

ECCLESIASTICAL OFFICES (AGE LIMIT) (CHANNEL ISLANDS) ORDER 2000

Unofficial extended UK law

09.580

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APPENDIX

Page - 2	Unofficial extended UK law 1 January 2019 09.580



ECCLESIASTICAL OFFICES (AGE LIMIT) (CHANNEL ISLANDS) ORDER 2000

THE ECCLESIASTICAL OFFICES (AGE LIMIT) (CHANNEL ISLANDS) ORDER 2000

(Registered on the 17th day of November 2000)

At the Court at Buckingham Palace

11th day of October 2000

PRESENT

The Queen's Most Excellent Majesty in Council

WHEREAS the Scheme set out in the Schedule to this Order has been settled and approved in accordance with the provisions of the Schedule to the Channel Islands (Church Legislation) Measure 1931 and there has been due compliance with the procedure required by those provisions -

NOW, THEREFORE, HER MAJESTY, in pursuance of section 2 of that Measure of 1931 and section 7(2) of the Ecclesiastical Offices (Age Limit) Measure 1975, is pleased, by and with the advice of Her Privy Council, to order and direct as follows -

- 1. This Order may be cited as the Ecclesiastical Offices (Age Limit) (Channel Islands) Order 2000 and shall come into force on 1st November 2000.
 - **2.** The Scheme set out in the Schedule to this Order is hereby confirmed.

The Ecclesiastical Offices (Age Limit) Measure 1975 shall apply to the Channel Islands in accordance with the provisions of the said Scheme.

A.K. GALLOWAY

Clerk of the Privy Council.

SCHEDULE

(Article 2)

A SCHEME

Prepared by the Bishop of Winchester in pursuance of the Channel Islands (Church Legislation) Measures 1931 and 1957¹ for applying the Ecclesiastical Offices (Age Limit) Measure 1975 to the Channel Islands.

PREAMBLE

Whereas section 7(2) of the Ecclesiastical Offices (Age Limit) Measure 1975 provides that the Measure may be applied to the Channel Islands or either of them, as defined in the Channel Islands (Church Legislation) Measures 1931 and 1957, in accordance with the provisions of the last-mentioned Measures:

And whereas the Bishop of Winchester has come to the conclusion that the Measure ought to be applied to the Channel Islands with certain variations and has in accordance with paragraphs 1 to 3 of the Schedule to the Channel Islands (Church Legislation) Measure 1931 prepared the following draft Scheme for the purpose:

SCHEME

Application of the Ecclesiastical Offices (Age Limit) Measure 1975

- **1.** In its application to the Channel Islands, the Ecclesiastical Offices (Age Limit) Measure 1975 shall have effect as if -
 - (a) section 1(2) were omitted;
 - (b) in section 1(4), paragraphs (a), (b) and (c) were omitted;
 - (c) in section 1(5) all words after the words "Measure or in" were omitted and there were substituted the words "any Order made in pursuance of the Channel Islands (Church Legislation) Measures 1931 and 1957";
 - (d) section 2 were omitted;
 - (e) for section 3(1) there were substituted -
 - "(1) Where the diocesan bishop considers that there are special circumstances which make it desirable that a person holding the office of Dean of Jersey or Dean of Guernsey should continue in that office after the date on which he would otherwise retire in accordance with section 1 of this Measure, the bishop may from time to time authorise the continuance in that office of that person after that date for such period or further period, not exceeding one year in all, as he may specify.";
 - (f) for section 3(2) there were substituted -

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¹ Tome VII, page 35.

- "(2) Where the diocesan bishop considers that the pastoral needs of a parish in his diocese, or of his diocese, make it desirable that a person holding the office of incumbent of a benefice in his diocese should continue in that office after the date on which he would otherwise retire in accordance with section 1 of this Measure, the bishop may, with the consent of the majority of the Church Wardens and Almoners (if any) of the Parish, from time to time authorise the continuance in that office of that person after that date for such period or further period, not exceeding 2 years in all, as he may specify.";
- (g) section 3(3) were omitted;
- (h) section 4 and 5(2) were omitted;
- (i) in section 6, in the definition of "incumbent", the words "but does not include the Dean or Provost of a Cathedral Church" were omitted;
- (j) subsections (3) and (4) of section 7 were omitted;
- (k) in the Schedule there were substituted for the listed offices the following offices -

"Dean of Jersey Dean of Guernsey Incumbent of a benefice".

