

Status: Point in time view as at 01/03/2019.

Changes to legislation: There are currently no known outstanding effects for the Church Property Measure 2018, PART 1. (See end of Document for details)

SCHEDULES

SCHEDULE 1

CONSEQUENTIAL AMENDMENTS

PART 1

ACTS AND MEASURES

Places of Worship (Enfranchisement) Act 1920

- 1 In section 1 of the Places of Worship (Enfranchisement) Act 1920 (right of trustees with leasehold interest to acquire freehold), in subsection (1A), for the words from “and the powers” to the end substitute “ and the Church Property Measure 2018 applies to the acquisition under this Act of the freehold reversion as it applies to the purchase under Part 1 of that Measure of a house for the residence and occupation of the incumbent of a benefice. ”

Commencement Information

II Sch. 1 para. 1 in force at 1.3.2019 by S.I. 2019/97, art. 2

Marriage Act 1949

- 2 (1) Section 10 of the Marriage Act 1949 (publication of banns commenced in one church and completed in another) is amended as follows.
- (2) In subsection (1), for “the Union of Benefices Measure 1923 or the New Parishes Measure 1943” substitute “ the Mission and Pastoral Measure 2011 ”.
- (3) In subsection (2), for “the Reorganisation Areas Measure 1944” substitute “ the Mission and Pastoral Measure 2011 ”.

Commencement Information

I2 Sch. 1 para. 2 in force at 1.3.2019 by S.I. 2019/97, art. 2

Diocesan Stipends Funds Measure 1953

- 3 The Diocesan Stipends Funds Measure 1953 is amended as follows.

Commencement Information

I3 Sch. 1 para. 3 in force at 1.3.2019 by S.I. 2019/97, art. 2

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- 4 (1) Section 4 (application of money credited to capital account) is amended as follows.
- (2) In subsection (1)(a), for the words from “any subsidiary” to “(1976 No 4)” substitute “a management subsidiary within the meaning of the Church Property Measure 2018”.
- (3) In subsection (1)(e), for “section 36 of the Endowments and Glebe Measure 1976” substitute “section 10(2) or 24 of the Church Property Measure 2018”.
- (4) In subsection (2), for “the Endowments and Glebe Measure 1976” substitute “the Church Property Measure 2018”.

Commencement Information

I4 Sch. 1 para. 4 in force at 1.3.2019 by S.I. 2019/97, art. 2

- 5 In section 8 (interpretation), in subsection (1), in the definition of “parsonage house”, for “the Endowments and Glebe Measure 1976” substitute “the Church Property Measure 2018”.

Commencement Information

I5 Sch. 1 para. 5 in force at 1.3.2019 by S.I. 2019/97, art. 2

Crown Estate Act 1961

- 6 In section 4 of the Crown Estate Act 1961 (grants for public or charitable purposes), in subsection (3), for “section fourteen of the New Parishes Measure 1943” substitute “section 29 of the Church Property Measure 2018”.

Commencement Information

I6 Sch. 1 para. 6 in force at 1.3.2019 by S.I. 2019/97, art. 2

Incumbents and Churchwardens (Trusts) Measure 1964

- 7 In section 1 of the Incumbents and Churchwardens (Trusts) Measure 1964 (interpretation), omit the definition of “endowments of the benefice”.

Commencement Information

I7 Sch. 1 para. 7 in force at 1.3.2019 by S.I. 2019/97, art. 2

Forestry Act 1967

- 8 In Schedule 2 to the Forestry Act 1967 (forestry dedication: conveyancing etc.), in paragraph 3—
- (a) in paragraph (a) of the proviso, for “the Endowments and Glebe Measure 1976 (1976 No 4)” substitute “section 21 of the Church Property Measure 2018”, and

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- (b) in paragraph (b) of the proviso, for “section 20(11)” substitute “ section 47 ”.

Commencement Information

I8 Sch. 1 para. 8 in force at 1.3.2019 by S.I. 2019/97, art. 2

Leasehold Reform Act 1967

- 9 (1) Section 31 of the Leasehold Reform Act 1967 (ecclesiastical property) is amended as follows.
- (2) In subsection (2), for “the Endowments and Glebe Measure 1976 or the Cathedrals Measure 1999” substitute “ the Cathedrals Measure 1999 or Part 2 of the Church Property Measure 2018 ”.
- (3) For subsection (5) substitute—
- “(5) In this section—
- “diocesan board of finance” has the same meaning as “DBF” in the Church Property Measure 2018;
- “diocesan glebe land” has the same meaning as in that Measure.”

Commencement Information

I9 Sch. 1 para. 9 in force at 1.3.2019 by S.I. 2019/97, art. 2

Sharing of Church Buildings Act 1969

- 10 In section 3 of the Sharing of Church Buildings Act 1969 (financial and management provisions), in subsection (3)—
- (a) omit “the said Commissioners and”, and
- (b) for “sections 13 and 14 of the New Parishes Measure 1943” substitute “ sections 28 and 29 of the Church Property Measure 2018 ”.

