

Status: Point in time view as at 01/09/2008.

Changes to legislation: There are currently no known outstanding effects for the Dioceses, Pastoral and Mission Measure 2007, SCHEDULE 4. (See end of Document for details)

SCHEDULES

SCHEDULE 4

Section 54(2)

THE CHURCH BUILDINGS COUNCIL

Membership

- 1 The Council shall consist of a person who shall be known as the Chair of the Council who shall be appointed by the Archbishops of Canterbury and York after consultation with the Appointments Committee of the Church of England and not more than 23 other members.

Commencement Information

II Sch. 4 para. 1 in force at 11.6.2008 by 2007 No. 3, Instrument made by Archbishops

- 2 The following members shall be appointed by the Archbishops of Canterbury and York—
- (a) four members shall be appointed on the nomination of the Secretary of State, who shall include persons who, between them, have special knowledge of or expertise in history, architecture, archaeology and aesthetics;
 - (b) three members of the General Synod shall be appointed on the nomination of the Appointments Committee, who shall have knowledge of or expertise in matters relevant to the Council's work;
 - (c) three other persons having such knowledge or expertise shall be appointed on the nomination of the Council (including the Council for the Care of Churches as constituted immediately before the coming into force of this Schedule);
 - (d) three persons shall be appointed on the nomination of an annual meeting of the Chairmen and Secretaries of the Diocesan Advisory Committees;
 - (e) one person shall be appointed on the nomination of the Cathedrals Fabric Commission for England;
 - (f) one person shall be appointed on the nomination of the Appointments Committee, who shall have expertise in the innovative use of churches and former churches, including their management and development; and
 - (g) three persons shall be appointed on the nomination of the Appointments Committee, which shall have regard to the need to include amongst the members of the Council persons who have expertise in history, architecture, archaeology, archives, art and liturgy.

Commencement Information

I2 Sch. 4 para. 2 in force at 11.6.2008 by 2007 No. 3, Instrument made by Archbishops

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- 3 Not more than two persons may be co-opted by the Council to reflect such specialist interests, not otherwise represented, as the Council thinks fit.

Commencement Information

I3 Sch. 4 para. 3 in force at 11.6.2008 by 2007 No. 3, Instrument made by Archbishops

- 4 Three members shall be elected by the General Synod from among its members, who shall have knowledge of or expertise in matters relevant to the Council's work.

Commencement Information

I4 Sch. 4 para. 4 in force at 11.6.2008 by 2007 No. 3, Instrument made by Archbishops

- 5 The following persons shall not be eligible for membership of the Council—
- (a) for the purposes of paragraphs 1 to 4 above, a member or employee of the Commissioners, or a member of their Assets Committee, their Audit Committee or any other committee of the Commissioners constituted by the Board of Governors or otherwise established under section 5(4) of the Church Commissioners Measure 1947 (10 & 11 Geo. 6 No. 2) or any joint committee of the Commissioners and the Archbishops' Council appointed under that section or a member or employee of the Churches Conservation Trust, and
 - (b) for the purposes of paragraph 2(a) above, the persons referred to in subparagraph (a) above and a member or employee of the Archbishops' Council or a member of the General Synod or of any diocesan body within the meaning of section 56(2) above.

Commencement Information

I5 Sch. 4 para. 5 in force at 11.6.2008 by 2007 No. 3, Instrument made by Archbishops

- 6 The Chair of the Council shall hold office for such period as may be determined by the Archbishops of Canterbury and York, not exceeding five years and the Archbishops may determine that the Chair shall hold office for a second term not exceeding five years, and for the purposes of this paragraph the periods for which the Chair may serve shall include any period as Chair of the Council for the Care of Churches served immediately before the coming into force of this Schedule or spanning a period immediately before and immediately after that date.

Commencement Information

I6 Sch. 4 para. 6 in force at 11.6.2008 by 2007 No. 3, Instrument made by Archbishops

- 7 Subject to paragraph 8 below, the other members of the Council shall take office on the first day of June immediately following the termination of the period of office of the persons in whose place those persons were appointed or elected and shall hold office until the thirty first day of May following the year in which the General Synod is next dissolved and a new Synod come into being.

