
Status: Point in time view as at 01/05/1996.

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SCHEDULES

SCHEDULE 1

Section 1(13).

SECTION 20 OF THE PASTORAL MEASURE 1983, AS AMENDED

Establishment of team ministries.

- 20 (1) A pastoral scheme may make provision for the establishment of a team ministry for the area of any benefice, and such a scheme shall provide—
- (a) for the sharing of the cure of souls in that area by the incumbent of the benefice which, if it is not or would not otherwise be a rectory, shall be a rectory and one or more other ministers who shall have the title of vicar and a status equal to that of an incumbent of a benefice; and
 - (b) for the pastoral care of persons in that area by those who are to share the cure of souls therein together with all other persons who are from time to time authorised by a provision contained in a licence or permission of the bishop to serve in that area as members of the team.

The persons who are to share the cure of souls in the said area shall constitute the team chapter, and the team chapter together with the other persons referred to in the scheme by virtue of paragraph (b) of this subsection shall constitute the team.

- (2) The office of rector in a team ministry shall be held by each holder thereof for the specified term of years; but the fact that the office is held for a term of years shall not affect its other attributes as a benefice and, in particular, the rector shall be a corporation sole and as such hold the property of the benefice during his term of office.
- (3) The office of vicar in a team ministry shall be an ecclesiastical office constituted by the scheme and shall be held by each holder thereof for the specified term of years; and the vicar shall, during that term, have the same security of tenure of his office as an incumbent of a benefice, and shall not be affected by a vacancy in the benefice of the rector.
- (3A) A person ordained to the office of deacon who is authorised under subsection (1)(b) by licence of the bishop—
 - (a) to serve in a team ministry as a member of the team; and
 - (b) for the purposes of the team ministry to perform, so far as consistent with the office of deacon, all such offices and services as may be performed by an incumbent,shall serve for the specified term of years; and any such person shall, during that term, have the same security of tenure of his office as an incumbent of a benefice, and shall not be affected by a vacancy in the benefice of the rector.
- (3B) Any other person who is authorised under subsection (1)(b) by licence of the bishop to serve in a team ministry as a member of the team shall serve for a term of years to be specified in the licence, but no person shall be authorised as aforesaid unless he

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has been nominated for that purpose by the rector with the consent of a majority of the other members of the team and of each parochial church council concerned: Provided that it shall not be necessary for the person concerned to be nominated for that purpose by the rector as aforesaid where that person is authorised to serve in a team ministry for a period immediately following a period of service in the team ministry.

- (4) A pastoral scheme establishing a team ministry may designate the first rector (who may be the existing incumbent) or the first holder of any office of vicar but, subject to any such provision,—
- (a) the rector shall be presented or collated to the benefice, as the circumstances require, in accordance with paragraph 1 of Schedule 3 and the provisions of the scheme made thereunder;
 - (b) the vicar or vicars shall be chosen in accordance with paragraph 2 of that Schedule, shall be appointed to the office by licence of the bishop under seal and, unless the bishop otherwise directs, shall be publicly admitted in a church in the area.
- (5) Where a pastoral scheme designates a person as the first holder of the office of vicar in a team ministry, the bishop shall offer to issue a licence appointing him to the office, and if that person does not accept the offer within one month after it is made to him, the designation shall cease to have effect.
- (6) The term of years for which the office of rector or vicar in a team ministry or for which a deacon to whom subsection (3A) applies is authorised to serve in a team ministry is held may, subject to any provision in a pastoral scheme, be extended by licence of the bishop under seal for a further term or further terms not exceeding, in the case of any one extension, the specified term of years, but any such extension shall be personal to the rector, vicar or deacon concerned and not affect the term of office of subsequent holders.
- (7) The rector in a team ministry shall have a general responsibility for the cure of souls in the area of the benefice, which may be subject to any special cure or special responsibility given to a vicar as hereinafter provided, and shall be responsible for the leadership of the team; and the scheme may make further provision as to the relationship of the rector and other members of the team ministry.
- (8) A vicar in a team ministry shall by virtue of his office, but subject to his licence, have authority to perform in the area of the benefice all such offices and services as may be performed by an incumbent, and the scheme or, subject to the scheme, the bishop's licence may—
- (a) assign to a vicar a special cure of souls in respect of a part of the said area and, if appropriate, the name of vicar of a church in that part;
 - (b) assign to a vicar a special responsibility for a particular pastoral function;
 - (c) provide that any such special cure or responsibility shall be independent of the rector's general responsibility;
 - (d) assign to a vicar a general responsibility to be shared with the rector for a cure of souls in the area as a whole;
- and, if any such provision as aforesaid is made by the bishop's licence, it may (subject to the scheme) be varied or revoked, with the consent of the rector and the vicar concerned, by a subsequent licence under seal.
- (8A) A pastoral scheme establishing a team ministry or, subject to the scheme, the bishop's licence may assign to any member of the team who is not a member of the team

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chapter a special responsibility for pastoral care in respect of a part of the area of the benefice, so far as consistent with that member's office; and, if any such provision as aforesaid is made by the bishop's licence, it may (subject to the scheme) be varied or revoked by a subsequent licence under seal.

