

SCHEDULES

SCHEDULE 1

Section 7(2)

LAY RESIDENTIARY CANONS: ANCILLARY AMENDMENTS

Ecclesiastical Commissioners Act 1840

- 1 (1) Section 14A of the Cathedrals Measure 2021 (inserted by section 7 of this Measure) provides that that section applies in spite of section 27 of the Ecclesiastical Commissioners Act 1840.
- (2) None of the other provisions of that Act apply in relation to a lay residentiary canon.

Synodical Government Measure 1969

- 2 In the Church Representation Rules, in Rule 23(1) (deanery synod: scheme of representation for cathedrals), in sub-paragraph (a), after “other ministers” insert “and any lay residentiary canon”.

Ecclesiastical Offices (Age Limit) Measure 1975

- 3 In the Schedule to the Ecclesiastical Offices (Age Limit) Measure 1975 (ecclesiastical offices to which age limit of 70 applies), after “Residentiary canon in a cathedral church” insert “, including a lay residentiary canon”.

Ecclesiastical Offices (Terms of Service) Measure 2009

- 4 The Ecclesiastical Offices (Terms of Service) Measure 2009 is amended as follows.
- 5 In section 1 (common tenure), in subsection (1)(d), after “(interim dean)” insert “, and any lay residentiary canon of a cathedral”.
- 6 In section 3B (suspension of dean or residentiary canons), after “residentiary canon” insert “, including a lay residentiary canon”.
- 7 (1) Section 4 (provision of housing for office holders) is amended as follows.
 - (2) After subsection (3) insert—

“(3A) A lay residentiary canon of a cathedral does not have the right conferred by subsection (1) or (3) but the relevant housing provider may nonetheless decide to provide the office holder with a house of residence.”
 - (3) In subsection (7) (meaning of “relevant housing provider”), in paragraph (b), after “in a cathedral” insert “or in the case of a lay residentiary canon of a cathedral”.

Status: This is the original version (as it was originally enacted).

Ecclesiastical Offices (Terms of Service) Regulations 2009

- 8 In regulation 2 of the Ecclesiastical Offices (Terms of Service) Regulations 2009 (interpretation), in paragraph (1), after the definition of “grievance procedures” insert—
- ““residentiary canon” includes a lay residentiary canon;”.

Care of Cathedrals Measure 2011

- 9 In section 11 of the Care of Cathedrals Measure 2011 (Commission of Review), after subsection (3) insert—
- “(3A) The reference in subsection (3)(b) to a person who is or has been a residentiary canon of a cathedral church includes a reference to a person who is or has been a lay residentiary canon of the cathedral.”

Church of England Pensions Measure 2018

- 10 The Church of England Pensions Measure 2018 is amended as follows.
- 11 In each of the following provisions, for “or licensed lay worker”, in each place it appears, substitute “, licensed lay worker or lay residentiary canon”—
- (a) in section 5 (service to be treated as pensionable service), subsections (1), (2) and (4) to (6);
 - (b) section 7 (the funded scheme);
 - (c) in section 11 (liability of Church Commissioners), subsection (1)(a), (b) and (c);
 - (d) in section 39 (schemes for church workers), subsection (3);
 - (e) in section 43 (loans for residences), subsections (2)(a) and (b) and (5).
- 12 In section 41 (provision of residences), in subsection (1)(a) and (b), for “and licensed lay workers” substitute “, licensed lay workers and lay residentiary canons”.
- 13 In section 53 (power to make further provision by regulations), in subsection (1)(a), (b), (c) and (d), for “or church worker” substitute “, church worker or lay residentiary canon”.

Cathedrals Measure 2021

- 14 The Cathedrals Measure 2021 is amended as follows.
- 15 In section 3 (the College of Canons), in subsection (5), after “a lay canon” insert “, a lay residentiary canon”.
- 16 In section 5 (constitution: general provision), after subsection (10) insert—
- “(11) The constitution may include provision in accordance with section 14A for the appointment of a lay person as a residentiary canon of the cathedral.”
- 17 In section 9 (the bishop), in subsection (4), after “the Crown” insert “; and that, accordingly, includes a lay residentiary canon.”
- 18 (1) Section 12 (the dean) is amended as follows.
- (2) In each of subsections (7), (8) and (12), for “clergy of the cathedral” substitute “ministers of the cathedral”.

Status: This is the original version (as it was originally enacted).

- (3) In subsection (10), after “a residentiary canon” insert “(including any lay residentiary canon)”.
- (4) In subsection (12), after “clerk in Holy Orders” insert “, or any lay residentiary canon,”.
- 19 In section 13 (interim dean), in subsection (1), after “the period concerned” insert “(and the reference to a residentiary canon does not, accordingly, include a reference to a lay residentiary canon)”.
- 20 In section 14 (residentiary canons), after subsection (6) insert—
- “*(7)* This section (including as it is applied by subsection (6)) does not apply to a lay residentiary canon.”
- 21 In section 19 (senior management group), after subsection (1) insert—
- “*(1A)* A lay residentiary canon is entitled to have responsibility of a kind referred to in subsection (1)(b), except in so far as the constitution provides otherwise.”
- 22 In section 22 (disposal of land), after subsection (10) insert—
- “*(11)* In the case of a lay residentiary canon who is provided with a house of residence under section 4 of the Ecclesiastical Offices (Terms of Service) Measure 2009, the reference in subsection (2)(a) to a residentiary canon includes a reference to that lay residentiary canon.”
- 23 In section 28 (payments from Church Commissioners’ general fund), after subsection (9) insert—
- “*(10)* This section (including as it is applied by subsection (9)) does not apply to a lay residentiary canon.”
- 24 In section 40 (modification of the Church Representation Rules), in subsection (3) (e)—
- (a) after “clerk in Holy Orders” insert “, and any lay residentiary canon of the cathedral,”, and
- (b) after “other clerk” insert “, or lay residentiary canon,”.
- 25 In section 45(1) (interpretation), at the appropriate place insert—
- ““lay residentiary canon” has the meaning given in section 14A(2);”.
- 26 In Schedule 1 (the Chapter), in paragraph 1 (membership), after sub-paragraph (8) insert—
- “*(9)* The reference in sub-paragraph (1) to the residentiary canons of the cathedral includes a reference to any lay residentiary canon of the cathedral; and a lay residentiary canon who carries out cathedral duties is accordingly an executive member, except in so far as the constitution provides otherwise.”
- 27 In Schedule 2 (diocese of Leeds: the College of Canons), in the modified version of section 3 set out by paragraph 1, in subsection (7), after “a lay canon” insert “, a lay residentiary canon”.