Commencement Information

I10 Sch. 1 para. 10 in force at 1.3.2019 by S.I. 2019/97, art. 2

Sharing of Church Buildings Measure 1970

- 11 (1) Section 2 of the Sharing of Church Buildings Measure 1970 (application of powers under other Measures) is amended as follows.
- (2) In subsection (2)—
- (a) for the words from the beginning to “the said section 13,” substitute “ The powers under sections 28 to 31 of the Church Property Measure 2018 (acquisition or grant of land for Church buildings etc.) ”, and
- (b) for “sections 16 to 19 of the said Measure” substitute “ sections 32 to 34 and 36(2) of that Measure ”.

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(3) In subsection (3)—

- (a) for “section 14(1) and (2) and section 15 of the said Measure” substitute “sections 29(1), 30 and 31 of that Measure”,
- (b) for “the said Commissioners” substitute “ the Diocesan Board of Finance”, and
- (c) for “section 18 of the said Measure” substitute “ section 36(2) of that Measure”.

Commencement Information

I11 Sch. 1 para. 11 in force at 1.3.2019 by S.I. 2019/97, art. 2

Agriculture Act 1970

- 12 In section 61 of the Agriculture Act 1970 (leases to smallholdings authority), in subsection (3)(a), for the words from “if the transaction” to the end substitute “ under section 21 of the Church Property Measure 2018 if the transaction were carried out under Part 2 of that Measure ”.

Commencement Information

I12 Sch. 1 para. 12 in force at 1.3.2019 by S.I. 2019/97, art. 2

Repair of Benefice Buildings Measure 1972

- 13 The Repair of Benefice Buildings Measure 1972 is amended as follows.

Commencement Information

I13 Sch. 1 para. 13 in force at 1.3.2019 by S.I. 2019/97, art. 2

- 14 In section 14 (parsonage house ceasing to be such), in subsection (1)—
- (a) after “sold or exchanged” insert “ under Part 1 of the Church Property Measure 2018 ”,
 - (b) for “the Parsonages Measure 1938” in the first place it appears substitute “ section 3 of that Measure ”, and
 - (c) for “under section 3(1) of the Parsonages Measure 1938” substitute “ in accordance with section 5(1) of that Measure ”.

Commencement Information

I14 Sch. 1 para. 14 in force at 1.3.2019 by S.I. 2019/97, art. 2

- 15 In section 15 (scheme to extend functions of Parsonages), in subsection (1)(b), for “the powers conferred by sections 1, 2 and 2A of the Parsonages Measure 1938” substitute “ one or more of the powers under sections 1, 2 and 4 of the Church Property Measure 2018 ”.

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Commencement Information

I15 Sch. 1 para. 15 in force at 1.3.2019 by S.I. 2019/97, art. 2

- 16 In section 31 (interpretation), in subsection (1), in the definition of “diocesan glebe land”, for “the Endowments and Glebe Measure 1976” substitute “ the Church Property Measure 2018 ”.

Commencement Information

I16 Sch. 1 para. 16 in force at 1.3.2019 by S.I. 2019/97, art. 2

Highways Act 1980

- 17 (1) Section 87 of the Highways Act 1980 (agreement for use of land for cattle-grid or by-pass) is amended as follows.
- (2) In subsection (6), in paragraph (a)—
- (a) for “glebe land” substitute “ diocesan glebe land ”,
 - (b) for “the Endowments and Glebe Measure 1976” substitute “ section 21 of the Church Property Measure 2018 ”, and
 - (c) before “that Measure” insert “ Part 2 of ”.
- (3) After that subsection insert—
- “(6A) In subsection (6)—
- “Diocesan Board of Finance” has the same meaning as “DBF” in the Church Property Measure 2018;
- “diocesan glebe land” has the same meaning as in that Measure.”

Commencement Information

I17 Sch. 1 para. 17 in force at 1.3.2019 by S.I. 2019/97, art. 2

Leasehold Reform, Housing and Urban Development Act 1993

- 18 The Leasehold Reform, Housing and Urban Development Act 1993 is amended as follows.

Commencement Information

I18 Sch. 1 para. 18 in force at 1.3.2019 by S.I. 2019/97, art. 2

- 19 (1) Paragraph 8 of Schedule 2 (ecclesiastical landlords) is amended as follows.
- (2) In sub-paragraph (2), for “the Endowments and Glebe Measure 1976” substitute “ Part 2 of the Church Property Measure 2018 ”.
- (3) For sub-paragraph (5) substitute—
- “(5) In this paragraph—

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“diocesan board of finance” has the same meaning as “DBF” in the Church Property Measure 2018;

“diocesan glebe land” has the same meaning as in that Measure.”

