



Mission and Pastoral Measure 2011

2011 No. 3

PART 6

BUILDINGS CLOSED FOR REGULAR PUBLIC WORSHIP

Vesting of property and other supplementary provisions

75 Power to impose and enforce covenants

- (1) Without prejudice to any restriction or requirement in a pastoral (church buildings disposal) scheme or a pastoral church buildings scheme to which section 58 or 59 applies, the Commissioners or the diocesan board of finance may, in exercising their powers under this Part to sell, give, exchange or let or, as the case may be, to let or license, any building or land, include in the conveyance, lease or other instrument such covenants imposing conditions and requirements as to the use of the building or land concerned as the Commissioners or board think necessary or expedient to give effect to the provisions of the scheme or otherwise to secure the suitable use of the building or land; and, in a case where the land is sold, given or exchanged, any such covenants shall be enforceable as if the Commissioners or board were the owners of adjacent land and the covenants were expressed to be entered into for the benefit of that adjacent land, and in the case of covenants of a positive character as if they were negative.
- (2) Where any such covenant is subsequently varied or released by agreement, any sum of money received by a diocesan board of finance in consideration of the variation or release of a covenant imposed by the board shall be paid to the Commissioners and section 63(5) shall apply in relation to the sum so paid, and in relation to any sum of money received by the Commissioners in consideration of the variation or release of a covenant imposed by them, as it applies in relation to the proceeds of any sale or exchange under section 63(2), (3) or (4).
- (3) Section 84 (except subsection (2)) of the Law of Property Act 1925 (c. 20) (which enables the Upper Tribunal to discharge or modify restrictions affecting land) shall not apply in relation to conditions and requirements imposed under subsection (1).

Changes to legislation: There are currently no known outstanding effects for the
Mission and Pastoral Measure 2011, Section 75. (See end of Document for details)

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Commencement Information

II S. 75 in force at 1.7.2012 by [S.I. 2012/1](#), [art. 2](#)

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