



Church of England (Miscellaneous Provisions) Measure 1995

1995 No. 2

1 Ministers of Church of Ireland.

It shall be lawful for persons admitted to Holy Orders by a bishop of the Church of Ireland, whether or not they hold or have held any benefice or preferment in England, to officiate in England in a church or chapel belonging to the Church of England, if invited to do so by the minister having the cure of souls of the church or chapel, without notifying the bishop of the diocese in which the church or chapel is situate for the same period and subject to the same conditions as would be applicable to them if they had been admitted to Holy Orders by the bishop of a diocese in the Church of England.

2 Provisions relating to Christ Church Oxford.

- (1) It shall be lawful for the constitution and statutes of the foundation known as the Cathedral Church of Christ in Oxford to provide for the appointment of not more than two lay canons and to specify the functions of such lay canon or canons.
- (2) No such lay canon shall be appointed unless the person concerned is —
 - (a) a communicant member of the Church of England; or
 - (b) a member of a church to which the ^{M1}Church of England (Ecumenical Relations) Measure 1988 applies and is entitled lawfully to take part in public worship in accordance with the forms of service and practice of the Church of England.

[^{F1}(3) Notwithstanding sections 5 and 6 of the Ecclesiastical Commissioners Act 1840, which annexed 2 canonries in the chapter of the Cathedral Church of Christ in Oxford to, respectively, the Lady Margaret's professorship of divinity and the regius professorship of ecclesiastical history, those professorships may be held either by residentiary canons in the chapter or by lay canons appointed pursuant to subsection (1).]

Changes to legislation: There are currently no known outstanding effects for the Church of England (Miscellaneous Provisions) Measure 1995. (See end of Document for details)

Textual Amendments

F1 S. 2(3) substituted (19.5.2014) by Church of England (Miscellaneous Provisions) Measure 2014 (No. 1), ss. 19, 21(2); S.I. 2014/1369, art. 2

Marginal Citations

M1 1988 No. 3.

3 Designation of archdeacon emeritus.

The bishop of a diocese may confer the designation of archdeacon emeritus upon any person who retires immediately after holding the office of archdeacon.

F24 Resignation of certain office holders.

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Textual Amendments

F2 S. 4 repealed (31.1.2011) by Ecclesiastical Offices (Terms of Service) Measure 2009 (No. 1), s. 13(2), Sch. 3 (with s. 9); 2010 No. 8, art. 2

Modifications etc. (not altering text)

C1 S. 4 savings for effects of 2009 gsm 1 Sch. 3 (31.1.2011) by The Ecclesiastical Offices (Terms of Service) (Consequential and Transitional Provisions) Order 2010 (S.I. 2010/2847), art. 1(3), Sch. 1 para. 3

5 Amendment of Ecclesiastical Commissioners Act 1840.

In section 27 of the Ecclesiastical Commissioners Act 1840 (qualification of deans, archdeacons and canons)—

- (a) after the word “dean,” there shall be inserted the word “ provost, ”;
- (b) for the words “priest’s orders” there shall be substituted the words “ holy orders and, in the case of a dean, provost or archdeacon, be in priest’s orders at the time of the appointment ”.

F36

Textual Amendments

F3 S. 6 repealed (1.1.1999) by 1998 No. 1, s. 13(3); Instrument dated 14.10.1998 made by Archbishops of Canterbury and York

7 Amendment of Church Funds Investment Measure 1958.

The Scheme contained in the Schedule to the ^{M2}Church Funds Investment Measure 1958 shall have effect subject to the amendments specified in the Schedule to this Measure.

Changes to legislation: There are currently no known outstanding effects for the Church of England (Miscellaneous Provisions) Measure 1995. (See end of Document for details)

Marginal Citations

M2 6 & 7 Eliz. 2 No. 1.

F⁴8 Amendment of Clergy Pensions Measure 1961.

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Textual Amendments

F4 S. 8 repealed (1.3.2019) by [Church of England Pensions Measure 2018 \(No. 9\)](#), s. 61(2), [Sch. 5](#) (with [Sch. 4](#)); S.I. 2019/98, art. 2

9 Amendment of Ecclesiastical Jurisdiction Measure 1963.

The ^{M3}Ecclesiastical Jurisdiction Measure 1963 shall have effect subject to the following amendments—

- (a) in section 2 (judge of consistory court) in paragraph (5) the words “and subscribe” and “and subscription” shall be omitted;
- (b) in section 3 (judges of the Arches and Chancery Courts)—
 - (i) in paragraphs (6) and (7) the words “and subscribe” shall be omitted;
 - (ii) in paragraph (8) the words “and subscription” shall be omitted;
- (c) in section 27 (power of chancellor to nominate trial judge in lieu of himself) in subsection (2) the words “and subscribe” shall be omitted;
- (d) in Schedule 1 (which sets out the form of the oaths to be taken by all judges) the words “AND SUBSCRIBED, AND DECLARATION TO BE MADE AND SUBSCRIBED,” and the words “AND SUBSCRIBED” (where they appear elsewhere) shall be omitted.

