

## SCHEDULES

### SCHEDULE 3

#### SUPPLEMENTARY PROVISIONS APPLICABLE TO MATTERS ARISING OUT OF PASTORAL SCHEMES AND ORDERS

##### Modifications etc. (not altering text)

- C1** Sch. 3 modified (11.6.2008) by [Dioceses, Pastoral and Mission Measure 2007 \(No. 1\)](#), ss. 58(2), 66(2) (with [Sch. 6 paras. 1-5](#)); 2007 No. 3, Instrument made by Archbishops

#### *Team and group ministries*

- 1 (1) A pastoral scheme establishing a team ministry shall provide for the presentation of the rector of the team ministry, other than the first rector if designated by the scheme, either by a patronage board constituted by the scheme or by the diocesan board of patronage.
- (2) Sub-paragraph (1) shall not apply in relation to a benefice of which the bishop is the sole patron, but in that case the pastoral scheme establishing a team ministry for that benefice may provide as mentioned in that sub-paragraph, and if the scheme does not so provide, the bishop shall choose the rector, other than the first rector, if designated by the scheme, and shall collate him to the benefice.
- (3) [<sup>F1</sup>Any enactment](including this Measure) or rule of law relating to the presentation or collation of incumbents shall apply to any presentation or collation under this paragraph and before the patronage board or the diocesan board of patronage exercise their right of presentation or the bishop exercises his right of collation thereunder they or he, as the case may be, shall consult the other members of the team.
- (4) A patronage board constituted by a pastoral scheme establishing a team ministry shall consist of the bishop, who shall be the chairman [<sup>F2</sup>, subject to paragraph 2(2), the rector, every vicar in a team ministry, any member of a team to whom section 20(3A) applies, any person having a special responsibility for pastoral care under section 20(8A)], and such other member or members as the scheme may provide; and regard shall be had in making such provision to the interests of persons who previously had patronage rights in the benefice for which the team ministry is established or, if it is a new benefice created by the union of two or more benefices, patronage rights in any of the constituent benefices, but it shall not be necessary, in cases where there are pastoral or practical objections, for those persons or all of them to be members of the patronage board.
- (5) Without prejudice to the generality of sub-paragraph (4), such a scheme may provide for empowering the bishop to appoint one or more persons, but not exceeding the number specified in the scheme, to be a member or members of the board for such period as the bishop may specify when making the appointment.

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- (6) The bishop may authorise a suffragan or assistant bishop or archdeacon of the diocese to act for him at any meeting of the board and exercise his voting rights, and any other member of the board (including any body corporate or unincorporated body of persons) may be represented by a person authorised to act and vote on this or their behalf [<sup>F3</sup>being a person who has made the declaration of membership within the meaning of the Patronage (Benefices) Measure 1986].
- (7) Subject to [<sup>F4</sup>sub-paragraphs (7A) and (7B) and paragraphs 2(3) and (3A)], a pastoral scheme by which a patronage board is constituted may provide that any member of the board specified in the scheme shall be entitled to such number of votes as may be so specified and that where there is an equal division of votes the bishop, as chairman, shall have a casting vote, but except in so far as the scheme so provides, each member of the board shall be entitled to one vote.
- [<sup>F5</sup>(7A) Every vicar in a team ministry, any member of a team to whom section 20(3A) applies and any person having a special responsibility for pastoral care under section 20(8A) shall be entitled between them to one vote which shall be exercised by such one of them or such two or more of them (acting unanimously or by majority) as may be present at the meeting in question.
- (7B) Every person referred to in sub-paragraph (7A) above other than a person who wishes to be considered for presentation shall be entitled to attend at meetings of the diocesan board of patronage at which the person to be presented as rector of the team ministry is considered and chosen and shall be entitled to vote as provided in the said sub-paragraph (7A).]
- (8) A patronage board constituted by such a scheme as aforesaid shall be a body corporate for the purpose of holding the rights of patronage conferred upon them, and shall have a seal, and shall have power to regulate their own procedure.
- (9) If the pastoral scheme provides for the [<sup>F6</sup>patron to be]the diocesan board of patronage, it shall give to persons specified in the scheme rights to attend and vote at the meetings of the board at which the person to be presented is considered and chosen, and regard shall be had in determining the persons to whom those rights are to be given to the interests of the persons mentioned in sub-paragraph (4), but it shall not be necessary, in cases where there are pastoral or practical objections, for those persons or all of them to be given those rights.
- (10) The rights to be members of the patronage board or, as the case may be, to attend and vote at sittings of the diocesan board of patronage shall, except where such rights are vested in a person in right of his office or only for life or a term of years, be transferable inter vivos and on death, but in no case shall such rights be saleable and they shall not be deemed to be rights in land.
- (11) Persons having the rights mentioned in the last foregoing sub-paragraph shall furnish to the registrar of the diocese particulars thereof, including particulars of any transfer or devolution of the rights concerned, and if they fail to do so their rights may be disregarded for the purposes of this paragraph (including the next sub-paragraph).
- (12) Where a pastoral scheme terminates a team ministry, the scheme shall, so far as practicable and having regard to pastoral considerations and to the last foregoing sub-paragraph, provide for restoring rights of patronage in respect of the benefice concerned to the persons who would have possessed them if the team ministry had never been established and, if and so far as it is not practicable to make such

