



Mission and Pastoral Measure 2011

CHAPTER 3

MISSION AND PASTORAL MEASURE 2011

PART 1

GENERAL DUTY

- 1 General duty

PART 2

MISSION AND PASTORAL COMMITTEES

- 2 Appointment of mission and pastoral committees
- 3 Functions of mission and pastoral committees
- 4 Conventional districts

PART 3

PROCEDURE FOR MAKING PASTORAL SCHEMES AND PASTORAL ORDERS OTHER THAN PASTORAL CHURCH BUILDINGS SCHEMES

- 5 Introduction

Procedure for schemes and orders affecting a single diocese

- 6 Formulation and submission to bishop of draft proposals
- 7 Approval by bishop of draft proposals and preparation of draft scheme
- 8 Consideration of draft scheme or order by Commissioners
- 9 Notice and publication of draft schemes or orders
- 10 Amendment of draft schemes or orders
- 11 Making of schemes or orders
- 12 Appeals to the Privy Council
- 13 Transmission of copies of scheme or order

Status: Point in time view as at 30/11/2014.

Changes to legislation: There are currently no known outstanding effects for the Mission and Pastoral Measure 2011. (See end of Document for details)

14 Validity and operation of schemes and orders

Modified procedure for schemes and orders affecting more than one diocese

15 Limited extension of diocesan proposals and schemes to other dioceses

16 Joint boundary committees

Supplementary

17 Power of bishop to formulate and submit proposals on certain matters

18 Withdrawal of scheme or order at request of bishop

19 Supplementary powers of Commissioners, mission and pastoral committees and joint boundary committees

PART 4

PROCEDURE FOR MAKING PASTORAL CHURCH BUILDINGS SCHEMES

Procedure for schemes

20 Introduction

21 Formulation and submission to bishop of draft proposals

22 Approval by bishop of draft proposals

23 Amendment of proposals and preparation of draft scheme

24 Notice and publication of draft schemes

25 Amendment of draft schemes

26 Making of schemes

27 Transmission of copies of scheme

28 Application of provisions of Part 3 to pastoral church buildings schemes

29 Withdrawal of scheme at request of bishop

30 Supplementary powers of Commissioners and mission and pastoral committees

PART 5

CONTENTS AND EFFECT OF PASTORAL SCHEMES AND ORDERS

Changes in benefices, parishes, extra-parochial places, archdeaconries and deaneries

31 Creation, alteration or dissolution of benefices, parishes and extra-parochial places

32 Holding of benefices in plurality

33 Archdeaconries and deaneries

Team and group ministries

34 Establishment of team ministries

35 Establishment of group ministries

36 Termination and alteration of team ministries and group ministries

Other provisions as to clergy and ministry

37 Status and duties of new benefices

38 Designation, selection and admission of certain incumbents

39 Operation of schemes dispossessing clergy or dissolving archdeaconries or deaneries

40 Compensation of clergy

Status: Point in time view as at 30/11/2014.

Changes to legislation: There are currently no known outstanding effects for the Mission and Pastoral Measure 2011. (See end of Document for details)

Churches, churchyards and parsonage houses

- 41 Provisions as to parish churches
- 42 Closure of churches for regular public worship
- 43 Places of worship
- 44 Use of certain churchyards and burial grounds
- 45 Parsonage houses

Patronage

- 46 Provisions as to patronage

Endowments, stipends and other remuneration

- 47 Provisions as to endowments, income, etc.

Provisions as to sinecures

- 48 Sinecure rectories and chapelries

Pastoral schemes affecting more than one diocese

- 49 Limited extension of pastoral schemes to other dioceses
- 50 Schemes for the alteration of diocesan boundaries

Pastoral orders

- 51 Powers exercisable by pastoral order

Supplementary

- 52 Supplementary provisions of pastoral schemes and orders
- 53 Amendment and revocation of pastoral schemes and orders
- 54 Application of Schedule 3 containing supplementary provisions and powers

PART 6

BUILDINGS CLOSED FOR REGULAR PUBLIC WORSHIP

Appointment of statutory bodies for buildings closed for regular public worship

- 55 Functions of mission and pastoral committee concerning buildings closed for regular public worship
- 56 Commissioners to appoint Committee with duties in respect of buildings closed for regular public worship
- 57 Appointment of Churches Conservation Trust

Provisions for future use of buildings closed for regular public worship in pastoral church buildings schemes

- 58 Provision by pastoral church buildings scheme for appropriation or demolition of church to be closed for regular public worship to be replaced by new church
- 59 Other provision by pastoral church buildings scheme for church to be closed for regular public worship
- 60 No other cases to be dealt with by pastoral church buildings schemes

Status: Point in time view as at 30/11/2014.