Marginal Citations

M3 1963 No. 1.

10 Amendment of Parochial Registers and Records Measure 1978.

In section 20 of the ^{M4}Parochial Registers and Records Measure 1978 (searches of certain register books) at the end there shall be inserted the following subsection—

- “(6) This section shall so far as applicable and with the necessary modifications, apply in relation to the custody or deposit of register books of baptisms, burials or marriages provided for any cathedral or collegiate church or any other church or chapel which does not belong to a parish.”.

Marginal Citations

M4 1978 No. 2.

Changes to legislation: There are currently no known outstanding effects for the Church of England (Miscellaneous Provisions) Measure 1995. (See end of Document for details)

F⁵11 Amendment of Pastoral Measure 1983.

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Textual Amendments

- F5** S. 11 repealed (1.7.2012) by [Mission and Pastoral Measure 2011 \(No. 3\)](#), s. 112(3), **Sch. 9** (with ss. 100, 105(4), 107, 108(6), Sch. 8); 2012 No. 1, art. 2

F⁶12 Amendment of Church of England (Miscellaneous Provisions) Measure 1983.

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Textual Amendments

- F6** S. 12 repealed (1.5.2008) by [Dioceses, Pastoral and Mission Measure 2007 \(No. 1\)](#), s. 66(2), **Sch. 7**; 2008 No. 1, Instrument made by Archbishops

F⁷13 Amendment of Care of Churches and Ecclesiastical Jurisdiction Measure 1991.

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Textual Amendments

- F7** S. 13 repealed (1.9.2018) by [Ecclesiastical Jurisdiction and Care of Churches Measure 2018 \(No. 3\)](#), s. 99(2), **Sch. 5** (with Sch. 4 Pt. 1); S.I. 2018/720, art. 2

14 Amendment of various enactments in connection with General Synod procedure.

In the following enactments, that is to say —

- section 6(4A) of the ^{M5}Clergy Pensions (Amendment) Measure 1972;
- sections 2(3) and 6(4) of the ^{M6}Ecclesiastical Fees Measure 1986;
- section 38(5) of the ^{M7}Patronage (Benefices) Measure 1986;
- section 27(3) of the ^{M8}Care of Churches and Ecclesiastical Jurisdiction Measure 1991;
- section 9(5) of the ^{M9}Incumbents (Vacation of Benefices) (Amendment) Measure 1993;

in paragraph (b) in each case the words from “and at least” to the end of that paragraph shall be omitted.

Marginal Citations

- M5** 1972 No. 5.
M6 1986 No. 2.
M7 1986 No. 3.
M8 1991 No. 1.
M9 1993 No. 1.

Changes to legislation: There are currently no known outstanding effects for the Church of England (Miscellaneous Provisions) Measure 1995. (See end of Document for details)

15 Short title, commencement and extent.

- (1) This Measure may be cited as the Church of England (Miscellaneous Provisions) Measure 1995.
- (2) This Measure shall come into force on such date as the Archbishops of Canterbury and York may jointly appoint; and different dates may be appointed for different provisions.
- (3) Subject to subsections (4) and (5) below this Measure shall extend to the whole of the provinces of Canterbury and York, except the Channel Islands and the Isle of Man.
- (4) This Measure (except section 2) may be applied to the Channel Islands, as defined in the Channel Islands (Church Legislation) Measures 1931 and 1957, or either of them, in accordance with those Measures.
- (5) Sections 6 and 8 above shall extend to the Isle of Man and, if an Act of Tynwald or an instrument made under an Act of Tynwald so provides, the remainder of this Measure except sections 2 and 5 shall extend to the Isle of Man subject to such modifications, if any, as may be specified in such Act of Tynwald or other instrument.

Subordinate Legislation Made

- P1** [S. 15: Power exercised \(26.7.1995\): 1.9.1995 appointed for specified provisions; Instrument dated 26.7.1995 made by Archbishops of Canterbury and York](#)

Changes to legislation:

There are currently no known outstanding effects for the Church of England (Miscellaneous Provisions) Measure 1995.