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provision, shall make other provision for the vesting and exercise of rights of patronage in respect thereof.

[<sup>F7</sup>(13) Sub-paragraphs (3) to (11) shall apply in relation to a pastoral scheme or order altering a team ministry under section 22(1)(bb) or 37(e)(v) as they apply in relation to a pastoral scheme establishing a team ministry.]

#### Textual Amendments

- F1** Words substituted by Patronage (Benefices) Measure 1986 (No. 3, SIF 21:4), s. 41(1), **Sch. 4 para. 25(a)** (i)
- F2** Words in Sch. 3 para. 1(4) inserted (11.6.2008) by Dioceses, Pastoral and Mission Measure 2007 (No. 1), **ss. 59(2), 66(2)** (with s. 59(7), Sch. 6 paras. 1-5); 2007 No. 3, Instrument made by Archbishops
- F3** Words inserted by Patronage (Benefices) Measure 1986 (No. 3, SIF 21:4), s. 41(1), **Sch. 4 para. 25(a)**(ii)
- F4** Words in Sch. 3 para. 1(7) substituted (11.6.2008) by Dioceses, Pastoral and Mission Measure 2007 (No. 1), **ss. 59(3), 66(2)** (with s. 59(7), Sch. 6 paras. 1-5); 2007 No. 3, Instrument made by Archbishops
- F5** Sch. 3 para. 1(7A)(7B) substituted for Sch. 3 para. 1(7A) (11.6.2008) by Dioceses, Pastoral and Mission Measure 2007 (No. 1), **ss. 59(4), 66(2)** (with s. 59(7), Sch. 6 paras. 1-5); 2007 No. 3, Instrument made by Archbishops
- F6** Words substituted by Patronage (Benefices) Measure 1986 (No. 3, SIF 21:4), s. 41(1), **Sch. 4 para. 25(a)** (iii)
- F7** Sch. 3 para. 1(13) inserted (1.5.1996) by 1995 No. 1, **s. 6(2)(c)**; Instrument dated 12.2.1996 made by Archbishops of Canterbury and York.

- 2 (1) A pastoral scheme establishing a team ministry which provides for the presentation of the rector by a patronage board constituted by the scheme or by the diocesan board of patronage may provide for the vicars in that ministry, other than the first holder of any office of vicar therein, if designated by the scheme, to be chosen by the same body.
- (2) Where such a scheme provides as aforesaid, the rector of the team ministry [<sup>F8</sup>shall be a member of the patronage board for the purpose only of meetings at which the person to be appointed a vicar in that ministry is considered and chosen and shall be entitled to attend and vote at meetings of the diocesan board of patronage for the like purpose] .
- [<sup>F9</sup>(3) Every vicar in a team ministry, any member of a team to whom section 20(3A) applies and any person having a special responsibility for pastoral care under section 20(8A) shall be entitled between them to one vote which shall be exercised by such one of them or such two or more of them (acting unanimously or by majority) as may be present at the meeting in question.
- (3A) Every person referred to in sub-paragraph (3) above other than a person who wishes to be considered for appointment shall be entitled to attend at meetings of the diocesan board of patronage at which the person to be chosen as vicar in a team ministry is considered and chosen and shall be entitled to vote as provided in the said sub-paragraph (3).]
- (4) Where such a scheme does not provide as aforesaid, the vicar or vicars in the team ministry, other than the first holder of any office of vicar therein, if designated by the scheme, shall be chosen by the bishop and the rector jointly.
- (5) Before the body or other persons who are entitled to choose a person to be a vicar in a team ministry make their choice, they shall consult—

