



# Benefices (Sequestrations) Measure 1933

1933 No. 4 23 and 24 Geo 5

A Measure passed by the National Assembly of the Church of England. To make further provision with regard to the administration of the property of vacant benefices and to confer certain powers upon sequestrators appointed under the Benefices (Ecclesiastical Duties) Measure 1926. [17th November 1933]

## Modifications etc. (not altering text)

C1 Measure amended (as to references to bishop) by Vacancies in [Sees Measure 1959 \(No. 2\), s. 5](#)

## Commencement Information

II Measure wholly in force at Royal Assent

## 1 Remuneration of occasional ecclesiastical duties performed in vacant benefices.

- (1) The bishop of every diocese shall . . . <sup>F1</sup>have power . . . <sup>F1</sup> to determine the amount of the remuneration to be paid [<sup>F2</sup>for the performance of occasional ecclesiastical duties in any benefice during a vacancy therein and, where any such duty is performed by a person other than a clerk in Holy Orders, the person to whom the remuneration is to be paid.]
- (2) A determination by the bishop under this section shall be binding on and shall be given effect to by the sequestrators.
- (3) The power conferred by this section shall authorise the bishop both to fix a general scale of remuneration to be applied in the absence of any special determination by him of the remuneration to be paid in a particular case and also to make such a special determination if, in his opinion, circumstances so require.

## Textual Amendments

F1 Words repealed by [Endowments and Glebe Measure 1976 \(No. 4\), s. 49\(2\), Sch. 8](#)

F2 Words substituted by [Church of England \(Miscellaneous Provisions\) Measure 1976 \(No. 3\), s. 5](#)

*Status: Point in time view as at 01/06/1992.**Changes to legislation: There are currently no known outstanding effects for the Benefices (Sequestrations) Measure 1933. (See end of Document for details)***2 Powers of sequestrators during vacancies.**

- (1) During a vacancy in a benefice the sequestrators may, subject to the provisions of this Measure, from time to time out of the income thereof which shall accrue during the vacancy, make provision for—
- (i) the proper care and custody of the house of residence of the benefice;
  - (ii) the upkeep of any garden, kitchen garden, orchard or other land belonging to and occupied together with such house of residence;
  - (iii) the remuneration payable in respect of any professional assistance required by them in connection with their duties; and
  - (iv) the payment of interest upon moneys borrowed by them for any purpose for which provision has to be made by them under this Measure or otherwise.
- (2) The powers conferred by this section—
- (i) shall be exerciseable in any benefice only with the approval of the bishop of the diocese in which the benefice is situate, who may, at his discretion, either give a general approval of the said powers or some of them being exercised or sanction only particular items of expenditure; and
  - (ii) shall be exercised in such manner and to such extent as the bishop shall direct in any case where he shall think it desirable to give directions.
- (3) The bishop of a diocese may delegate all the powers conferred on him by this section so far as they relate to the benefices within a particular archdeaconry to the archdeacon of that archdeaconry, and may revoke any such delegation.
- (4) Subject to the rights of an outgoing incumbent, or the representatives of a deceased incumbent, the produce of any garden, kitchen garden, orchard, or other land belonging to and occupied together with the house of residence of a vacant benefice may be sold by the sequestrators, the proceeds of sale being treated as part of the income of the benefice.

**3** ..... F3**Textual Amendments****F3** S. 3 repealed by [Endowments and Glebe Measure 1976 \(No. 4\)](#), s. 49(2), **Sch. 8****4** ..... F4**Textual Amendments****F4** S. 4 repealed by [Endowments and Glebe Measure 1976 \(No. 4\)](#), s. 49(2), **Sch. 8****5 Existing powers of sequestrators.**

The powers conferred on sequestrators by this Measure shall be in addition to the powers already vested in them under the existing law.

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**Status:** Point in time view as at 01/06/1992.

**Changes to legislation:** There are currently no known outstanding effects for the Benefices (Sequestrations) Measure 1933. (See end of Document for details)

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F5 6 .....

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**Textual Amendments**

**F5** S. 6 repealed (1.6.1992) by Church of England (Miscellaneous Provisions) Measure 1992 (No. 1), s. 17(2), **Sch. 4 Pt. II**; Instrument dated 27.5.1992 made by Archbishops of Canterbury and York.

**7 Short title.**

This Measure may be cited as the Benefices (Sequestrations) Measure 1933.

**8 Extent.**

This Measure shall extend to the whole of the provinces of Canterbury and York except the Channel Islands and the Isle of Man.

**Status:**

Point in time view as at 01/06/1992.

**Changes to legislation:**

There are currently no known outstanding effects for the Benefices (Sequestrations) Measure 1933.