



Patronage (Benefices) Measure 1986

1986 No. 3

PART II

EXERCISE OF RIGHTS OF PRESENTATION

Provisions which apply where benefice remains vacant for nine months

16 Presentation to benefices remaining vacant for nine months.

- (1) If at the expiration of the period of nine months beginning with the date on which a benefice becomes vacant—
 - (a) no notice of presentation under section 13(6) of this Measure has been received by the bishop, or
 - (b) where the bishop is the registered patron, he has not received an acceptance of any offer made by him to collate a priest to the benefice,the right of presentation to that benefice shall be exercisable by the archbishop in accordance with the provision of this section; and a notice to that effect shall be sent by the bishop to the archbishop.
- (2) In calculating the period of nine months mentioned in subsection (1) above, no account shall be taken of any of the following periods, that is to say—
 - (a) a period during which the decision of the bishop to refuse to approve the making to a priest of an offer to present him to a benefice is under review by an archbishop,
 - (b) a suspension period within the meaning of the ^{M1}Pastoral Measure 1983, [F¹or any period during which the benefice is vacant immediately before the declaration of a suspension period or between suspension periods,] and
 - (c) a period during which the exercise of rights of presentation is restricted under section 24 or 69 of that Measure.
- (3) As soon as practicable after a right of presentation becomes exercisable by an archbishop under this section, the archbishop shall send to the secretary of the parochial church council of the parish concerned a notice requiring him within three

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Changes to legislation: *There are currently no known outstanding effects for the Patronage (Benefices) Measure 1986, Cross Heading: Provisions which apply where benefice remains vacant for nine months. (See end of Document for details)*

weeks after receiving the notice to send to the archbishop copies of the statement describing the conditions, needs and traditions of the parish prepared in accordance with section 11 of this Measure together with copies of any additional observations which the council wishes the archbishop to consider.

- (4) The bishop may, and if the archbishop so requests shall, send to the archbishop a statement describing in relation to the benefice the needs of the diocese and the wider interests of the Church.
- (5) Before the archbishop decides on the priest to whom an offer to present him to the benefice is to be made he shall consult the bishop, the parish representatives and such other persons as he thinks fit, including other persons who in his opinion can also represent the views of the parishioners and, if during the period of nine months mentioned in subsection (1) above the approval of the bishop or the parish representatives to the making of an offer to a priest by the registered patron of the vacant benefice has been refused under section 13 of this Measure, the archbishop shall not make any offer to that priest under this section unless the consent of the bishop or, as the case may be, the parish representatives has been obtained.
- (6) Where a priest accepts an offer to present him to a benefice made in accordance with the provisions of this section, the archbishop shall send to the bishop a notice presenting the priest to him for admission to the benefice.

Textual Amendments

- F1** Words in s. 16(2)(b) inserted (11.6.2008) by [Dioceses, Pastoral and Mission Measure 2007 \(No. 1\)](#), ss. [63\(3\)](#), [66\(2\)](#); [2007 No. 3](#), Instrument made by Archbishops

Marginal Citations

- M1** [1983 No. 1](#).

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