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- (a) the other members of the team;
  - (b) the parochial church council of every parish belonging to the benefice for the area of which the team ministry was established; and
  - (c) if a special cure of souls in respect of a part of the area is to be assigned in accordance with section 20(8)(a) to the vicar, any district church council concerned.
- [<sup>F10</sup>(6) (a) The body or other persons who are entitled to choose a person to be a vicar in a team ministry shall not make to any person an offer of appointment as such until the making of the offer to the person in question has been approved by the parish representatives.
- (b) If, before the expiration of the period of two weeks beginning with the date on which the said body or other persons sent to the parish representatives a request for them to approve under this sub-paragraph the making of the offer to the person named in the request, no notice is received from any representative of his refusal to approve the making of the offer, the representatives shall be deemed to have given their approval under this sub-paragraph.
- (c) If any parish representative refuses to approve under this sub-paragraph the making of the offer to the person named in the request, the representative shall notify the said body or other persons in writing of the grounds on which the refusal is made.
- (d) Where approval of an offer is refused under this sub-paragraph, the said body or other persons may request the archbishop of the province in which the benefice in question is to review the matter and if, after review, the archbishop authorises the said body or other persons to make the offer in question, that offer may be made accordingly.
- (7) [<sup>F11</sup>Subject to sub-paragraph (7A) below] in sub-paragraph (6) the expression “parish representatives” means two lay members of the parochial church council concerned appointed by that council to act as representatives of the council in connection with the selection of vicars in the team ministry.
- [ Where a team council has been established by a pastoral scheme or by a scheme <sup>F12</sup>(7A) made under the Church Representation Rules in respect of a benefice comprising more than one parish, the team council shall appoint two lay members to represent the council in connection with the selection of vicars in the team ministry and, in sub-paragraph (6), the words “parish representatives” shall be construed accordingly.]
- (8) Sub-paragraphs (2), [<sup>F13</sup>(3), (3A) and (5) to (7A)] shall apply in relation to a pastoral scheme or order altering a team ministry under section 22(1)(bbb) or section 37(e) (v) as they apply in relation to a pastoral scheme establishing a team ministry.]

#### Textual Amendments

- F8** Words in Sch. 3 para. 2(2) substituted (11.6.2008) by [Dioceses, Pastoral and Mission Measure 2007 \(No. 1\), ss. 59\(5\), 66\(2\)](#) (with s. 59(7), Sch. 6 paras. 1-5); 2007 No. 3, Instrument made by Archbishops
- F9** Sch. 3 para. 2(3)(3A) substituted for Sch. 3 para. 2(3) (11.6.2008) by [Dioceses, Pastoral and Mission Measure 2007 \(No. 1\), ss. 59\(6\), 66\(2\)](#) (with s. 59(7), Sch. 6 paras. 1-5); 2007 No. 3, Instrument made by Archbishops
- F10** Sch. 3 para. 2(6)-(8) inserted (1.5.1996) by 1995 No. 1, s. 6(3)(c); Instrument dated 12.2.1996 made by Archbishops of Canterbury and York.

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- F11** Words in Sch. 3 para. 2(7) inserted (11.6.2008) by [Dioceses, Pastoral and Mission Measure 2007 \(No. 1\), ss. 59\(8\), 66\(2\)](#) (with [Sch. 6 paras. 1-5](#)); 2007 No. 3, Instrument made by Archbishops
- F12** Sch. 3 para. 2(7A) inserted (11.6.2008) by [Dioceses, Pastoral and Mission Measure 2007 \(No. 1\), ss. 59\(8\), 66\(2\)](#) (with [Sch. 6 paras. 1-5](#)); 2007 No. 3, Instrument made by Archbishops
- F13** Words in Sch. 3 para. 2(8) substituted (11.6.2008) by [Dioceses, Pastoral and Mission Measure 2007 \(No. 1\), ss. 59\(9\), 66\(2\)](#) (with [Sch. 6 paras. 1-5](#)); 2007 No. 3, Instrument made by Archbishops

[<sup>F143</sup> Where a group ministry is established by a pastoral scheme for a group of benefices, the registered patron of a benefice in the group shall consult the other incumbents and any priests in charge in the group before he makes a request under section 13 of the Patronage (Benefices) Measure 1986 for the approval of the parish representatives (as defined in section 11(7) of that Measure), and (unless the registered patron is the bishop) of the bishop, to the making to a priest of an offer to present him to the benefice]

