



Patronage (Benefices) Measure 1986

CHAPTER 3

PATRONAGE (BENEFICES) MEASURE 1986

PART I

REGISTRATION AND TRANSFER OF RIGHTS OF PATRONAGE

- 1 Registration of patrons.
- 2 Registration of patronage belonging to an office.
- 3 Transfer of rights of patronage.
- 4 Rectification of register.
- 5 Rights of patronage exercisable otherwise than by registered patron.
- 6 Abolition of registration of advowsons at Land Registry.

PART II

EXERCISE OF RIGHTS OF PRESENTATION

General provisions as to filling of vacancies

- 7 Notification of vacancies.
- 8 Provisions as to declarations of membership.
- 9 Information to be sent to designated officer.
- 10 Disqualification for presentation.
- 11 Requirements as to meetings of parochial church council.
- 12 Joint meeting of parochial church council with bishop and patron.
- 13 Provisions with respect to the selection of incumbent.
- 14 Failure of registered patron to comply with s. 9.
- 15 Failure of council to comply with s. 11 or 12.

Provisions which apply where benefice remains vacant for 18 months

- 16 Presentation to benefices remaining vacant for 18 months.

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16A Special procedure for appointment of priest in charge as incumbent

Institution and collation

- 17 Provisions to have effect where bishop refuses to institute presentee.
- 18 Amendment of Benefices Act 1898.
- 19 Notice of intention of bishop to institute or collate person to benefice.

Provisions relating to benefice of which an incumbent is patron

- 20 Bishop to act in place of incumbent patron in certain cases.

Patronage exercisable jointly

- 20A Power to appoint another joint patron

Exercise of patronage by personal representatives

- 21 Exercise of patronage by personal representatives.

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- 22 Exchange of benefices.

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- 23 Special provisions applicable to certain benefices.

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- 24 Interpretation of Part II.

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- 25 Appointment of patron of benefice which has no registered patron.
- 25A Exercise of patronage where registered patron disqualified

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- 26 Diocesan Board of Patronage.
- 27 Powers of Diocesan Boards of Patronage.
- 28 Presentation by Diocesan Board of Patronage in case of void benefice.

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- 29 Provisions as to patronage affected by pastoral schemes.

Other amendments of the law relating to rights of patronage etc.

- 30 Removal of certain disabilities.
- 31 Abrogation of rules as to lapse.
- 32 Advowsons appendant to become advowsons in gross.
- 33 Transfer of advowson subject to trust of land or comprised in settled land.
- 34 Abolition of certain rights etc. of patronage.

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PART IV

GENERAL AND SUPPLEMENTARY PROVISIONS

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- 35 Provisions with respect to benefices in the patronage of the Crown or Duke of Cornwall.
- 36 Provisions with respect to benefices in patronage of Lord Chancellor.

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- 37 Provisions as to notices and other documents.
- 38 Patronage (Procedure) Committee.
- 39 Interpretation.
- 40 Temporary provision with respect to filling of certain vacancies.
- 41 Amendments and repeals.
- 42 Short title, extent and commencement.

SCHEDULES

SCHEDULE 1 — Registration of Patrons

Preparation of list of patrons

- 1 The registrar of each diocese shall before the expiration of...
- 2 (1) Before the expiration of the period of six weeks...

Application for registration

- 3 Any person who claims to be a patron of a...
- 4 Any person to whom a right of patronage of a...
- 5 Any person who claims in relation to any benefice—
- 6 Any application made under paragraph 3, 4 or 5 above...

Determination of disputes

- 7 Where the registrar— (a) decides that any person—
- 8 A person on whom a notice is served under paragraph...
- 9 (1) On receiving a notice of appeal under paragraph 8...

Rules

- 10 (1) There shall be a committee to be known as...
- 11 The Patronage (Appeals) Committee shall have power to make rules...
- 12 (1) Any rules made by the Patronage (Appeals) Committee shall...

Registration

- 13 (1) In the case of any disagreement as to the...

Notices to parishes

- 14 After the registrar has registered any person as a patron...

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Benefices held in plurality

- 15 The preceding provisions of this Schedule shall have effect for...

Rights of patronage belonging to an office

- 16 Where a right of patronage of a benefice belongs to,...

