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STATUTORY INSTRUMENTS

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**1988 No. 1980**

**Patronage (Appeals) Rules 1988**

**PART I  
PRELIMINARY**

**Citation and commencement**

1. These Rules may be cited as the Patronage (Appeals) Rules 1988 and shall come into force on 1st January 1989.

**Interpretation**

2.—(1) In these Rules—

“answer” means an answer under paragraph (1) of rule 6 commenting on a respondent’s notice or any part of it;

“appeal” means an appeal under paragraph 8 of Schedule 1 against a decision of the registrar in respect of which a paragraph 7 notice has been served;

“appellant” means the person within the categories specified in paragraph 7 of Schedule 1 who has given the notice of appeal;

“Appendix” means the Appendix to these Rules;

“benefice” means the benefice to which the appeal relates;

“chancellor” means the chancellor of the diocese (or, in the case of the diocese of Canterbury, the commissary general);

“costs” includes fees, charges, disbursements, expenses and remuneration;

“diocese” means the diocese in which the benefice is situated;

“Fees Order” means an Order made under Part II of the Ecclesiastical Fees Measure 1986(1);

“interested person” means—

- (a) the incumbent of the benefice;
- (b) the parochial church council of any parish within the area of the benefice or, if any such parish has no parochial church council, the churchwardens of that parish; and
- (c) any other person whom the chancellor directs is to be an interested person;

“interlocutory application” means—

- (a) any application made under these Rules to the registrar otherwise than on a taxation of costs; and
- (b) any application made under these Rules to or heard under these Rules by the chancellor (including an application treated as made under paragraph (5)(b) of rule 20) otherwise than at the hearing of an appeal or on a review of a taxation of costs;

- “the Measure” means the Patronage (Benefices) Measure 1986;
- “notice of appeal” means a notice of appeal given under paragraph 8 of Schedule 1;
- “paragraph 7 notice” means a notice served by the registrar under paragraph 7 of Schedule 1;
- “party” means the appellant or any respondent who has lodged a respondent’s notice;
- “person” includes any individual or any body of persons, corporate or unincorporate;
- “pleading” means a notice of appeal, respondent’s notice or answer;
- “register” means the register compiled and maintained by the registrar under section 1 of the Measure;
- “registrar” means the registrar of the diocese (subject to paragraph (3) of rule 28), and includes any person appointed to act as his deputy under rule 29;
- “registry” means the diocesan registry;
- “respondent” means any person who is a respondent to the appeal under rule 4;
- “respondent’s notice” means a notice lodged by a respondent under paragraph (2) of rule 5 in response to a notice of appeal or any part of it;
- “Schedule 1” means Schedule 1 to the Measure;
- “statement of observations” means a statement lodged by an interested person under paragraph (4) of rule 10;
- “taxed costs” means costs taxed by the registrar in accordance with rule 16.

(2) The Interpretation Measure 1925(2) and the Interpretation Act 1978(3) shall apply for the interpretation of these Rules as they apply for the interpretation of Measures passed by the General Synod.

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(2) 1925 No. 1.  
(3) 1978 c. 30.