



# Church of England (Miscellaneous Provisions) Measure 2020

2020 No. 1

## *Care of churches*

### **7 Inspection of churches etc: appointment of inspector**

- (1) In section 45 of the Ecclesiastical Jurisdiction and Care of Churches Measure 2018 (“the 2018 Measure”) (scheme for inspections), in subsection (2)—
  - (a) in paragraph (c), for “one or more qualified persons approved by the advisory committee” substitute “ persons ”, and
  - (b) omit paragraphs (d) and (e).
- (2) After subsection (2) of that section insert—

“(2A) In relation to each church in the diocese, the provision specified in subsection (2)(c) must provide—

  - (a) for the PCC of the parish in which the church is situated to appoint a person to inspect the church and to make a report on the inspection,
  - (b) for the PCC not to make the appointment unless it—
    - (i) has obtained and had regard to advice from the advisory committee on the appointment, and
    - (ii) is satisfied that the person to be appointed has the necessary qualifications and experience, and
  - (c) for a copy of the report on the inspection to be sent to—
    - (i) the archdeacon of the archdeaconry in which the church is situated,
    - (ii) the PCC,
    - (iii) the incumbent of the benefice to which the parish in which the church is situated belongs, and
    - (iv) the secretary of the advisory committee.

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*Changes to legislation:* There are currently no known outstanding effects for the Church of England (Miscellaneous Provisions) Measure 2020, Section 7. (See end of Document for details)

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- (2B) In relation to each relevant building in the diocese, the provision specified in subsection (2)(c) must provide—
- (a) for the manager of the building to appoint a person to inspect the building and to make a report on the inspection,
  - (b) for the manager of the building not to make the appointment unless the manager—
    - (i) has obtained, and had regard to, advice from the advisory committee on the appointment, and
    - (ii) is satisfied that the person to be appointed has the necessary qualifications and experience, and
  - (c) for a copy of the report on the inspection to be sent to—
    - (i) the archdeacon of the archdeaconry in which the building is situated,
    - (ii) the secretary of the advisory committee, and
    - (iii) the Church Buildings Council.”
- (3) In subsection (3) of that section (power to establish further scheme), in paragraph (b), for “subsection (2)(a) to (e)” substitute “ subsection (2)(a) to (c) ”.
- (4) After subsection (4) of that section insert—
- “(4A) In exercising a function under the scheme referred to in this section, a PCC, the manager of a relevant building or an advisory committee must have regard to any guidance issued by the Church Buildings Council.”
- (5) After subsection (5) of that section insert—
- “(5A) A reference to the manager of a relevant building is—
- (a) if the building is held on charitable trusts, a reference to the persons who have the general control and management of the administration of the charity;
  - (b) in any other case, a reference to the person who has the general control and management of the building.”
- (6) Omit subsection (6) of that section (which defines “qualified person”).
- (7) In section 47 of the 2018 Measure (archdeacon's power to require inspection of church), in subsection (1), omit “by a qualified person”.
- (8) Omit subsection (7) of that section (which defines “qualified person”).
- (9) In section 48 of the 2018 Measure (power to require inspection of other place of worship), in each of subsections (1) and (2), omit “by a qualified person”.
- (10) In subsection (4) of that section, for “and “qualified person” each have” substitute “has ”.

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**Commencement Information**

**II** [S. 7](#) in force at 1.9.2020 by [S.I. 2020/835](#), [art. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Church of England (Miscellaneous Provisions) Measure 2020, Section 7.