



Dioceses, Pastoral and Mission Measure 2007

2007 No. 1

PART II

PROVINCIAL AND DIOCESAN STRUCTURE

Provisions with respect to discharge of episcopal functions

13 Delegation by instrument of certain functions to suffragan bishop or assistant bishop

- (1) Subject to the provisions of this section, the bishop of a diocese may by an instrument under his hand delegate to a suffragan bishop of the diocese such of his functions as may be specified in the instrument^{F1}....
- (2) Such instrument may provide for the discharge of any function specified therein to be subject to such conditions as may be so specified.
- (3) Such instrument may provide that the functions thereby delegated may be discharged by the suffragan bishop throughout the diocese or only in a particular area thereof specified in the instrument.
- (4) Such instrument may provide that any function specified therein shall be discharged by the bishop of the diocese and the suffragan bishop acting jointly.
- (5) Such instrument may provide for the delegation to be for a period specified in the instrument, but it shall not prevent the making of a fresh instrument at the expiration of that period.
- (6) Such instrument may provide for it to continue to have effect for a period specified in the instrument after either the bishop of the diocese or the suffragan bishop ceases to hold that office (with the substitution for the suffragan bishop of his successor).

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- (7) Subject to subsection (9) below, such instrument shall cease to have effect on the date on which—
- (a) the period, if any, specified in the instrument in accordance with subsection (5) or (6) above expires, or
 - (b) if subsection (6) above does not apply, the bishop of the diocese ceases to hold that office, or
 - (c) if subsection (6) above does not apply, the suffragan bishop to whom functions are delegated by the instrument ceases to hold that office.
- (8) The bishop shall obtain the approval of the diocesan synod of the diocese before making an instrument made under this section but, except where subsection (6) above applies, where the bishop is of the opinion that the matter is urgent and it is not practicable to obtain the approval of the diocesan synod, he may, instead, obtain the approval of the bishop's council and standing committee of that diocesan synod.
- (9) Where but for this subsection such instrument would cease to have effect on the date on which the bishop of the diocese or the suffragan bishop to whom functions are delegated by the instrument ceases to hold that office, it shall, except as provided by section 15 of this Measure, continue to have effect until the date of the expiration of a period of six months beginning with the date on which another person becomes the bishop of that diocese or the date on which the suffragan bishop ceases to hold that office, whichever first occurs.
- (10) The bishop of a diocese may vary or revoke an instrument made under this section by a subsequent instrument made thereunder.
- (11) An instrument under this section shall come into operation on the day after the day on which it is made or on such later date as may be specified therein.
- (12) On making an instrument under this section the bishop shall send a copy of the instrument to the Commissioners, the Commission and the registrar of the diocese, and the registrar shall file it in the diocesan registry.
- (13) Where any function specified in an instrument under this section requires the application of the bishop's seal to a document, the document shall be issued as though it were a deed and be executed by the person authorised by the instrument to discharge that function.
- (14) A statement in a document issued in discharging any such function that the person by whom the document is signed or executed has been duly authorised by an instrument under this section to discharge that function shall be conclusive evidence of that fact.
- (15) The making of an instrument under this section shall not be taken as divesting the bishop of the diocese of any of his functions.
- (16) In this section and sections 15 and 16 below, “suffragan bishop” includes an assistant bishop.

Textual Amendments

- F1** Words in s. 13(1) omitted (25.1.2024) by virtue of [Church of England \(Miscellaneous Provisions\) Measure 2024 \(No. 1\)](#), **ss. 6(2), 22(2)(e)**

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Commencement Information

II S. 13 in force at 1.5.2008 by [2008 No. 1](#), Instrument made by Archbishops

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Changes and effects yet to be applied to the whole Measure associated Parts and Chapters:

Whole provisions yet to be inserted into this Measure (including any effects on those provisions):

- s. 11(2A) inserted by [2024 No. 1 s. 4\(2\)](#)