



Ecclesiastical Fees Measure 1986

1986 No. 2

PART II

Ecclesiastical Judges' and Legal Officers' Fees

6 Ecclesiastical Judges and Legal Officers (Fees) Orders.

- (1) The Fees Advisory Commission may make recommendations as to the fees to be paid in respect of such duties performed by ecclesiastical judges and legal officers as are specified by the Commission [^{F1}to such persons as are so specified, and the Commission may make an order to give effect to their recommendations].
- [^{F2}(1A) The Fees Advisory Commission may also make recommendations as to the fees to be paid in respect of such functions performed by Diocesan Advisory Committees and archdeacons in connection with proceedings or proposed proceedings to which this subsection applies as are specified by the Commission to such persons as are so specified, and an order made under subsection (1) above may give effect to those recommendations.

This subsection applies to proceedings for obtaining a faculty in respect of any building (including any monument, curtilage, object or structure belonging to it) which is subject to the faculty jurisdiction of a consistory court by virtue of section 3 of the Care of Places of Worship Measure 1999, not being a building which is subject to a sharing agreement made on behalf of the Church of England in pursuance of the Sharing of Church Buildings Act 1969.]

- (2) Any order made under subsection (1) above may contain such incidental provisions as the Fees Advisory Commission considers necessary or desirable [^{F3}, including provision for payments to be made in respect of reasonable expenses incurred by ecclesiastical judges and legal officers on travel, subsistence, accommodation and the holding of court hearings].
- (3) Any order made under subsection (1) above shall be laid before the General Synod and shall not come into force until it has been approved by the General Synod, whether with or without amendment.

Status: Point in time view as at 01/07/2001. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Ecclesiastical Fees Measure 1986, Section 6. (See end of Document for details)

- (4) Where the Standing Committee of the General Synod determines that an [F⁴order made under subsection (1) above] does not need to be debated by the General Synod, then, unless—
- (a) notice is given by a member of the General Synod in accordance with its Standing Orders that he wishes the order to be debated, or
 - (b) notice is so given by any such member that he wishes to move an amendment to the order F⁵ . . . ,
- the order shall for the purposes of subsection (3) above be deemed to have been approved by the General Synod without amendment.
- (5) The M¹Statutory Instruments Act 1946 shall apply to an [F⁴order made under subsection (1) above] approved by the General Synod as if it were a statutory instrument and were made when so approved and as if this Measure were an Act providing that any such order shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Subordinate Legislation Made

- P1** S. 6: power conferred by s. 6 exercised by S.I. 1991/1756
S. 6: for previous exercises of power see Index to the Government Orders

Textual Amendments

- F1** Words in s. 6(1) substituted (1.3.1993) by Care of Churches and Ecclesiastical Jurisdiction Measure 1991 (No. 1), s. 10, **Sch. 6 para. 3(a)** (with s. 31(6)); Instrument dated 16.2.1993 made by the Archbishops of Canterbury and York.
- F2** S. 6(1A) inserted (1.7.2001) by 1999 Measure No. 2, s. 4, Sch. 2 paras. 1, 2; Instrument dated 21.6.2001 made by the Archbishops of Canterbury and York
- F3** Words in s. 6(2) inserted (1.3.1993) by Care of Churches and Ecclesiastical Jurisdiction Measure 1991 (No. 1), s. 10, **Sch. 6 para. 3(b)** (with s. 31(6)); Instrument dated 16.2.1993 made by the Archbishops of Canterbury and York.
- F4** Words in s. 6(4)(5) substituted (*prosp.*) by 1999 No. 1, s. 4, Sch. 2 paras. 1, 3
- F5** Words in s. 6(4)(b) omitted (1.9.1995) by virtue of 1995 No. 2, s. 14; Instrument dated 26.7.1995 made by Archbishops of Canterbury and York

Modifications etc. (not altering text)

- C1** S. 6(4): Functions of Standing Committee transferred (1.1.1999) to Business Committee by S.I. 1998/1715, arts. 1(2)(4), 2, **Sch. 1**; Instrument dated 14.10.1998 made by Archbishops of Canterbury and York

Marginal Citations

- M1** 1946. c. 36.

Status:

Point in time view as at 01/07/2001. This version of this provision has been superseded.

Changes to legislation:

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