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Commencement Information

I7 Sch. 4 para. 7 in force at 11.6.2008 by 2007 No. 3, Instrument made by Archbishops

- 8 The first appointments and elections of the members of the Council shall take place as soon as practicable after the coming into force of section 54(2) above and—
- (a) they shall take immediate effect, and
 - (b) the members shall hold office until the date specified in paragraph 7 above, except that if the period which elapses between the coming into force of section 54(2) above and that date is less than three years they shall hold office until the thirty first day of May following the year in which the second subsequent dissolution of the General Synod occurs and the new Synod comes into being following that dissolution.

Commencement Information

I8 Sch. 4 para. 8 in force at 11.6.2008 by 2007 No. 3, Instrument made by Archbishops

- 9 A member (other than the Chair) shall on ceasing to hold office be eligible for re-appointment or re-election for a second term not exceeding five years and for the purposes of this paragraph the periods for which the member may serve shall include any period of membership of the Council for the Care of Churches served immediately before the coming into force of this Schedule or spanning a period immediately before and immediately after that date.

Commencement Information

I9 Sch. 4 para. 9 in force at 11.6.2008 by 2007 No. 3, Instrument made by Archbishops

- 10 A member of the Council appointed under paragraph 2(b) above or elected by the General Synod under paragraph 4 above shall cease to hold office on ceasing to be a member of the Synod, except that a member who is a member of the General Synod may continue to act as a member of the Council so long as that person is entitled to act during a period of dissolution under paragraph 3(4) of Schedule 2 to the Synodical Government Measure 1969 (1969 No.2) and if, following the dissolution of the Synod, that person is not re-elected to the new Synod the Archbishops of Canterbury and York may, on the recommendation of the Appointments Committee, appoint that person as a member to hold office until the thirty-first day of May following the year in which the new Synod comes into being.

Commencement Information

I10 Sch. 4 para. 10 in force at 11.6.2008 by 2007 No. 3, Instrument made by Archbishops

Casual vacancies

- 11 Where a casual vacancy occurs among the Chair or the other members of the Council appointed by the Archbishops of Canterbury and York the Archbishops may, having regard to any provision of paragraph 2 above relating to the knowledge or expertise of the person whose place is to be filled and after such consultation

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or nomination as may have been required by any such provision or by paragraph 1 above before that person was appointed, appoint a person to fill the vacancy.

Commencement Information

I11 Sch. 4 para. 11 in force at 11.6.2008 by 2007 No. 3, Instrument made by Archbishops

- 12 Where a casual vacancy occurs among the members of the Council elected by the General Synod, the General Synod may elect one of its members to fill the vacancy, being a person who has knowledge of or expertise in matters relevant to the Council's work.

Commencement Information

I12 Sch. 4 para. 12 in force at 11.6.2008 by 2007 No. 3, Instrument made by Archbishops

- 13 Where a casual vacancy occurs among the co-opted members of the Council the Council may co-opt a person to fill the vacancy to reflect such interests as are referred to in paragraph 3 above.

Commencement Information

I13 Sch. 4 para. 13 in force at 11.6.2008 by 2007 No. 3, Instrument made by Archbishops

- 14 Any person appointed or elected to fill a casual vacancy whether before or after the coming into force of this Measure shall hold office only for the unexpired portion of the term of office of the person in whose place he or she is appointed or elected, but shall be eligible to be re-appointed or re-elected for one further term of office, and if the Archbishops of Canterbury and York so direct, shall be eligible for re-appointment or re-election for a second further term.

Commencement Information

I14 Sch. 4 para. 14 in force at 11.6.2008 by 2007 No. 3, Instrument made by Archbishops

Committees

- 15 The Council shall have power to appoint such committees and may delegate to them such functions as it thinks fit, provided that this paragraph shall not apply to the Statutory Advisory Committee.