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#### Textual Amendments

- F14** Sch. 3 para. 3 substituted by [Patronage \(Benefices\) Measure 1986 \(No. 3, SIF 21:4\), s. 41\(1\), Sch. 4 para. 25\(b\)](#)

4 (1) Where a pastoral scheme establishes a team ministry, the scheme, or the bishop's licence of any vicar in the team ministry, may assign to any such vicar the duties or a share in the duties of the chairmanship of the annual parochial church meeting and the parochial church council of the parish or any of the parishes in the area of the benefice for which the team ministry is established, and other duties of the minister of the parish under the Church Representation Rules, or a share in such other duties, and the said Rules shall have effect accordingly:

Provided that, if the said duties of chairmanship are to be shared, the arrangements shall be such that the chairman on any occasion is determined in advance so that, in his absence, the vice-chairman of the parochial church council shall take the chair in accordance with the said Rules.

- (2) Where a pastoral scheme establishes a team ministry for the area of a benefice which comprises a parish in which there are two or more churches or places of worship, the scheme may make provision, or authorise the bishop by instrument under his hand with the concurrence of the rector to make provision,—
- (a) for ensuring due representation of the congregation of each such church or place of worship on the parochial church council of the parish,
  - (b) for the election of a district church council for any district in the parish in which such church or place of worship is situated and for the constitution, chairmanship and procedure of that council,
  - (c) for the functions of the parochial church council of the parish which must or may be delegated to the district church council,
  - (d) for the election or choice of deputy churchwardens for such church or place of worship and for the functions of churchwardens of the parish which must or may be delegated to the deputy churchwardens,

being provisions to the same effect as those which may be made by a scheme under the Church Representation Rules in the like case.

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In this sub-paragraph “place of worship” means a building or part of a building licensed for public worship according to the rites and ceremonies of the Church of England.

- (3) Where a pastoral scheme establishes a team ministry for the area of a benefice which comprises more than one parish, the scheme may make provision, or authorise the bishop by instrument under his hand with the concurrence of the rector to make provision,—
- (a) for the establishment of a team council,
  - (b) for the chairmanship, meetings and procedure of the team council, and
  - (c) [<sup>F15</sup>subject to paragraph 19 of Schedule 2 to the patronage (Benefices) Measure 1986]for the functions of the parochial church council of each parish in the area which must or may be delegated to the team council,
- being provisions to the same effect as those which may be made by a scheme under the Church Representation Rules in the like case.
- (4) Where a pastoral scheme establishes a group ministry, the scheme may make provision, or authorise the bishop by instrument under his hand with the concurrence of all the members of the group to make provision,
- (a) for the establishment of a group council,
  - (b) for the chairmanship, meetings and procedure of the group council, and
  - (c) for the functions of the parochial church council of each parish in the area for which the group ministry is established which must or may be delegated to the group council,
- being provisions to the same effect as those which may be made by a scheme under the Church Representation Rules in the like case.
- (5) Any provisions which are included in a pastoral scheme or the bishop’s instrument by virtue of sub-paragraph (2), (3) or (4) shall cease to have effect at the expiration of [<sup>F16</sup>the period of five years from the date of the establishment of the team ministry or group ministry to which the pastoral scheme or instrument relates or such lesser period as may be specified in the scheme or instrument as the case may be] , and that period may not be extended or renewed by a subsequent scheme or instrument of the bishop.
- (6) Any provisions which were included in a pastoral scheme or bishop’s instrument by virtue of sub-paragraph (2) or (4), as originally enacted, shall cease to have effect at the expiration of whichever of the following periods last expires, that is to say, the period of five years beginning with the date of the establishment of the team ministry or group ministry to which the scheme or instrument relates and the period of three years beginning with the date on which this Measure comes into operation.

#### Textual Amendments

**F15** Words inserted by [Patronage \(Benefices\) Measure 1986 \(No. 3, SIF 21:4\)](#), s. 41(1), **Sch. 4 para. 25(c)**

**F16** Words in Sch. 3 para. 4(5) substituted (1.6.2005) by [Church of England \(Miscellaneous Provisions\) Measure 2005 \(No. 3\)](#), s. 11(2), **Sch. 4 para. 26(a)**; 2005 No. 2, Instrument made by Archbishops

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