



# Dioceses Measure 1978 (repealed)

1978 No. 1

## *Procedure for making reorganisation schemes*

### **5 Preparation of draft scheme by the Commission.**

- (1) In this section “interested parties”, in relation to any draft scheme, means—
- (a) the bishop of every diocese which would be affected by the implementing of such scheme and the archbishop of the province in which that diocese is;
  - (b) every suffragan bishop, and every archdeacon, of every such diocese;
  - (c) the diocesan synod of every such diocese;
  - (d) the Commissioners;
  - (e) the Charity Commissioners;
  - (f) the body which for the purposes of the <sup>M1</sup>Cathedrals Measure 1976 is the consenting body of the cathedral church of each of the dioceses which would be affected by the implementing of such scheme;
  - (g) where the implementing of such scheme would result in the transfer of a diocese from one province to the other, the archbishop of that other province;
  - (h) the deanery synod of any deanery which would be particularly affected by the implementing of any provision of such scheme;
  - (i) the incumbent or priest in charge, and the parochial church council, of any parish or conventional district which would be particularly affected by the implementing of any such provision;
  - (j) such other persons, if any, who would be so affected as the Commission thinks fit.
- (2) On receiving proposals submitted to it under section 4 of this Measure the Commission shall, in consultation with the Commissioners, first prepare a detailed estimate of the financial effect of the proposals (“the financial estimate”) and shall then, as it thinks fit, either—
- (a) prepare a draft scheme to give effect to the proposals with such amendments, if any, as the Commission thinks should be made therein; or

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*Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Dioceses Measure 1978 (repealed), Section 5. (See end of Document for details)*

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- (b) report to the Standing Committee and to the bishop of every diocese concerned that it has decided not to proceed with the preparation of such a scheme, giving the reasons for that decision.
- (3) Where the Commission decides to proceed under subsection (2)(a) above it shall send a copy of the draft scheme and of the financial estimate to every interested party together with a notice stating that written representations with respect to the draft scheme may be made to the Commission not later than a date specified in the notice, being a date not less than three, nor more than six, months after the service of the notice.
- (4) After considering any representations made to it under subsection (3) above the Commission shall, as it thinks fit, either proceed under subsection (5) below or report to the Standing Committee and to the bishop of every diocese concerned that it has decided not to proceed further with the scheme in question, giving the reasons for that decision.
- (5) Where the Commission decides to proceed under this subsection, it shall make such amendments, if any, in the draft scheme as it thinks fit as a result of such representations, and such amendments, if any, in the financial estimate as, after consultation with the Commissioners, it thinks necessary, and shall then submit the draft scheme to the diocesan synod of every diocese which would be affected by the implementing of that scheme for its consent.
- (6) A copy of the draft scheme and of a report thereon by the Commission shall be sent to every member of every such synod at least six weeks before the session at which the draft scheme is considered.
- (7) The report referred to in subsection (6) above shall include the financial estimate, as amended (if at all) under subsection (5) above, and a summary of any representations made to the Commission under subsection (3) above which the Commission thinks should be brought to the attention of the diocesan synod.

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

**C1** S. 5(2)(4): functions transferred (1.1.1999) by S.I. 1998/1715, arts. 1(2)(4), 2, **Sch. 1**; Instrument dated 14.10.1998 made by Archbishops of Canterbury and York

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**Marginal Citations**

**M1** 1976 No. 1.

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