



United Reformed Church Act 2000

2000 CHAPTER ii

6 Heritable property held in trust for concurring churches

- (1)
 - (a) Subject to the provisions of section 20 (Union churches participating with other denominations in united churches) and section 21 (Ecumenical churches) of this Act, all heritable property which immediately before the date of unification is held in trust for, or for the purposes of, or in connection with, a concurring church, shall on and from that date, and in accordance with the following provisions of this section, be held in trust for or (as the case may be) for equivalent purposes of, or in connection with, the local church corresponding to the concurring church in question.
 - (b) A certificate given by the Synod Moderator that any local church is the church corresponding to any concurring church shall be conclusive evidence of such correspondence for all purposes.
- (2)
 - (a) The trust deed relating to any heritable property to which subsection (1) of this section applies being either heritable property held in trust for use as a church, chapel, church hall, mission hall, preaching station, Sunday school or other place of religious worship, or heritable property held in trust for use as a manse or place of residence of a minister, lay worker or caretaker, shall on and from the date of unification have effect as if the provisions contained either in Part I or (as the case may be) in Part II of Schedule 1 to this Act were substituted for the operative provisions previously contained in such deed, and the references in either Part of the said Schedule to “the trustees” and “the premises” shall be construed (notwithstanding any definition in the deed) as references to the trustee or trustees for the time being of the deed and to the heritable property and, where appropriate, the buildings to which the deed relates and references to “the local church” shall be construed as references to the local church corresponding to the concurring church to which the deed relates.
 - (b) In any case where under paragraph (a) of this subsection the provisions of both Part I and Part II of Schedule 1 to this Act would or might (but for this paragraph) be substituted as therein provided the provisions of Part I only of that Schedule shall be so substituted.

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- (c) In any case where the property subject to any trust referred to in paragraph (a) of this subsection comprises in addition to heritable property any capital money, investments or other property, paragraph (a) of this subsection shall apply to all the property so comprised.
 - (d) Every agreement with a minister of a concurring church or with a lay worker for, or caretaker engaged by, a concurring church which is in force at the date of unification and which relates to the occupation of a manse or place of residence of a minister, lay worker or caretaker shall on and from that date have effect as if references therein (whether express or implied) to that church and to the provisions of any trust deed were references to the corresponding local church and the provisions of that deed as affected by the preceding provisions of this subsection.
- (3) The trust deed of any heritable property to which subsection (1) of this section applies, not being a trust deed to which subsection (2) of this section applies, shall on and from the date of unification have effect as if words referring to a local church were substituted for any words therein referring to or describing a concurring church.
- (4) The provisions of subsection (1) of this section shall not have the effect of bringing into operation any destination-over or any rights of pre-emption, redemption, reduction, resumption, irritancy, forfeiture or any other rights to enforce conditions contained in such a trust deed vested in any person or persons.
- (5) The foregoing provisions of this section shall operate in relation to any arrangement or scheme legally established and affecting heritable property to which subsection (1) of this section applies as if the arrangement or scheme were a trust deed and as if paragraph 8 in both Parts of Schedule 1 to this Act were omitted.