



Diocesan Boards of Education Measure 2021

2021 No. 1

Structure

4 Joint DBE

- (1) A diocesan synod may make a scheme with one or more other diocesan synods designating either of the following as joint DBE for both or all of the dioceses concerned—
 - (a) a company limited by guarantee, or a CIO, which is registered in the register of charities, or
 - (b) an unincorporated body which is registered in the register of charities.
- (2) A scheme under this section may not, accordingly, designate the Board of Finance as a joint DBE.
- (3) Where there is a joint DBE, the diocesan synods concerned may make a scheme with one or more other diocesan synods designating the joint DBE as the DBE for the other diocese or dioceses too.
- (4) A scheme under this section must implement a proposal made by the diocesan bishops concerned acting jointly—
 - (a) except in so far as paragraph (b) applies, with the consent of each of the DBEs concerned (including in the case of a scheme under subsection (3), the consent of the joint DBE), and
 - (b) if any of the DBEs concerned comes within section 3(1)(c), after consultation with that DBE and with the consent of the Board of Finance of the diocese concerned.
- (5) If the archbishop of the province in which one or more of the dioceses concerned is situated considers that consent under subsection (4) is being unreasonably withheld or delayed, the archbishop may authorise the bishop or bishops concerned to join in making the proposal to the diocesan synod without having obtained that consent; and subsection (4) is accordingly to be read subject to this subsection.

Status: This is the original version (as it was originally enacted).

- (6) Before giving an authorisation under subsection (5), the archbishop must consult the Charity Commission on the proposed terms of the scheme; and if the Charity Commission does not respond within the period of 90 days beginning with the day on which the proposed terms are sent to the Charity Commission for that purpose, the Charity Commission is to be regarded as having no comments on the proposed terms.
- (7) Where a scheme is made under this section, each of the diocesan synods which made the scheme is to be regarded as having complied with section 3(1).
- (8) Schedule 1 (except paragraph 3) applies to a scheme under this section as it applies to a scheme under section 3; and a reference in this Measure to a scheme under section 3 includes a reference to a scheme under this section.
- (9) Where there is a joint DBE, this Measure has effect in relation to each of the dioceses concerned as if a reference to the DBE were a reference to the joint DBE.
- (10) In section 19 of the Dioceses, Pastoral and Mission Measure 2007 (schemes for discharge of functions of diocesan bodies), in subsection (1), at the end insert “or a Diocesan Board of Education”.