



# Incumbents (Vacation of Benefices) Measure 1977

## CHAPTER 1

### INCUMBENTS (VACATION OF BENEFICES) MEASURE 1977

#### PART I

##### INSTITUTION OF ENQUIRY INTO PASTORAL SITUATION IN A PARISH

- 1 Code of Practice as to reconciliation.
- 1A Request for enquiry into pastoral situation in a parish.
- 2 Action to be taken by archdeacon in certain cases before institution of enquiry.
- 3 Institution of enquiry.
- 4 Provisions with respect to resignation of benefice by incumbent.
- 5 Enquiry to be conducted by provincial tribunal.

#### PART II

##### INSTITUTION OF ENQUIRY INTO DISABILITY OF INCUMBENT

- 6 Enquiry whether incumbent is unable to discharge duties by reason of age or infirmity.

#### PART III

##### ENQUIRIES AND SUBSEQUENT PROCEEDINGS

- 7 Constitution and procedure of committees and tribunals.
- 7A Medical examinations.
- 8 Ancillary provisions with respect to enquiry under Part I.
- 9 Report to be made to the bishop.
- 9A Inhibition in disability cases.

*Status: Point in time view as at 01/01/2001.*  
*Changes to legislation: There are currently no known outstanding effects for the*  
*Incumbents (Vacation of Benefices) Measure 1977. (See end of Document for details)*

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- 10 Powers of bishop in cases of breakdown of pastoral relationship.
- 11 Powers of bishop in cases of disability of incumbent.
- 12 Provisions supplementary to ss. 10 and 11.
- 13 Compensation.
- 14 Provision with respect to pension of incumbent found to be unable to perform duties attaching to benefice.

**PART IV**

SUPPLEMENTAL

- 15 .....
- 16 Certain expenses to be paid by Diocesan Board of Finance.
- 17 Exercise of powers of bishop during absence abroad, etc.
- 18 Procedural rules.
- 19 Meaning of “benefice”.
- 19A Meaning of references to pastoral situation.
- 20 Amendments and repeal.
- 21 Short title, extent and commencement.

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Schedule 1 — Constitution of Provincial Tribunals

- 1 (1) A provincial tribunal shall consist of five persons appointed...
- 2 (1) Where the secretary of the diocesan synod is required...
- 3 (1) The incumbent concerned may, within three weeks after a...
- 4 As soon as the provincial tribunal which is to conduct...
- 5 The Synodical Secretary of the Convocation of Canterbury or some...

Schedule 2 — Compensation Under Section 13

- 1 (1) If agreement as to the form, amount and conditions...
- 2 (1) The basic award shall be in the form of...
- 3 (1) The housing allowance shall be in the form of...
- 4 The resettlement allowance shall be a single payment of an...
- 5 (1) Subject to paragraph (2) below, if a person who...
- 6 An application for compensation shall be made to the diocesan...
- 7 The cost of compensation shall be borne by the diocesan...
- 8 (1) In this Schedule— “ compensation ” means compensation under...

SCHEDULE — CONSTITUTION AND PROCEDURE OF DIOCESAN COMMITTEES AND PROVINCIAL TRIBUNALS

Part I — CONSITUTION OF DIOCESAN COMMITTEES

- 1 The members of a diocesan committee of enquiry shall consist...
- 2 (1) As soon as practicable after the passing of this...
- 3 (1) The secretary of the diocesan synod shall constitute a...
- 4 (1) The incumbent concerned may, within ten days after a...
- 5 In the case of an enquiry under Part I of...

Part II — CONSTITUTION OF PROVINCIAL TRIBUNALS

- 6 (1) A provincial tribunal shall consist of five persons appointed...
- 7 (1) Where in accordance with section 5(4) of this Measure...
- 8 (1) The incumbent concerned may, within three weeks after a...
- 9 As soon as the provincial tribunal which is to conduct...
- 10 The Synodical Secretary of the Convocation of Canterbury or some...

Part III — PROCEDURE

*Status: Point in time view as at 01/01/2001.*

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- 11 A diocesan committee of enquiry (hereafter referred to as “the...
- 12 (1) Any person may make written representations to the committee...
- 13 (1) The incumbent concerned shall be entitled to appear before,...
- 14 (1) Subject to sub-paragraphs (2) and (3) below, the proceedings...
- 15 (1) Not less than fourteen days’ notice of the date,...
- 16 (1) If during the course of any enquiry any one...
- 17 For the purposes of this Part of this Schedule the...
- 18 Subject to the provisions of this Measure and of any...

**Status:**

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**Changes to legislation:**

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