Interpretation

- **2.** For the purpose of this Scheme, and of the Measure applied to the Channel Islands by this Scheme -
 - (a) any reference to the Channel Islands or either of them shall have the same meaning as has such a reference in the Channel Islands (Church Legislation) Measure 1931; and
 - (b) any reference to any other enactment is a reference to that enactment as it has effect in the Channel Islands.

ELIZABETH II



ECCLESIASTICAL OFFICES (AGE LIMIT) MEASURE 1975

1975 No. 2

A MEASURE passed by the General Synod of the Church of England to make provision with respect to the age limit for the holding of certain ecclesiastical offices.

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows²-

General Note

This Measure provides for an age limit in the holding of certain ecclesiastical offices.

Art. 1 provides that persons of seventy years or more shall not be appointed to an office listed in the Schedule to the Measure and that persons presently holding listed offices shall vacate them on the attainment of seventy years; art. 2 provides that an archbishop may continue in office for a certain period after attaining the retiring age at Her Majesty's discretion; art. 3 relates to the continuance in office of other office holders after the attainment of the retiring age; art. 4 deals with the declaration of a vacancy in an archbishopric or a bishopric; art. 5 relates to the exercise of the powers of a bishop or archbishop during his absence abroad; art. 6 contains definitions; art. 7 contains the short title.

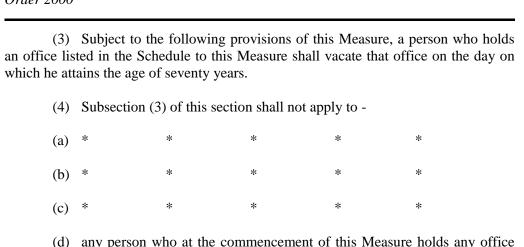
The Measure received the Royal Assent on August 1, 1975, and came into force on that date.

Age limit for appointment, etc. to certain ecclesiastical offices

1.-(1) Subject to subsection (2) of this section, no person shall be capable of being appointed or presented to an office listed in the Schedule to this Measure if at the time of his appointment or presentation he has attained the age of seventy years.

(2) * * * * *

² Deletions and words in square brackets indicate adaptations and modifications made by The Ecclesiastical Offices (Age Limit) (Channel Islands) Order 2000.



- (d) any person who at the commencement of this Measure holds any office listed in the said Schedule unless and until he vacates the office held by him at the said commencement.
- (5) The foregoing provisions shall have the effect notwithstanding anything in any Measure passed before the date of the passing of this Measure, or in [any Order made in pursuance of the Channel Islands (Church Legislation) Measures 1931 and 1957].

2. * * * * * *

Provisions with respect to continuance in office of other office holders after attainment of retiring age

- **3.-**[(1) Where the diocesan bishop considers that there are special circumstances which make it desirable that a person holding the office of Dean of Jersey or Dean of Guernsey should continue in that office after the date on which he would otherwise retire in accordance with section 1 of this Measure, the bishop may from time to time authorise the continuance in that office of that person after that date for such period or further period, not exceeding one year in all, as he may specify.]
- [(2) Where the diocesan bishop considers that the pastoral needs of a parish in his diocese, or of his diocese, make it desirable that a person holding the office of incumbent of a benefice in his diocese should continue in that office after the date on which he would otherwise retire in accordance with section 1 of this Measure, the bishop may, with the consent of the majority of the Church Wardens and Almoners (if any) of the Parish, from time to time authorise the continuance in that office of that person after that date for such period or further period, not exceeding 2 years in all, as he may specify.]

Exercise of powers of bishop or archbishop during absence abroad, etc.

5.-(1) The powers exercisable by a diocesan bishop under this Measure shall during the absence abroad or incapacity through illness of the bishop or a vacancy in the see be exercisable by the archbishop of the province or a person appointed by him.

(2) * * * * *

Interpretation

6. In this Measure -

"benefice" means a benefice with cure of souls and includes all rectories and vicarages with cure of souls;

"incumbent", in relation to a benefice, means a rector or vicar with cure of souls * * *.

Short title, extent and commencement

- **7.**-(1) This Measure may be cited as the Ecclesiastical Offices (Age Limit) Measure 1975.
- (2) This Measure shall extend to the whole of the province of Canterbury except the Channel Islands, but may be applied to the Channel Islands as defined in the Channel Islands (Church Legislation) Measures 1931 and 1957, or either of them, in accordance with those Measures.
 - (3) * * * * *
 - (4) * * * * *

SCHEDULE

(Section 1(3))

OFFICES TO WHICH SECTION 1 APPLIES

[Dean of Jersey Dean of Guernsey Incumbent of a benefice]