that the existing DBE for a diocese is to be designated as the DBE for the diocese, the existing DBE must, pending the coming into operation of the scheme, take such steps as it considers necessary for securing compliance with the requirements of this Measure.
- (7) On the coming into operation of a scheme under this section which designates the Board of Finance as the DBE for the diocese, a committee of the Board of Finance is established under this section; and the purpose of that committee is to exercise the DBE's functions on behalf of the Board of Finance.
- (8) Accordingly, in the application of this Measure to a case where the Board of Finance is so designated, a reference to the DBE for the diocese is to be read as a reference to the committee established under this section.
- (9) Schedule 1 makes further provision about a scheme under this section.
- (10) The provisions in Schedule 2 apply in relation to the DBE for each diocese.

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**Commencement Information**

- II** S. 3(10) comes into force in relation to each diocese on the day certified in relation to that diocese under s. 23(1), see s. 24(4)

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