- (9) The Ecclesiastical Jurisdiction Measures 1963 and 1974 shall apply to vicars in a team ministry and deacons in a team ministry to whom subsection (3A) applies as if they were incumbents of the benefice for the area of which the team ministry is established.
- (9A) The ^{M1}Ecclesiastical Offices (Age Limit) Measure 1975 shall apply to deacons in a team ministry to whom subsection (3A) applies as if they were vicars in the team ministry and, accordingly, no person shall be capable of being authorised by licence of the bishop to serve in a team ministry as such a deacon if at the time of the issue of the licence he has attained the age of seventy years.
- (10) The rector in a team ministry shall convene meetings of the team at regular intervals for the purpose of discussing and reaching a common mind on all matters of general concern or special interest to the team ministry and, unless a pastoral scheme otherwise provides, the rector shall preside, except that if he requests otherwise or is absent a deputy chairman appointed by the meeting shall preside.
- (10A) Any member of the team in a team ministry may, by notice in writing, request the rector to convene a team meeting under subsection (10) to be held within the period of twenty-eight days following the service of the notice; and, if the rector fails to comply with such a request, that member may himself convene the meeting.
- (11) Sub-paragraphs (1), (2), (3), (5) and (6) of paragraph 4 of Schedule 3 shall apply to parochial church meetings and parochial church councils in the area of a benefice for which a team ministry is established, and for the election of district church councils and churchwardens, and, if the area comprises more than one parish, for establishing a team council and empowering that council to exercise certain powers.
- (12) Where two or more benefices are, or are to be, held in plurality, and a team ministry is established or is to be established for the area of one of those benefices, a pastoral scheme may provide for extending the operation of the team ministry, so long as the plurality continues, to the area of any other benefice so held, and subsections (7), (8) and (11) and the provisions of Schedule 3 therein referred to shall have effect as if the references to the area of the benefice were references to the combined area of the benefices concerned.
- (13) Where the rector in a team ministry established for any benefice receives a statutory notice concerning ecclesiastical property in the benefice, he shall—
- (a) keep every member of the team informed of matters arising from the notice;
 - (b) afford every member of the team an opportunity to express views thereon before taking any action in response to the notice; and
 - (c) have regard to those views before taking any such action.
- (14) Where a benefice for which a team ministry is established becomes vacant the bishop may appoint a person holding the office of vicar in the team ministry to act as rector in the team ministry for the purposes of subsections (3B), (7) and (10), and any person so appointed shall be deemed to hold the office of rector in the team ministry for the purposes of those subsections while the benefice remains vacant.

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(15) In this section “specified term of years” in relation to a team ministry means such term of years as may for the time being be specified for the team ministry for the purposes of subsections (2), (3) and (3A) by a pastoral scheme or pastoral order; and in the case of a team ministry for which no term of years is so specified seven years shall be deemed to be the specified term of years for the purposes of those subsections.

(16) In this section—

“ecclesiastical property” has the same meaning as in section 12(3) of^{M2}the Acquisition of Land Act 1981;

“statutory notice” means a notice given in pursuance of any enactment or of any instrument made under an enactment.

Marginal Citations

M1 1975 No.2.

M2 1981 c. 67.

SCHEDULE 2

Section 18.

TRANSITIONAL PROVISIONS

- 1 The provisions of section 1 above shall not affect the freehold tenure or term of office or service of any person who—
- (a) is a member of a team in a team ministry immediately before the coming into operation of those provisions; or
 - (b) has been designated as the rector in a team ministry by a pastoral scheme made by the Church Commissioners and confirmed by Order in Council under Part I of the 1983 Measure before the coming into operation of those provisions,
- but, except as provided above, the provisions of this Measure shall have effect notwithstanding any provision to the contrary in a pastoral scheme or pastoral order.
- 2 A provision which could not have been made by a pastoral scheme under the 1983 Measure as in force before the coming into operation of section 3 above shall not be included in a pastoral scheme which is pending at the coming into operation of that section.
- 3 A provision which could not have been made by a pastoral order under the 1983 Measure as in force before the coming into operation of section 5 above shall not be included in a pastoral order which is pending at the coming into operation of that section.
- 4 For the purposes of this Schedule a pastoral scheme or pastoral order shall be deemed to be pending at the coming into operation of a provision of this Measure if it has at least reached the following stage of the procedure applicable to that scheme or order, that is to say the submission to the Church Commissioners of proposals—
- (a) under section 3(9) or 14(1) of the 1983 Measure; or
 - (b) under the said section 3(9) as applied by section 13(5) of that Measure.

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- 5 Nothing in this Schedule shall be taken as prejudicing the application of sections 16 and 17 of the ^{M3}Interpretation Act 1978.

Marginal Citations

M3 1978 c. 30.

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