



Pluralities Acts Amendment Act 1885

1885 CHAPTER 54 48 and 49 Vict

An Act to amend the Law relating to Pluralities.

[6th August 1885]

Commencement Information

II Act wholly in force at Royal Assent

1 Short title.

This Act may be cited as the Pluralities Acts Amendment Act 1885.

2 Construction and interpretation.

This Act shall be construed as one with the ^{M1}Pluralities Act 1838 (herein-after referred to as “the first-mentioned Act”) and the ^{M2}Pluralities Act 1850 as respectively amended by this Act.

... ^{F1}

Textual Amendments

F1 Words repealed by [Benefices \(Ecclesiastical Duties\) Measure 1926 \(No. 8\)](#)

Marginal Citations

M1 1838 c. 106.

M2 1850 c. 98.

3—8 ^{F2}

Textual Amendments

F2 Ss. 3—8, 10 repealed by [Benefices \(Ecclesiastical Duties\) Measure 1926 \(No. 8\)](#)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Pluralities Acts Amendment Act 1885. (See end of Document for details)

9 Where incumbent non-resident and population of benefice exceeds 2,000 or there are two or more churches not less than a mile apart, bishop may require two or more curates.

Where the population of a benefice, the incumbent of which is non-resident, shall exceed two thousand persons, or where there are two or more churches belonging to such benefice not less than a mile apart, notwithstanding that the annual value of such benefice be less than four hundred pounds the bishop may require the incumbent thereof to nominate to him two or more persons to be licensed as curates; and if such spiritual person neglect or omit to make such nomination for the space of three months after such requisition, it shall be lawful for the bishop to appoint and license two or more curates, [F3 . . .] , . . . F4, and the incumbent of such benefice shall be entitled to the like right of appeal to the archbishop as is provided by the eighty-sixth section of the first-mentioned Act.

Textual Amendments
F3 Words repealed (1.4.1978) by Endowments and Glebe Measure 1976 (No. 4), s. 49(2), Sch. 8
F4 Words repealed by Benefices (Ecclesiastical Duties) Measure 1926 (No. 8)

10 F5

Textual Amendments
F5 Ss. 3–8, 10 repealed by Benefices (Ecclesiastical Duties) Measure 1926 (No. 8)

11 Saving as to certain cases.

Nothing in this Act contained shall prejudice the provisions of the fifteenth section of the M3Parsonages Act 1838 or the provisions of the ninety-first, ninety-second, and ninety-fourth sections of the Pluralities Act 1838 or the provisions of the [F6Repair of Benefice Buildings Measure M41972], or any mortgage or charge duly created under any Act of Parliament upon the profits of any benefice which may come under the operation of this Act.

Textual Amendments
F6 Words substituted by virtue of Interpretation Measure 1925 (No. 1), s. 1
Marginal Citations
M3 1838 c. 23.
M4 1972 No. 2.

12 Non-resident incumbent not to return to his benefice or interfere with curate until the expiration of his licence of non-residence without bishop’s permission.

Whenever the incumbent of any benefice is non-resident with the licence of the bishop, he shall not be at liberty, without the bishop’s permission, to resume the duties of his benefice before the expiration of the period mentioned in such licence, nor shall

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he if non-resident for more than twelve months during such time interfere with the discharge of the duties of the benefice as entrusted to the curate or curates thereof by the bishop.

13 Repeal of s. 78 of 1 & 2 Vict. c. 106.

Whenever the annual value of any benefice shall exceed five hundred pounds and the population thereof shall amount to three thousand persons, or, though the population do not amount to three thousand persons, if there be in the said benefice a second church or chapel with a hamlet or district containing four hundred persons, it shall be lawful for the bishop, if he shall see fit, to require the clergyman holding such benefice, although he shall be resident thereon or engaged in performing the duties thereof, to nominate a fit and proper person to be licensed as a curate to assist in performing the duties of such benefice ^{F7}; and if a fit person shall not be nominated to the bishop within three months after his requisition for that purpose shall have been delivered to the incumbent or left at his last or usual place of abode, it shall be lawful for the bishop to appoint and license a curate ^{F7}: Provided always, that such clergyman may, within one month after service upon him of such requisition to nominate a curate or of notice of any such appointment of a curate, appeal to the archbishop of the province, who shall approve or revoke such requisition, or confirm or annul such appointment, as to him may appear just and proper.

Textual Amendments

F7 Words repealed (1.4.1978) by [Endowments and Glebe Measure 1976 \(No. 4\)](#), s. 49(2), [Sch. 8](#)

14 ^{F8}

Textual Amendments

F8 [S. 14](#) repealed by [Pluralities Measure 1930 \(No. 7\)](#)

15 Notices, &c. may be sent by post in registered letter. Service of monitions, &c. where spiritual person out of England, &c.

Every notice, requisition, nomination, or certificate to be given or sent pursuant to any of the provisions herein contained shall be deemed to have been duly given or sent if sent through the post in a prepaid registered letter, addressed, in the case of an incumbent, to the parish or place whereof he is incumbent; and where a clergyman is out of England, without license of non-residence, and without having made due provision for the performance of his ecclesiastical duties during his absence, every monition, instrument, or notice to be served on him pursuant to any of the provisions of the first-mentioned Act may be served in the manner in section one hundred and twelve of the same Act provided in the case of a clergyman who cannot be found, and the words "place of residence" in that section shall mean place of residence in England.

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