



Ecclesiastical Property Measure 2015

2015 No. 2

1 Amendment of Parochial Church Councils (Powers) Measure 1956

- (1) Section 6 of the Parochial Church Councils (Powers) Measure 1956 (acquisition and disposal of land etc.) is amended in accordance with subsections (2) to (6).
- (2) In subsection (3), for “, charge or take any legal proceedings with respect to” substitute “or charge”.
- (3) After subsection (4) insert—

“(4A) The requirement for consent under subsection (1) or (3) does not apply if the consideration on the transaction in question is less than such amount as may be specified in, or determined in accordance with, an order made by the Archbishops’ Council.”
- (4) In subsection (5), omit “, either from the Charity Commission or the Minister of Education or otherwise”.
- (5) In subsection (6), for “one year” substitute “seven years”.
- (6) In subsection (7), at the end add “or, during a vacancy in a see, the guardian of the spiritualities”.
- (7) After that section insert—

“6A Orders under section 6: procedure

- (1) An order under section 6—
 - (a) may make different provision for different purposes, different cases or different areas;
 - (b) may, in connection with the determination of an amount, confer a discretion on a person of a specified description.
- (2) An order under section 6 may not be made unless—
 - (a) a draft of the order has been laid before the General Synod and approved by it with or without amendment, and

- (b) the draft so approved has been referred to the Archbishops' Council.
- (3) On referral of the draft, the Council must—
- (a) if the draft was approved without amendment, make the order by applying its seal;
 - (b) if the draft was approved with amendment—
 - (i) make the order by applying its seal, or
 - (ii) withdraw the draft for further consideration.
- (4) An order under section 6 comes into force when it is sealed by the Council.
- (5) If the Business Committee of the General Synod determines that a draft of an order under section 6 does not need to be debated by the General Synod, the draft is to be treated as approved for the purposes of this section unless a member of the General Synod gives notice in accordance with the standing orders that the member—
- (a) wishes the draft order to be debated, or
 - (b) wishes to move an amendment to it.
- (6) The Statutory Instruments Act 1946 applies to an order under section 6 as if—
- (a) this Measure were an Act, and
 - (b) the order were a statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.”