
STATUTORY INSTRUMENTS

1994 No. 703

Incumbents (Vacation of Benefices) Rules 1994

**PART IV
GENERAL**

Application

24. This Part applies to enquiries under Part I or Part II of the Measure and references to an enquiry shall be construed accordingly.

Representation of parochial church council

25.—(1) The parochial church council of the parish concerned may designate one or more members of the council to represent it in connection with the enquiry.

(2) If the tribunal so directs —

- (a) rules 4(1), 8(1), 16(1) and 20(1) shall apply in relation to a member of the council designated as aforesaid as they apply in relation to the parties; and
- (b) rules 7(1) and 19(1) shall apply in relation to him as they apply in relation to the other persons mentioned in those rules.

(3) This rule shall not apply in the case of an enquiry under Part I of the Measure undertaken at the request of the person mentioned in section 1A(1)(c).

Procedure generally

26. Subject to the provisions of the Measure and of these Rules the procedure of the tribunal shall be such as the tribunal may determine.

Functions of chairman

27. In carrying out his functions under these Rules the chairman of the tribunal may act alone or in consultation with one or more other members of the tribunal and rules 10, 22, 26 and 29 shall apply in relation to the chairman as they apply in relation to the tribunal.

Service of documents.

28.—(1) Any notice or other document required to be given or sent to any person may be served on that person or his solicitor (if any) —

- (a) by delivering it to him or by leaving it at his proper address; or
- (b) by post; or
- (c) where the proper address for service includes a numbered box at a document exchange, by leaving the document at the document exchange or at a document exchange which transmits documents every business day to that document exchange; or

(d) in such other manner as the chairman of the tribunal may direct.

(2) For the purpose of this rule and of section 7 of the Interpretation Act 1978⁽¹⁾ (as applied by sections 21 and 22 of that Act) in its application to this rule the proper address of any person on whom a notice or other document is to be served under this rule shall be —

(a) his usual or last known address; or

(b) the business address of the solicitor (if any) who is acting for him in the proceedings.

(3) Any document required by these rules to be sent to the tribunal shall be sent by delivering the document to the secretary at the address specified in the notice referred to in rules 4(1) and 16(1) or by sending it by post properly addressed as aforesaid to the secretary.

Extension of time limits

29. The tribunal either of its own motion or on the application of any person may by order extend any time limit for the doing of anything required or authorised by or under these Rules (either before or after the expiry of such time limit) and may adjourn any hearing from time to time.

Non-compliance with Rules

30. Non-compliance with any of these Rules shall not affect the validity of the proceedings except insofar as the tribunal so directs.

⁽¹⁾ 1978 c. 30.