



Gas Act 1965

1965 CHAPTER 36

PART II

UNDERGROUND STORAGE OF GAS BY GAS AUTHORITIES

26 Ecclesiastical property.

- (1) Where under this Part of this Act a document is required to be served on an owner of land, and the land is ecclesiastical property, a copy of the document shall be served on the [^{F1}Diocesan Board of Finance for the diocese in which the land is situated].
- (2) Any compensation payable under this Part of this Act to a person by virtue of his title to any interest in land shall, if the land is ecclesiastical property and if the interest is the fee simple in the land, be paid (where the fee simple is vested in any person other than the [^{F1}Diocesan Board of Finance for the diocese in which the land is situated]) to [^{F2}it] instead of to that person.
- (3) Any sums paid under the last foregoing subsection to the [^{F1}Diocesan Board of Finance for the diocese in which the land is situated] with reference to any land shall, if the land is not consecrated, be applied by [^{F2}it] for the purposes for which the proceeds of a sale by agreement of the fee simple in the land would be applicable under any enactment or Measure authorising such a sale or disposing of the proceeds of such a sale, and, if the land is consecrated, be applied by [^{F2}it][^{F3}as if the land had been sold under the Pastoral Measure 1983].
- (4) [^{F4}Where any ecclesiastical property is vested in the incumbent of a benefice which is vacant], it shall be treated—
 - (a) for the purposes of this Part of this Act, and
 - (b) for the purposes of any proceedings for the confirmation of a compulsory purchase order made by virtue of [^{F5}Schedule 3 to the principal Act] for purposes connected with an underground gas storage and of the compulsory purchase in pursuance of the compulsory purchase order,as being vested in the [^{F1}Diocesan Board of Finance for the diocese in which the land is situated], and any notice to treat shall be served accordingly.

*Changes to legislation: There are currently no known outstanding effects
for the Gas Act 1965, Section 26. (See end of Document for details)*

- (5) In this section the expression “ecclesiastical property” means land belonging to an ecclesiastical benefice of the Church of England, or being or forming part of a church subject to the jurisdiction of the bishop of any diocese of the Church of England or the site of a church so subject, or being or forming part of a burial ground so subject.

Textual Amendments

- F1** Words in s. 26 substituted (E.) (1.10.2006) by [Church of England \(Miscellaneous Provisions\) Measure 2006 \(No. 1\), s. 16\(2\), Sch. 5 para. 11\(a\)](#); 2006 No. 2, Instrument made by Archbishops
- F2** Word in s. 26(2) substituted (E.) (1.10.2006) by [Church of England \(Miscellaneous Provisions\) Measure 2006 \(No. 1\), s. 16\(2\), Sch. 5 para. 11\(b\)](#); 2006 No. 2, Instrument made by Archbishops
- F3** Words in s. 26(3) substituted (E.) (1.10.2006) by [Church of England \(Miscellaneous Provisions\) Measure 2006 \(No. 1\), s. 16\(2\), Sch. 5 para. 11\(b\)](#); 2006 No. 2, Instrument made by Archbishops
- F4** Words in s. 26(4) substituted (E.) (1.10.2006) by [Church of England \(Miscellaneous Provisions\) Measure 2006 \(No. 1\), s. 16\(2\), Sch. 5 para. 11\(c\)](#); 2006 No. 2, Instrument made by Archbishops
- F5** Words substituted by virtue of [Gas Act 1986 \(c. 44, SIF 44:2\), S. 67\(1\)\(3\), Sch. 7 para. 6\(3\), Sch. 8 para. 33](#)

Changes to legislation:

There are currently no known outstanding effects for the Gas Act 1965, Section 26.