



Parsonages Measure 1938 (repealed)

1938 No. 3 1 and 2 Geo 6

9 Assurances.

- (1) Land (including Buildings) sold [^{F1}purchased or exchanged] under this Measure shall conveyed by or to the incumbent of the benefice affected in his affected in his corporate capacity, and so that—
- (i) during a vacancy the bishop shall have power to convey or to take under a conveyance in the name and on behalf of the incumbent of the benefice in his corporate capacity, and no conveyance so made or taken shall on the vacancy being filled be capable of being disclaimed or renounced by any incumbent succeeding to the benefice: . . . ^{F2}
 - (ii) . . . ^{F2}
- (2) [^{F3}The sealing by the Board of any conveyance]excuted under this Measure shall be conclusive evidence that all the requirements of this Measure with respect to the transaction carried out by such conveyance have been complied with.
- [^{F4}(2A) A statement in a document signed by the secretary or other duly authorised officer of the Commissioners that the Commissioners have consented to the terms of any transaction under this Measure affecting property which is specified in the document shall be conclusive evidence that they have consented to those terms.
- (2B) A statement in a document giving effect to any transaction under this Measure that the consent of the Commissioners or the Board or both to the terms of the transaction is not required under section 1(3)(ii) above shall, if the document is sealed with the seal of the Board or is signed on behalf of the Board by a person duly authorised by the Board, be conclusive evidence of that fact.]
- (3) Every conveyance of land (including buildings) purchased [^{F5}or acquired by way of exchange] for a benefice under this Measure shall be registered in the prescribed manner in the registry of the diocese concerned.
- (4) In any case where any land (including buildings) sold [^{F5}or exchanged] under this Measure is subject to any mortgage or charge in favour of [^{F6}the Church Commissioners], the conveyance thereof under this measure shall be effectual to pass the same discharged from such mortgage or charge, and such mortgage or charge shall

Status: Point in time view as at 01/01/2001. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Parsonages Measure 1938 (repealed), Section 9. (See end of Document for details)

attach to the purchase money arising on the sale [^{F7}or to any money paid to the Church Commissioners by way of equality of exchange and to the house acquired by way of exchange]

Textual Amendments

- F1** Words substituted by [Church Property \(Miscellaneous Provisions\) Measure 1960 \(No. 1\)](#), **Sch.**
- F2** Words, and s. 9(1)(ii) repealed by [Charities Act 1960 \(c. 58\)](#), **Sch. 7 Pt. II**
- F3** Words in s. 9(2) substituted (1.1.2001) by 2000 Measure No. 1, s. 2, **Sch. 1 para. 9(a)**; Instrument dated 14.12.2000 made by the Archbishops of Canterbury and York
- F4** S. 9(2A)(2B) inserted (1.1.2001) by 2000 Measure No. 1, s. 2, **Sch. 1 para. 9(b)**; Instrument dated 14.12.2000 made by the Archbishops of Canterbury and York
- F5** Words inserted by [Church Property \(Miscellaneous Provisions\) Measure 1960 \(No. 1\)](#), **Sch.**
- F6** Words substituted by virtue of [Church Commissioners Measure 1947 \(No. 2\)](#), **s. 18(2)**
- F7** Words added by [Church Property \(Miscellaneous Provisions\) Measure 1960 \(No. 1\)](#), **Sch.**

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