



New Parishes Measure 1943 (repealed)

1943 No. 16 and 7 Geo 6

PART II

GENERAL PROVISIONS APPLICABLE TO ALL ECCLESIASTICAL DISTRICTS

Acquisition of land for church sites, &c.

[^{F1}16 Vesting of land acquired by the Commissioners.

- (1) Where any land or building acquired after the passing of the ^{M1}Church Property (Miscellaneous Provisions) Measure 1960 under section thirteen or section fourteen of this Measure is—
- (a) a church or a part of a church or a building fit to be used as or to be converted into a church,
 - (b) land acquired as a site for a new church or for a church to be substituted for an existing church, or for enlarging the site of an existing church,
 - (c) land for providing a new or extending an existing churchyard or burial ground, or
 - (d) land required for providing access to or improving the amenities of any church, churchyard or burial ground,

the land or building shall vest in the incumbent for the time being of the parish in which the land or building is situated:

Provided that, if the area in which any such land or building is situated is subsequently constituted a new parish under this Measure, the land or building shall thereupon vest in the incumbent for the time being of that new parish, unless the scheme constituting the parish otherwise provides.

- (2) Where any land or building acquired under the said sections thirteen or fourteen is—
- (a) land or a building for a house of residence for an incumbent . . . ^{F2},
 - (b) land for an extension of such a house of residence,
 - (c) land required for providing access to or improving the amenities of any such house of residence,

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the New Parishes Measure 1943 (repealed), Section 16. (See end of Document for details)

the land or building shall vest in the incumbent for the time being of the parish in which it is situated . . . ^{F3}.

[Where any building or land acquired under section 13 of this Measure is—

- ^{F4}(3) [a building to be used as a church hall or both as a church or other place of
^{F5}(a) worship and as a church hall;
 (b) land for the site of a building to be so used or for enlarging the site of an existing building so used;
 (bb) land required for providing access to or for improving the amenities of a building which is to be, or is, so used;]
 (c) a building or land for, or for the extension of, a house of residence for an ecclesiastical person other than an incumbent; or
 (d) land required for providing access to or improving the amenities of such a house,

and that building or land, or any part thereof, is, with the consent of the diocesan authority, designated in the conveyance under which the building or land is so acquired as vesting in that authority, it shall vest in that authority accordingly.]

- (4) The parochial church council of the ecclesiastical district in which any land or building designated under the preceding subsection is for the time being situated shall keep the diocesan authority indemnified in respect of the matters referred to in paragraphs (a) to (d) of subsection (4) of section six of the ^{M2}Parochial Church Councils (Powers) Measure 1956.

[In this section “diocesan authority” means the body which is for the time being ^{F6}(5) authorised by the relevant diocesan synod to act as trustees of the trust property of the diocese or, if there is no such body, the diocesan board of finance.]]

Textual Amendments

- F1** S. 16 substituted by [Church Property \(Miscellaneous Provisions\) Measure 1960 \(No. 1, SIF 21:8\)](#), s. **6(2)**
- F2** Words repealed by [Endowments and Glebe Measure 1976 \(No. 4, SIF 21:8\)](#), **Sch. 8**
- F3** Words repealed by [Endowments and Glebe Measure 1976 \(No. 4, SIF 21:8\)](#), **Sch. 8**
- F4** S. 16(3) substituted by [Endowments and Glebe Measure 1976 \(No. 4, SIF 21:8\)](#), s. **41(2)**
- F5** S. 16(3)(a)(b)(bb) substituted for s. 16(3)(a)(b) by [Church of England \(Miscellaneous Provisions\) Measure 1983 \(No. 2, SIF 21:3\)](#), s. **1(2)**
- F6** S. 16(5) inserted by [Church of England \(Miscellaneous Provisions\) Measure 1983 \(No. 2, SIF 21:3\)](#), s. **3**

Modifications etc. (not altering text)

- C1** S. 16 extended by [Sharing of Church Buildings Measure 1970 \(No. 2, SIF 21:8\)](#), s. **2(2)**

Marginal Citations

- M1** 1960 No. 1.
M2 1956 No. 3.

Status:

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Changes to legislation:

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