Church Appointments (Repeal of Discriminatory Provision) Bill

EXPLANATORY NOTES

Explanatory notes to the Bill, prepared by the Cabinet Office, have been ordered to be published as HL Bill 61—EN.

EUROPEAN CONVENTION ON HUMAN RIGHTS

Baroness Smith of Basildon has made the following statement under section 19(1)(a) of the Human Rights Act 1998:

In my view the provisions of the Church Appointments (Repeal of Discriminatory Provision) Bill are compatible with the Convention rights.

Church Appointments (Repeal of Discriminatory Provision) Bill

[AS BROUGHT FROM THE COMMONS]

CONTENTS

1 Repeal of discriminatory provision concerning the making of appointments
2 Extent, commencement and short title

[AS BROUGHT FROM THE COMMONS]

A

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TO

Repeal provision which prohibits persons of the Roman Catholic or Jewish faiths from advising the Crown on appointments in the Church of England or Church of Scotland; and to repeal provision which precludes such persons from making ecclesiastical appointments.

BE IT ENACTED by the King'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 follows:—

1 Repeal of discriminatory provision concerning the making of appointments

(1) In the Roman Catholic Relief Act 1829—

(a) omit section 17 (automatic transfer of office's right of presentation to benefice where office holder is Roman Catholic);

(b) omit section 18 (Roman Catholics not to advise the Crown on appointments to offices in Church of England or Church of Scotland).

(2) The Jews Relief Act 1858 is repealed.

(3) In consequence of those repeals—

(a) in section 30 of the Patronage (Benefices) Measure 1986 (No. 3) (certain provision to cease to have effect in provinces of Canterbury and York), omit subsection (3);

(b) in Schedule 5 to that Measure (repeals), in the table—

(i) omit the entry for section 17 of the Roman Catholic Relief Act 1829;

(ii) omit the entry for the Jews Relief Act 1858.

(4) On and after the coming into force of this section, no person is liable to be convicted under section 18 of the Roman Catholic Relief Act 1829 or section 4 of the Jews Relief Act 1858.

2 Extent, commencement and short title

(1) Subject to subsection (2), this Act extends to England and Wales, Scotland and Northern Ireland.

(2) Any amendment or repeal made by this Act has the same extent as the provision amended or repealed.

(3) This Act comes into force on the day on which it is passed.

(4) This Act may be cited as the Church Appointments (Repeal of Discriminatory Provision) Act 2026.

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