Commencement Information

I15 Sch. 4 para. 15 in force at 11.6.2008 by 2007 No. 3, Instrument made by Archbishops

- 16 Persons who are not members of the Council may be appointed to any committee thereof, provided that this paragraph shall not apply to the Statutory Advisory Committee.

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Commencement Information

I16 Sch. 4 para. 16 in force at 11.6.2008 by 2007 No. 3, Instrument made by Archbishops

- 17 Without prejudice to paragraph 15 above, there shall be a Committee of the Council, which shall be known as the “Statutory Advisory Committee”, which shall have the functions set out in paragraphs 19 to 21 below.

Commencement Information

I17 Sch. 4 para. 17 in force at 11.6.2008 by 2007 No. 3, Instrument made by Archbishops

- 18 The Statutory Advisory Committee shall consist of a person who shall be known as the Chair who shall be the Chair of the Council and the following members—
- (a) the four members of the Council appointed under paragraph 2(a) above; and
 - (b) three other members, who shall be appointed by the Council from among its members.

Commencement Information

I18 Sch. 4 para. 18 in force at 11.6.2008 by 2007 No. 3, Instrument made by Archbishops

- 19 The Statutory Advisory Committee shall, on behalf of the Council, discharge the functions described in section 56(1)(b) and (c) above.

Commencement Information

I19 Sch. 4 para. 19 in force at 11.6.2008 by 2007 No. 3, Instrument made by Archbishops

- 20 The Council may delegate such other functions to and seek the advice of the Statutory Advisory Committee on such other matters, as it thinks fit and may do so, generally, or in relation to specified categories of matter, or in relation to specified matters.

Commencement Information

I20 Sch. 4 para. 20 in force at 11.6.2008 by 2007 No. 3, Instrument made by Archbishops

- 21 The Statutory Advisory Committee shall report to the Council on the discharge of its functions from time to time and, in any event, at least every six months and at such times or intervals as the Council may direct.

Commencement Information

I21 Sch. 4 para. 21 in force at 11.6.2008 by 2007 No. 3, Instrument made by Archbishops

- 22 The procedure of the Statutory Advisory Committee shall be as follows—
- (a) the quorum shall be four members, of whom not less than two members shall be members by virtue of paragraph 18(a) above, and

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(b) the Chair shall not be entitled to vote and any person chosen to preside, in the absence of the Chair, shall not have a second or casting vote, but, save as aforesaid, paragraphs 24 to 27 below shall apply to the proceedings of the Committee as they apply to the proceedings of the Council with the substitution, in paragraphs 25 and 27, of the word “Committee” for the word “Council”.

Commencement Information

I22 Sch. 4 para. 22 in force at 11.6.2008 by 2007 No. 3, Instrument made by Archbishops

Proceedings

23 The quorum of the Council shall be eight members.

Commencement Information

I23 Sch. 4 para. 23 in force at 11.6.2008 by 2007 No. 3, Instrument made by Archbishops

24 The business of the Council shall be decided by a majority of the members present and voting thereon and, in the event of an equal division of votes, the person presiding shall have a second or casting vote.

Commencement Information

I24 Sch. 4 para. 24 in force at 11.6.2008 by 2007 No. 3, Instrument made by Archbishops

25 The Chair, if present, shall preside over meetings but, if the Chair is not present or, if the Chair declines to preside on any occasion when he or she considers it preferable not to do so, the Council shall choose another member to preside.

Commencement Information

I25 Sch. 4 para. 25 in force at 11.6.2008 by 2007 No. 3, Instrument made by Archbishops

26 Subject to paragraph 23 above, the Council may act notwithstanding any vacancy in its membership.

Commencement Information

I26 Sch. 4 para. 26 in force at 11.6.2008 by 2007 No. 3, Instrument made by Archbishops

27 Subject to the preceding provisions of this Schedule, the Council shall have power to regulate its own procedure.

Commencement Information

I27 Sch. 4 para. 27 in force at 11.6.2008 by 2007 No. 3, Instrument made by Archbishops

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