



Mission and Pastoral Measure 2011

2011 No. 3

PART 5 **E**

CONTENTS AND EFFECT OF PASTORAL SCHEMES AND ORDERS

Churches, churchyards and parsonage houses

41 Provisions as to parish churches **E**

- (1) A pastoral scheme may, in relation to any parish, including a new parish to be created by the scheme or a parish the area of which is to be altered by the scheme —
 - (a) designate as the parish church or as an additional parish church, or as parish churches or additional parish churches, any church or churches in the parish;
 - (b) provide for a church in the parish which immediately before the scheme comes into operation is a parish church to cease to be a parish church;
 - (c) provide for a new church and for it to become, after its approval by the bishop, after consultation with the diocesan advisory committee and the mission and pastoral committee as suitable to be a parish church and its consecration, the parish church, or an additional parish church, of the parish either in substitution for an existing parish church or otherwise;
 - (d) require the bishop to notify the Commissioners of his approval of a building or church as suitable to be a parish church and of its consecration.
- (2) The designation by a pastoral scheme as a parish church of a building which immediately before the scheme comes into operation is not a parish church shall not take effect unless and until it has been approved by the bishop, after consultation with the diocesan advisory committee and the mission and pastoral committee, as suitable to be a parish church and, if necessary, the building has been consecrated.
- (3) If the area of a parish is altered by a pastoral scheme but no provision with respect to the churches in that area is made by the scheme, every church in that area shall have the same status on and after the date on which the scheme comes into operation as it had immediately before that date.

*Changes to legislation: There are currently no known outstanding effects for the
Mission and Pastoral Measure 2011, Section 41. (See end of Document for details)*

- (4) Where, in a parish which has no parish church, a church is approved by the bishop, after consultation with the diocesan advisory committee and the mission and pastoral committee as suitable to be a parish church and is consecrated, it shall become the parish church of that parish.
- (5) Where by virtue of a designation made by a pastoral scheme or otherwise a parish has more than one parish church, the following provisions shall apply—
- (a) the parishioners of the parish shall have the same rights of worship in each of the parish churches;
 - (b) marriages may be solemnized in any of the parish churches, and the bishop may give directions under section 23 of the Marriage Act 1949 (12, 13 & 14 Geo. 6 c. 76), as extended by paragraph 12(4) of Schedule 3 to this Measure, with respect to the publication of banns and solemnization of marriages in the parish churches;
 - (c) burial rights shall not be affected by the designation, but shall be governed by paragraph 13 of Schedule 3;
 - (d) the powers, duties and liabilities of the parochial church council of the parish shall extend to each of the parish churches;
- and the pastoral scheme may make such other adaptations or modifications of enactments relating to parish churches or churchwardens (including this section) as may be necessary or expedient.
- (6) It shall be lawful in any church designated by a pastoral scheme as a parish church or becoming a parish church under this section, to publish banns of matrimony, solemnize marriages and perform all other such ecclesiastical offices as may be performed in a parish church.
- (7) A pastoral scheme may provide for determining claims to sittings and other claims in respect of a church designated by a pastoral scheme as a parish church or becoming a parish church under this section.
- (8) A pastoral scheme may provide for transferring to a church designated by such a scheme as a parish church or becoming a parish church under this section register books or records from any other church ceasing to be a parish church or otherwise affected by or in pursuance of that or any other pastoral scheme or for those books or records to be dealt with as the bishop of the diocese in which that other church is may direct under section 19 of the Parochial Registers and Records Measure 1978 (1978 No. 2).

In this subsection “register books” and “records” have respectively the same meanings as in that Measure.

Commencement Information

II S. 41 in force at 1.7.2012 by [S.I. 2012/1](#), [art. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Mission and Pastoral Measure 2011, Section 41.