SCHEDULE 2 — Modification of Part II in its Application to Certain Benefices

Benefice comprising two or more parishes

- 1 Where a benefice comprises two or more parishes then, except...
- 2 In section 7(4), for the words “the parish” there shall...
- 3 In section 9(6) for the words “secretary of the parochial...
- 4 For section 11(1) there shall be substituted:—
- 5 In section 11(2), for the words from the beginning to...
- 6 In section 11(3), for the words “the parochial church council”...
- 7 In section 11(4), for the words from “the council by...
- 8 For section 11(5) there shall be substituted—
- 9 In section 11(8) for “1(a)” there shall be substituted “(1A)”...
- 10 For section 12(1) there shall be substituted—
- 11 In section 12(2) for the word “council” there shall be...
- 12 In section 12(3) for the words “the parochial church council”...
- 13 In section 12(5) for the words “secretary of the parochial...
- 14 In section 12(8)(c) for the word “council” there shall be...
- 15 In section 12(9) for the words “The secretary of the...
- 16 In section 16(3) for the words “of the parish”, in...
- 17 In section 19(1) for the words “of the parish” there...
- 18 In section 22(1) for the words “the parish of each...

Benefices having team council or joint parochial church council

- 19 Where, by a pastoral scheme or by a scheme made...
- 20 Where, by a pastoral scheme or by a scheme made...
- 20A Paragraph 19 applies only to a team council, and paragraph...

Benefice of which parochial church council is the registered patron

- 21 Where the parochial church council of the parish belonging to...

Benefices held in plurality

- 22 Where two or more benefices are held in plurality, the...

SCHEDULE 3 — Constitution and Procedure of a Diocesan Board of Patronage

- 1 (1) A Diocesan Board of Patronage (hereinafter referred to as...
- 2 The bishop of the diocese may nominate any suffragan bishop...
- 3 The Board shall elect one of its members other than...
- 4 (1) The election of members of the Board shall take...
- 5 (1) The quorum of the Board shall be six.
- 6 A clerical member of the Board shall not take part...
- 7 Subject to the preceding provisions and to any directions as...
- 8 No election shall be held under this Schedule until after...

SCHEDULE 4 — Minor and Consequential Amendments

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...

- 1 In section 58 of the Pluralities Act 1838 for the...

Parsonages Measure 1938

- 2 In section 2A of the Parsonages Measure 1938 for the...
3 In section 3(1) of that Measure for the words “the...
4 In section 7 of that Measure immediately before the word...
5 In section 13 of that Measure immediately before the word...
6 In section 15(1) of that Measure paragraph (i) shall be...
7 In section 16 of that Measure immediately before the word...
8 At the end of section 20 of that Measure there...

New Parishes Measure 1943

- 9 In section 28 of the New Parishes Measure 1943 for...

Parsonages (Amendment) Measure 1947

- 10 In section 1 of the Parsonages (Amendment) Measure 1947 immediately...

City of London (Guild Churches) Act 1952

- 11 In section 9(6) of the City of London (Guild Churches)...
12 In section 10(1) of that Act for the word “is”...

Synodical Government Measure 1969

- 13 In Schedule 3 of the Synodical Government Measure 1969 (Church...

Repair of Benefice Buildings Measure 1972

- 14 In the proviso to section 12(3) of the Repair of...
15 In section 21(1) of that Measure for the words from...
16 In section 31(1) of that Measure for the definition of...

Pastoral Measure 1983

- 17 In section 18(2) of the Pastoral Measure 1983—
18 In section 67 of that Measure— (a) in subsection (1)...
19 In section 68(2) of that Measure for the word “patron”...
20 In section 69 of that Measure— (a) in subsection (1)...
21 In section 70 of that Measure— (a) in paragraph (a)...
22 For section 80(1) of that Measure there shall be substituted...
23 In section 82 of that Measure for the word “patron”...
24 In section 87(1) of that Measure the following definition shall...
25 In Schedule 3 to that Measure— (a) in paragraph 1—...

SCHEDULE 5 — Repeals

Acts

Measures

Instrument

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Changes and effects yet to be applied to :

- s. 36 repealed by [2005 c. 4 Sch. 17 para. 7](#)[Sch. 18 Pt. 4](#)