Changes to legislation: There are currently no known outstanding effects for the Mission and Pastoral Measure 2011. (See end of Document for details)

Pastoral (church buildings disposal) schemes

- 61 Use seeking period
- 62 Procedure for making pastoral (church buildings disposal) schemes
- 63 Contents of pastoral (church buildings disposal) schemes
- 64 Application of remainder of proceeds of sales and other disposals
- 65 Orders of Commissioners determining or varying payments to Churches Conservation Trust
- 66 Pastoral (church buildings disposal) schemes in respect of churches closed or demolished otherwise than under this Measure
- 67 Schemes under the Charities Act 1993 for redundant chapels belonging to charities
- 68 Churches not to be closed or disposed of otherwise than under this Measure

Amendment and revocation of pastoral (church buildings disposal) schemes and provisions in pastoral church buildings schemes relating to closure of buildings for regular public worship

- 69 Amendment of pastoral (church buildings disposal) schemes and provisions
- 70 Restoration of building closed for regular public worship to use as church building

Vesting of property and other supplementary provisions

- 71 Vesting of property
- 72 Rights of way and other easements
- 73 Acquisition of rights of way and other easements
- 74 Removal of legal effects of consecration of buildings and land
- 75 Power to impose and enforce covenants
- 76 Disposal of font, communion table and plate, and other contents
- 77 Trusts for the repair etc. of buildings closed for regular public worship and contents
- 78 Disposal of human remains

Preservation of churches closed for regular public worship by the Secretary of State

- 79 Transfer of churches closed for regular public worship

PART 7

MISSION

Mission initiatives

- 80 Mission initiatives
- 81 Visitors
- 82 Supplementary provisions
- 83 Review of duration of mission initiatives and further provisions
- 84 Code of Practice

PART 8

MISCELLANEOUS AND GENERAL

Restrictions on presentation

- 85 Suspension of presentation for period not exceeding five years

Status: Point in time view as at 30/11/2014.

Changes to legislation: There are currently no known outstanding effects for the Mission and Pastoral Measure 2011. (See end of Document for details)

- 86 During suspension period sequestration of profits, appointment of priest in charge and management of property
- 87 Restrictions on presentation pending the making of pastoral schemes and orders
- 88 Modification of Patronage (Benefices) Measure 1986 where presentation is suspended or restricted
- 89 Suspension of new rights of patronage

Miscellaneous provisions

- 90 Priest in charge to replace incumbent as trustee of certain charities during vacancy in benefice, etc.
- 91 Induction in one parish church
- 92 Grant of land for new churches etc. and vesting of certain churches

Administrative provisions

- 93 Diocesan pastoral accounts
- 94 Payment of expenses from diocesan pastoral accounts and application of moneys
- 95 The closed church buildings support account
- 96 Power of Commissioners to determine boundaries
- 97 Power of Commissioners to determine questions relating to patronage
- 98 Powers of Commissioners to seek information and give advice
- 99 Assistant curates
- 100 Application to benefices in the patronage of the Crown or Duke of Cornwall
- 101 Provision as to notices and other documents
- 102 Patrons who are minors
- 103 Provisions where there is no parochial church council, incumbent, etc.

General provisions

- 104 Pluralities not be authorised except under this Measure
- 105 Meaning of “benefice” and “parish”
- 106 General interpretation
- 107 Saving for planning legislation
- 108 Provisions as to guild churches
- 109 Churches etc. affected by private and local Acts
- 110 Transitional provisions
- 111 Repeals
- 112 Short title, extent and commencement

SCHEDULES

SCHEDULE 1 — Constitution and Procedure of the Mission and Pastoral Committee

- 1 There shall be a person to be known as “the...
- 2 The bishop, if he so wishes, may be a member...
- 3 Unless the bishop is the Chair, the Chair shall be...
- 4 All archdeacons in the diocese shall be members or, if...
- 5 Subject to paragraphs 1 to 4, the members of the...
- 6 The written constitution of the committee shall provide for a...

Status: Point in time view as at 30/11/2014.

Changes to legislation: There are currently no known outstanding effects for the Mission and Pastoral Measure 2011. (See end of Document for details)

- 7 Subject to paragraph 6, the committee may act notwithstanding any...
- 8 The committee shall have power to appoint sub-committees and to...
- 9 The committee may delegate any of its functions to a...
- 10 The committee and any sub-committee shall have power to appoint...
- 11 The committee shall have power to make provision for the...
- 12 Subject to the preceding provisions of this Schedule and to...

