



# Ecclesiastical Offices (Terms of Service) Measure 2009

2009 No. 1

## **[<sup>F1</sup>3A Removal from cathedral office after disqualification as charity trustee**

- (1) This section applies in the case of an office holder referred to in section 1(1)(d) who—
  - (a) by virtue of that office, is a charity trustee of the Chapter of a cathedral, but
  - (b) is disqualified from being a charity trustee under the Charities Act 2011.
- (2) The bishop of the diocese must, by notice in writing, remove the person from the office.
- (3) But the duty under subsection (2) does not arise unless and until—
  - (a) any appeal against the disqualification under the Charities Act 2011 is dismissed or abandoned or the period for bringing an appeal expires without an appeal being brought, and
  - (b) subject to subsection (4), the period of three months beginning with the date on which the disqualification takes effect expires without a waiver of the disqualification under the Charities Act 2011 being granted or applied for.
- (4) If, at the end of the three-month period referred to in subsection (3)(b), an application for a waiver of the disqualification has been made but not yet determined, the duty under subsection (2) does not arise unless and until the application is refused.
- (5) The duty under subsection (2) must be complied with as soon as reasonably practicable and in any event before the end of 30 days beginning with the day on which the duty arises in accordance with subsection (3) or (4).
- (6) The bishop must, by notice in writing, suspend the person from office for a period which begins when the disqualification takes effect and ends—
  - (a) if the duty under subsection (2) arises, when the duty is complied with;
  - (b) if the duty under subsection (2) does not arise because an appeal of the kind mentioned in subsection (3)(a) is allowed, when the appeal is allowed;
  - (c) if the duty under subsection (2) does not arise because an application of the kind referred to in subsection (3)(b) is granted, when the application is granted.

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**Changes to legislation:** There are currently no known outstanding effects for the Ecclesiastical Offices (Terms of Service) Measure 2009, Section 3A. (See end of Document for details)

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- (7) The bishop of the diocese, having complied with the duty under subsection (2), must give a copy of the notice under that subsection to the archbishop of the province in which the diocese is situated and to the registrar of the diocese.]

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**Textual Amendments**

- F1** Ss. 3A, 3B inserted (coming into force in accordance with s. 53(6)(7) of the amending Measure) by Cathedrals Measure 2021 (No. 2), s. **42(1)** (with ss. 42(3)(4)(5), 48, 52(1))

**Changes to legislation:**

There are currently no known outstanding effects for the Ecclesiastical Offices (Terms of Service) Measure 2009, Section 3A.