
Changes to legislation: Mission and Pastoral Measure 2011, Cross Heading: Property transferred to diocesan board of finance is up to date with all changes known to be in force on or before 03 September 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 3

SUPPLEMENTARY PROVISIONS RELATING TO MATTERS ARISING OUT OF PASTORAL SCHEMES AND ORDERS

Property transferred to diocesan board of finance

- 8 (1) Where any property is transferred under section 45 by a pastoral scheme or order to the diocesan board of finance for disposal, the board may dispose thereof either as a whole or in parts and at such time or times as they deem right, and their powers shall include powers of sale, letting and exchange of land and power to demolish any building or part thereof so transferred.
- (2) The terms on which any such property is sold or otherwise disposed of by the diocesan board of finance shall be approved by the Commissioners, except where the terms of the sale or other disposition would not have required the consent of the Commissioners under [F1section 21 of the Church Property Measure 2018] had the property been diocesan glebe land.
- (3) Where a pastoral scheme or order provides for the transfer under section 45 of any property to the diocesan board of finance for disposal, the scheme or order may provide for the application of the net proceeds of disposal (including net premiums and rents) or any part thereof towards the provision, restoration, improvement or repair of a church or a place of worship within the meaning of section 58 or a parsonage house or a house for any person declared by the bishop to be engaged in the cure of souls within the diocese, but, except in so far as the scheme or order may so provide, the net proceeds shall be paid into the capital account of the diocesan stipends fund or into the diocesan pastoral account, or partly into the one and partly into the other, as the diocesan board of finance may determine or as the scheme or order may provide.
- (4) Notwithstanding sub-paragraphs (1) to (3), the diocesan board of finance may elect to take over and hold as part of their corporate property any property transferred to it for disposal, for such consideration as the Commissioners with the concurrence of the board may determine as representing the fair value of the property, and the amount of the consideration shall be applied, paid or credited as if it were the net proceeds of the disposal of the property.
- (5) Where a pastoral scheme or order provides for the transfer of any property to the diocesan board of finance for use for diocesan or parochial purposes—
- (a) the transfer shall, unless the scheme or order otherwise provides, be without consideration, and in that case no consideration shall be payable by a parochial church council in respect of the use thereof for parochial purposes;
 - (b) the board may appoint the parochial church council as managers or managing trustee of any property to be used for parochial purposes.

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Textual Amendments

- F1** Words in Sch. 3 para. 8(2) substituted (1.3.2019) by [Church Property Measure 2018 \(No. 8\), s. 53\(2\)](#), [Sch. 1 para. 28](#); [S.I. 2019/97, art. 2](#)
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Commencement Information

- I1** Sch. 3 para. 8 in force at 1.7.2012 by [S.I. 2012/1, art. 2](#)

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Changes and effects yet to be applied to the whole Measure associated Parts and Chapters:

Whole provisions yet to be inserted into this Measure (including any effects on those provisions):

- s. 31(4A) inserted by [2019 No. 1 Sch. 2 para. 32](#)
- s. 103A inserted by [2019 No. 1 Sch. 2 para. 35](#)