SCHEDULE 2 — Appeals to the Judicial Committee of the Privy Council

- 1 Any person who intends to apply for leave to appeal...
- 2 Where five or more persons acting jointly duly made written...
- 3 If the Registrar of the Privy Council is satisfied that...
- 4 Within the period of 28 days beginning with the date...
- 5 The Judicial Committee of the Privy Council shall consider an...
- 6 After receiving notice that leave to appeal has been granted...
- 7 The Commissioners shall without delay after receiving the said copy...
- 8 Except with the leave of the Judicial Committee of the...
- 9 An appeal shall be set down as soon as the...
- 10 A map showing clearly the boundaries of any ecclesiastical area...
- 11 Where an appellant, having been granted leave to appeal under...
- 12 All bills of costs under any order of the Judicial...
- 13 The Judicial Committee of the Privy Council may give such...

SCHEDULE 3 — Supplementary Provisions Relating to Matters Arising out of Pastoral Schemes and Orders

Team and group ministries

- 1 (1) A pastoral scheme establishing a team ministry shall provide...
- 2 (1) A pastoral scheme establishing a team ministry which provides...
- 3 Where a group ministry is established by a pastoral scheme...
- 4 (1) Where a pastoral scheme establishes a team ministry, the...

Admission and induction to benefices

- 5 (1) Any person who is designated by or selected under...

General provisions as to vesting of property

- 6 (1) Where a pastoral scheme creates a new benefice by...

Loans

- 7 (1) This paragraph applies to loans made under any Act...

Property transferred to diocesan board of finance

- 8 (1) Where any property is transferred under section 45 by...

Church and parochial trusts

- 9 (1) Where any benefice is dissolved by a pastoral scheme,...

Parochial church meetings and councils

- 10 (1) A pastoral scheme which creates a new parish may...
- 11 (1) Where a pastoral scheme provides for two or more...

Status: Point in time view as at 30/11/2014.

Changes to legislation: There are currently no known outstanding effects for the Mission and Pastoral Measure 2011. (See end of Document for details)

Marriages and banns of matrimony

- 12 (1) Section 10(1) of the Marriage Act 1949 (which provides...

Burial rights in new or altered parishes

- 13 (1) On a union of parishes by virtue of a...

Provisions relating only to pastoral schemes affecting diocesan boundaries

- 14 (1) Where a benefice or parish or extra-parochial place is...

SCHEDULE 4 — Compensation of Clergy

- 1 The incumbent of a benefice dissolved by a pastoral scheme...
2 If the incumbent of any benefice or the archdeacon of...
3 Without prejudice to the generality of the foregoing provisions, the...
4 The right to and the amount of compensation payable under...
5 (1) The compensation shall consist of periodical payments or a...
6 In determining whether any claimant has suffered loss giving a...
7 If any person who is receiving compensation under this Schedule...
8 Any person who has been refused compensation under this Schedule...
9 If any person who is claiming or receiving or has...
10 It shall be the duty of every claimant and every...
11 (1) Subject to the following provisions of this paragraph, where...
12 (1) The functions of the mission and pastoral committee under...
13 (1) For the purposes of this Schedule there shall be...
14 The Rule Committee established by section 25 of the Care...
15 Payments of compensation under this Schedule shall be made by...

SCHEDULE 5 — The Churches Conservation Trust

- 1 The members of the Churches Conservation Trust shall hold office...
2 The Trust may act notwithstanding any vacancy among its members...
3 The quorum of the Trust shall be three or such...

SCHEDULE 6 — Disposal of Human Remains

- 1 The body or person in whom the building, part of...
2 Any notice required to be published and served under paragraph...
3 (1) The personal representatives or relatives of any deceased person...
4 Any human remains interred in the building or land which...
5 Any tombstone, monument or other memorial commemorating any
deceased person...
6 Any tombstone, monument or other memorial not disposed of in...
7 The removal of all human remains shall be effected, and...
8 Upon any removal of remains a certificate of removal and...
9 Any tombstone, monument or other memorial not disposed of in...
10 Where any tombstone, monument or other memorial is removed from...
11 The requirements of this Schedule shall be in addition to...
12 In this Schedule “ commonwealth war burial ” means a...

SCHEDULE 7 — Sequestration of Benefice Property during Suspension Period

- 1 During any suspension period the sequestrators in addition to
exercising...
2 (1) Notwithstanding anything to the contrary contained in any Act...
3 Moneys received by the diocesan board of finance from the...

Status: Point in time view as at 30/11/2014.

Changes to legislation: There are currently no known outstanding effects for the Mission and Pastoral Measure 2011. (See end of Document for details)

- 4 Where a suspension period immediately follows a period during which...
- 5 The sequestrators shall annually at such date as the bishop...
- 6 Where, on the termination of a suspension period in respect...

SCHEDULE 8 — Transitional Provisions

Where any action, proposals, draft pastoral schemes or orders or...

SCHEDULE 9 — Repeals

Status:

Point in time view as at 30/11/2014.

Changes to legislation:

There are currently no known outstanding effects for the Mission and Pastoral Measure 2011.