

Status: Point in time view as at 01/06/2005.

Changes to legislation: There are currently no known outstanding effects for the Church of England (Miscellaneous Provisions) Measure 2005, SCHEDULE 2. (See end of Document for details)

SCHEDULES

SCHEDULE 2

Section 6

AMENDMENT OF REPAIR OF BENEFICE BUILDINGS MEASURE 1972

- 1 The Repair of Benefice Buildings Measure 1972 (1972 No. 2) shall be amended as follows.

Commencement Information

I1 Sch. 2 para. 1 in force at 1.6.2005 by S.I. 2005/2, Instrument made by Archbishops

- 2 In section 1(2) there shall be added at the end the words— “ Provided that no person appointed as a surveyor after the coming into force of section 6 of the Church of England (Miscellaneous Provisions) Measure 2005 shall be considered to be a fit person for the purposes of this subsection unless that person is registered under the Architects Act 1997 or is a corporate member of the Chartered Institute of Building or the Royal Institution of Chartered Surveyors or a member of such other body as the Commissioners may determine and appearing to them to be suitably qualified. ”.

Commencement Information

I2 Sch. 2 para. 2 in force at 1.6.2005 by S.I. 2005/2, Instrument made by Archbishops

- 3 In section 14(1) after the word “Board”, in the first place where it occurs, there shall be inserted the words “ is satisfied that a parsonage house may be sold or exchanged without the consent of the Commissioners under the Parsonages Measure 1938 or ” and for the words “sale, exchange or demolition” in each place where they occur there shall be substituted the words “ sale or exchange ”.

Commencement Information

I3 Sch. 2 para. 3 in force at 1.6.2005 by S.I. 2005/2, Instrument made by Archbishops

- 4 In section 14(1)(b) the words “in a case where the parsonage house is to be sold or exchanged,” shall be omitted.

Commencement Information

I4 Sch. 2 para. 4 in force at 1.6.2005 by S.I. 2005/2, Instrument made by Archbishops

- 5 In section 14(2) for the words “sale, exchange or demolition” there shall be substituted the words “ sale or exchange ”.

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Commencement Information

I5 Sch. 2 para. 5 in force at 1.6.2005 by S.I. 2005/2, Instrument made by Archbishops

- 6 In section 15(4) for the words “shall not constitute a charge on the Parsonages Fund established under section 17 hereof” there shall be substituted the words “ shall be met by any fund or funds capable of being used for the purposes in question ” and the proviso shall be omitted.

Commencement Information

I6 Sch. 2 para. 6 in force at 1.6.2005 by S.I. 2005/2, Instrument made by Archbishops

- 7 In section 16 there shall be added at the end the following subsection—
- “(4) The Board shall in respect of any building in the diocese (other than a parsonage house or other residence of an incumbent in the diocese) used as a residence by any person declared by the bishop to be engaged in the cure of souls within the diocese have power to defray on behalf of the Diocesan Board of Finance for the diocese the cost of any such payments as are referred to in paragraphs (a) to (d) of subsection (1) above and the costs, charges and expenses of any sale.”.

Commencement Information

I7 Sch. 2 para. 7 in force at 1.6.2005 by S.I. 2005/2, Instrument made by Archbishops

- 8 (1) For section 17 there shall be substituted the following section—
- “17 Expenditure of the Board**
- All expenditure of the Board, except expenditure defrayed out of a specific trust fund, shall be defrayed out of any fund or funds capable of being applied for the purposes in question.”.
- (2) On the date of the coming into force of this paragraph every Parsonages Fund for a diocese shall be dissolved and all moneys held in the Fund shall be paid into any fund or funds which may be used for the purposes of defraying the cost of the provision, improvement or repair of parsonage houses.

Commencement Information

I8 Sch. 2 para. 8 in force at 1.6.2005 by S.I. 2005/2, Instrument made by Archbishops

- 9 Section 18 shall cease to have effect.

Commencement Information

I9 Sch. 2 para. 9 in force at 1.6.2005 by S.I. 2005/2, Instrument made by Archbishops

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- 10 In section 19(3) and (6) for the words “the Parsonages Fund”, in each place, there shall be substituted the words “any fund or funds capable of being applied for the purposes of the provision, improvement or repair of parsonage houses”.

Commencement Information

I10 Sch. 2 para. 10 in force at 1.6.2005 by S.I. 2005/2, Instrument made by Archbishops

- 11 In section 21—
- (a) in subsection (3) the words after “to do so” to the end shall be omitted; and
 - (b) at the end there shall be added the following subsection—

“(5) Any notice under this section shall inform the incumbent or the person or representative as the case may be, of the right to make representations and the date by which the representations must be made, which shall be not less than one month from the date on which the notice is sent, and section 4(5) above shall apply to the consideration of any representations duly made and the Board shall then decide whether or not to proceed with the notice.”.

Commencement Information

I11 Sch. 2 para. 11 in force at 1.6.2005 by S.I. 2005/2, Instrument made by Archbishops

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