



Parochial Church Councils (Powers) Measure 1956

1956 No. 3 4 and 5 Eliz 2

4 Powers vested in council as successor to certain other bodies.

- (1) Subject to the provisions of any Act or Measure passed after the relevant date and to anything lawfully done under such provisions, the council of every parish shall have—
- (i) The like powers duties and liabilities as, immediately before the relevant date, the vestry of such parish had with respect to the affairs of the church except as regards the election of churchwardens and sidesmen and as regards the administration of ecclesiastical charities but including the power of presentation to the benefice of such parish if the right to present thereto was vested in or in trust for the parishioners and the power of making any voluntary church rate.
 - (ii) The like powers duties and liabilities as, immediately before the relevant date, the churchwardens of such parish had with respect to—
 - (a) The financial affairs of the church including the collection and administration of all moneys raised for church purposes and the keeping of accounts in relation to such affairs and moneys;
 - (b) The care maintenance preservation and insurance of the fabric of the church and the goods and ornaments thereof;
 - (c) The care and maintenance of any churchyard (open or closed), and the power of giving a certificate under the provisions of section eighteen of the ^{M1}Burial Act 1855 with the like powers as, immediately before the relevant date, were possessed by the churchwardens to recover the cost of maintaining a closed churchyard:

Provided that nothing herein contained shall affect the property of the churchwardens in the goods and ornaments of the church or their powers duties and liabilities with respect to visitations.

- (iii) ^{M2}The like powers duties and liabilities as, immediately before the relevant date, were possessed by the church trustees (if any) for the parish appointed under the Compulsory Church Rate Abolition Act 1868.

Changes to legislation: There are currently no known outstanding effects for the Parochial Church Councils (Powers) Measure 1956, Section 4. (See end of Document for details)

- (2) All enactments in any Act whether general or local or personal relating to any powers duties or liabilities transferred to the council from the vestry churchwardens or church trustees as the case may be shall subject to the provisions of this Measure and so far as circumstances admit be construed as if any reference therein to the vestry or the churchwardens or church trustees referred to the council to which such powers duties or liabilities have been transferred and the said enactments shall be construed with such modifications as may be necessary for carrying this Measure into effect.
- (3) Where any property is applicable to purposes connected with any such powers duties or liabilities as aforesaid, any deed or instrument which could be or could have been made or executed in relation to such property by a vestry, or by churchwardens or church trustees, may be made or executed by the council of the parish concerned.
- (4) This Measure shall not affect any enactment in any private or local Act of Parliament under the authority of which church rates may be made or levied in lieu of or in consideration of the extinguishment or of the appropriation to any other purpose of any tithes customary payments or other property or charge upon property which tithes payments property or charge previously to the passing of such Act had been appropriated by law to ecclesiastical purposes or in consideration of the abolition of tithes in any place or upon any contract made or for good or valuable consideration given and every such enactment shall continue in force in the same manner as if this Measure had not been passed.

For the purposes of this subsection “ecclesiastical purposes” shall mean the building rebuilding enlargement and repair of any church and any purpose to which by common or ecclesiastical law a church rate is applicable or any of such purposes.

Modifications etc. (not altering text)

- C1** S. 4(1)(ii) extended by [Pastoral Measure 1983 \(No. 1, SIF 21:4\)](#), ss. 20–22, 24, 27, 29, 31, 32, 40, [Sch. 3 para. 12\(4\)](#)
- C2** S. 4(1)(ii) powers continued (1.7.2012) by [Mission and Pastoral Measure 2011 \(No. 3\)](#), s. 112(3), [Sch. 3 para. 10\(4\)](#) (with ss. 100, 105(4), 107, 108(6), Schs. 8); S.I. 2012/1, art. 2
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Marginal Citations

- M1** 1855 c. 128.
M2 1868 c. 109.

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