Commencement Information

I19 Sch. 1 para. 19 in force at 1.3.2019 by S.I. 2019/97, art. 2

20 In Schedule 14 (landlord's right to terminate new lease on grounds of redevelopment), in paragraph 12, for sub-paragraph (2) substitute—

“(2) In this paragraph—

“diocesan board of finance” has the same meaning as “DBF” in the Church Property Measure 2018;

“diocesan glebe land” has the same meaning as in that Measure.”

Commencement Information

I20 Sch. 1 para. 20 in force at 1.3.2019 by S.I. 2019/97, art. 2

Commons Act 2006

21 In section 14 of the Commons Act 2006 (statutory dispositions of land), in subsection (3), for paragraph (b) substitute—

“(b) a deed made for the purposes of section 28 of the Church Property Measure 2018;”.

Commencement Information

I21 Sch. 1 para. 21 in force at 1.3.2019 by S.I. 2019/97, art. 2

Ecclesiastical Offices (Terms of Service) Measure 2009

22 In section 6 of the Ecclesiastical Offices (Terms of Service) Measure 2009 (houses of residence: acquisition, disposal, works), in subsection (4), for “section 1 or 2 of the Parsonages Measure 1938 (1 & 2 Geo 6 No 3)” substitute “ section 1 or 2 of the Church Property Measure 2018 ”.

Commencement Information

I22 Sch. 1 para. 22 in force at 1.3.2019 by S.I. 2019/97, art. 2

Mission and Pastoral Measure 2011

23 The Mission and Pastoral Measure 2011 is amended as follows.

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Commencement Information

I23 Sch. 1 para. 23 in force at 1.3.2019 by S.I. 2019/97, art. 2

- 24 In section 45 (pastoral scheme: parsonage house), in subsection (3) for “the Endowments and Glebe Measure 1976 (1976 No 4)” substitute “ the Church Property Measure 2018 ”.

Commencement Information

I24 Sch. 1 para. 24 in force at 1.3.2019 by S.I. 2019/97, art. 2

- 25 (1) Section 47 (pastoral scheme: endowments etc.) is amended as follows.
- (2) In subsection (4)—
- (a) for “the Parsonages Measure 1938 (1 & 2 Geo 6 No 3)” substitute “ section 13 of the Church Property Measure 2018 ”, and
- (b) before “that Measure” insert “ Part 1 of ”.
- (3) In subsection (5)—
- (a) for “section 5 of the Parsonages Measure 1938” substitute “ section 13 of the Church Property Measure 2018 ”, and
- (b) before “that Measure” insert “ Part 1 of ”.

Commencement Information

I25 Sch. 1 para. 25 in force at 1.3.2019 by S.I. 2019/97, art. 2

- 26 In section 51 (powers exercisable by pastoral order), in paragraph (k), for “the Parsonages Measure 1938” substitute “ Part 1 of the Church Property Measure 2018 ”.

Commencement Information

I26 Sch. 1 para. 26 in force at 1.3.2019 by S.I. 2019/97, art. 2

- 27 (1) Section 92 (grant of land for new churches etc. and vesting of certain churches) is amended as follows.
- (2) In subsection (1), for the words from “section 14(1)” to “section 13 of that Measure,” substitute “ section 29 of the Church Property Measure 2018 or make a declaration under section 28(7) of that Measure for any of the purposes mentioned in section 28 of that Measure, ”.
- (3) In subsection (2), for “section 14” substitute “ section 29 ”.

Commencement Information

I27 Sch. 1 para. 27 in force at 1.3.2019 by S.I. 2019/97, art. 2

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- 28 In paragraph 8 of Schedule 3 (pastoral schemes and orders: transfer to DBF), in sub-paragraph (2), for “section 20 of the Endowments and Glebe Measure 1976” substitute “ section 21 of the Church Property Measure 2018 ”.

Commencement Information

I28 Sch. 1 para. 28 in force at 1.3.2019 by S.I. 2019/97, art. 2

Charities Act 2011

- 29 In section 10 of the Charities Act 2011 (ecclesiastical corporations etc. not charities in certain contexts), for subsection (4) substitute—

“(4) In this section—

“Diocesan Board of Finance” has the same meaning as “DBF” in the Church Property Measure 2018;

“diocesan glebe land” has the same meaning as in that Measure;

“subsidiary” has the same meaning as “management subsidiary” in that Measure.”

Commencement Information

I29 Sch. 1 para. 29 in force at 1.3.2019 by S.I. 2019/97, art. 2

Ecclesiastical Jurisdiction and Care of Churches Measure 2018

- 30 In Part 3 of the Ecclesiastical Jurisdiction and Care of Churches Measure 2018 (care of churches etc.), in section 55(1), in the definition of “diocesan board of finance” for the words from “as” to the end substitute “ as “DBF” in the Church Property Measure 2018 (see section 49 of that Measure) ”.

Commencement Information

I30 Sch. 1 para. 30 in force at 1.3.2019 by S.I. 2019/97, art. 2

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