

Legislative Reform (Patronage of Benefices) Order 2019

The Legislative Reform will amend the Patronage (Benefices) Measure 1986 and will come into force on the **1st January 2020**. The reforms aim to reduce the “burden” (meaning financial cost, administrative inconvenience or an obstacle to efficiency), on those who are involved in the vacancy procedure, in particular the secretary of the PCC. The most significant changes will be as follows:

Notice of Vacancy

1. The bishop must give notice of a vacancy to the designated officer (the Registry) not later than the day on which the benefice becomes vacant;
2. The ‘start date’ for the timetable for filling the vacancy will be the date on which the notice is sent by the Registry to the PCC Secretary (or, if the Bishop so directs, a date not later than 3 months after the date of the vacancy);
3. The bishop can suspend a benefice (after consultation with the patron, PCC and deanery synod chairs and with the consent of the diocesan mission and pastoral committee), at any time within three months before a benefice is due to become vacant or at any time during a vacancy (pursuant to s85 of the Mission and Pastoral Measure 2011);
4. In the event that proposals for pastoral reorganisation are a-foot, the bishop can restrict the right of presentation of a benefice for a period of up to one year (pursuant to s87 of the Mission and Pastoral Measure 2011).

The role of PCCs

1. The period of 4 weeks in which the PCC has to convene a section 11 meeting and the period of 6 weeks in which the PCC has to convene a section 12 meeting shall be replaced with a single, **maximum period of 6 months** (from the ‘start date’);
2. The PCC can begin to informally draft the parish statement prior to the PCC meeting if they so wish (any parish statement will then need to be formally agreed at the PCC meeting, held within the six month period);
3. If the PCC fail to hold their meeting(s) within the six month time frame, the patron and bishop may proceed with the appointment.

Lapse of presentation

1. A period of vacancy before **the right to present lapses shall be 18 months** from the ‘start date’.

Patronage exercised jointly

1. The Registry will inform any patron who might have the alternate right to present, to whom the right to present falls to for a particular turn (thus only one patron will present at any one time, but the other patron will be notified of this, to enable them to be aware that theirs is the next turn);
2. A joint patron shall have the right to appoint another joint patron to act on his/her behalf in respect of a vacancy (this will be brought into effect on 1 January for all vacancies and is not subject to the transitional provisions noted below).

Use of e-mail

1. Communication and the delivery of notices by e-mail, shall be permissible as an alternative to sending notices and other documents by post (if an individual does not provide an e-mail

address or withdraws an e-mail address and does not provide another one, all communication will be sent to that person by post).

Initial communications from the Registry to parties will ask for an email address which would then be used during the vacancy so that it is important that the Registry is informed of any changes, and in particular, as to any change e.g. on the appointment of a new PCC secretary.

Interim/transitional period

1. Any benefices which fall vacant prior to 1 January, or where the s7 Notice of Vacancy was served prior to that date will continue to be dealt with under the old regulations; any benefices falling Vacant on or after 1 January will be dealt with under the new procedures.

These guidance notes are issued by the Registry and are correct of 13th December 2019 and can be subject to change from time to time.