



Pastoral Measure 1983 (repealed)

1983 No. 1

PART II

CONTENTS AND EFFECT OF PASTORAL SCHEMES AND ORDERS

Pastoral orders

37 Powers exercisable by pastoral order.

[^{F1}(1)]The following powers exercisable under the foregoing provisions of this Part by a pastoral scheme shall also be exercisable by a pastoral order, that is to say:—

- (a) the power to alter the areas of benefices or parishes or to define their boundaries under section 17(1)(c) or to alter or define extra-parochial places under section 17(1)(d), but not so as to transfer from any benefice or parish any church used for public worship;
- (b) the power to alter the name of any benefice or parish under section 17(2);
- (c) the power to provide for the holding in plurality of any two or more benefices (subject to such conditions, if any, as may be specified) under section 18;
- (d) the power to provide for creating, altering or dissolving, for designating, and for naming or altering the name of, an archdeaconry or deanery under section 19;
- [^{F2}(e) the power to—
 - (i) assign a special cure of souls or other responsibilities to vicars in team ministries under section 20(8);
 - (ii) assign to any member of a team who is not a member of the team chapter a special responsibility for pastoral care, so far as consistent with that member's office, under section 20(8A);
 - (iii) specify the term of years (for which certain members of a team are to hold office or serve) for the purposes of section 20(2), (3) and (3A) under section 22(1)(cc);
 - (iv) alter a team ministry or change the office of a rector or vicar in a team ministry under section 22(1)(b) or (c);

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- (v) alter a team ministry under section 22(1)(bb) or (bbb);
- (vi) alter a group ministry under section 22(1)(e);
- (vii) provide for supplementary, consequential or transitional matters under section 22(1)(f);]
- (f) the power under section 24(2) to provide for the designation or selection of incumbents of benefices to be held in plurality;
- (g) the powers under section 27(1) to make provision with respect to churches;
- (h) the powers under section 31 as respects parsonage houses and the residences of vicars in team ministries, except so far as they relate to a new benefice;
- (i) the power under section 32(1) to provide for the exchange or transfer of rights of patronage of any benefice or church and the power to provide for the exercise of patronage of benefices held in plurality under section 32(4);
- (k) the power to provide for the payment to the income account of the diocesan stipends fund of the income of the endowments of a benefice under section 33(1);
- (l) the power under section 33(5) to make provision as to the manner in which moneys arising from any sale or exchange of the property of a benefice under the ^{M1}Parsonages Measure 1938 are to be dealt with;
- (m) the powers under section 35 so far as they relate to altering the boundaries between a parish or extra-parochial place in one diocese and a parish or extra-parochial place in another, but not so as to transfer from any benefice or parish any church used for public worship, and the powers under that section so far as they relate to the holding of benefices in plurality, subject to the modification that the reference to the conditions specified in section 12 shall include a reference to the condition specified in section 14(2);

and accordingly the said provisions of this Part, and also section 18(4), section 27(6), (7) and (8) and section 33(2) and (3), shall apply, subject to any limitations specified above, to pastoral orders as they apply to pastoral schemes:

Provided that the powers specified in paragraphs (c), (d) and (e) of this section shall not include power to require any benefice to be vacated under section 25(2), or to provide for dissolving any archdeaconry or abolishing any office of vicar in a team ministry except with the assent of the archdeacon or vicar or on a vacancy.

[^{F3}(2) In the case of a team ministry established for the area of any benefice under a pastoral scheme made and confirmed by Order in Council under the Pastoral Measure 1968, being a team ministry in respect of which the Commissioners have determined under section 20A that subsections (1) and (2) of that section are not to apply, a pastoral order may apply those subsections to the team ministry.]

Textual Amendments

- F1** S. 37 renumbered (1.5.1996) as subsection (1) thereof by [1995 No. 1, s. 5\(2\)](#); Instrument dated 12.2.1996 made by [Archbishops of Canterbury and York](#).
- F2** S. 37(1)(e) substituted (1.5.1996) by [1995 No. 1, s. 5\(3\)](#); Instrument dated 12.2.1996 made by [Archbishops of Canterbury and York](#).
- F3** S. 37(2) inserted (1.5.1996) by [1995 No. 1, s. 5\(4\)](#); Instrument dated 12.2.1996 made by [Archbishops of Canterbury and York](#).

Marginal Citations

- M1** 1938 No. 3.

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