

SCHEDULE

Article 3

Transitional and Saving Provisions

Section 25 of the Burial Act 1857

1. This paragraph applies where a licence has been granted by the Secretary of State under section 25 of the Burial Act 1857⁽¹⁾ before the commencement date for section 2 of the Measure and—

- (a) the body, or the remains of the body, to which the licence relates has, or have, not been removed before that date; or
- (b) any precautions that have been prescribed by the Secretary of State as the condition of the licence remain to be complied with after that date.

2. Where paragraph 1 applies, the licence has effect as if it had been granted under section 25(2)(c) of the Burial Act 1857 as substituted by section 2 of the Measure and any precautions that were prescribed by the Secretary of State as the condition of the licence have effect as if they were conditions attached to the licence under that paragraph.

Amendment of section 3 of the Faculty Jurisdiction Measure 1964

3. Section 7(3) of the Measure, which provides for the substitution of subsection (3) of section 3 of the Faculty Jurisdiction Measure 1964⁽²⁾, has effect in relation to any proceedings for a faculty to which that section applies and which are pending on the commencement date; but that does not affect the continuing application of subsection (3) of that section as originally enacted in relation to such proceedings.

Section 16A of the Patronage (Benefices) Measure 1986

4. Section 16A of the Patronage (Benefices) Measure 1986⁽³⁾ (“the 1986 Measure”), as inserted by section 12(2) of the Measure, does not apply in the case of a vacancy in a benefice of which the designated officer has, prior to the commencement date, given notice under section 7(4) of the 1986 Measure (and the notice is not deemed to have been revoked by virtue of section 88(b) of the Mission and Pastoral Measure 2011⁽⁴⁾).

Amendment of section 35 of the Patronage (Benefices) Measure 1986

5. The amendments made by paragraph 9(3) and (5) of Schedule 2 to the Measure do not have effect in relation to a vacancy in a benefice of which the designated officer has, prior to the commencement date, given notice under section 7(4) of the 1986 Measure (and the notice is not deemed to have been revoked by virtue of section 88(b) of the Mission and Pastoral Measure 2011).

Amendment of the Mission and Pastoral Measure 2011

6.—(1) The amendment made by paragraph 19(4) of Schedule 2 to the Measure does not have effect in any case where, before the commencement date, interested parties have expressed their views, or have been invited to express their views, in accordance with section 21 of the Mission and Pastoral Measure 2011 (“the 2011 Measure”).

(1) 1857 c. 81.

(2) 1964 No. 5.

(3) 1986 No. 3.

(4) 2011 No. 3.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(2) The amendment made by paragraph 19(5) of Schedule 2 to the Measure does not have effect in relation to a pastoral scheme if a draft of the scheme was published by the Church Commissioners under the 2011 Measure before the commencement date.

(3) Paragraph 11(5A) of Schedule 4 to the 2011 Measure, as inserted by paragraph 19(12)(e) of Schedule 2 to the Measure, does not apply where the mission and pastoral committee has suspended periodical payments before the commencement date.