
Changes to legislation: There are currently no known outstanding effects for the National Heritage Act 1983, Cross Heading: Pastoral Measure 1968 (No. 1). (See end of Document for details)

SCHEDULES

SCHEDULE 4

THE COMMISSION: AMENDMENTS

Pastoral Measure 1968 (No. 1)

12 (1) Section 66 of the Pastoral Measure 1968 (transfer of redundant churches) shall be amended as follows.

(2) In subsection (1) after paragraph (b) there shall be inserted—

“(c) where a redundant building or any part thereof is situated in England and is vested in the Diocesan Board of Finance, whether in pursuance of a pastoral scheme or a redundancy scheme or pending the making of a redundancy scheme, the Board may, with the approval of the bishop and the Commissioners, enter into and carry out an agreement with the Historic Buildings and Monuments Commission for England for the acquisition and preservation by the Commission of the building or part with or without other land so situated and so vested in the Board;

(d) where a redundant building or any part thereof is situated in England and is vested in the Redundant Churches Fund in pursuance of a redundancy scheme or a pastoral scheme to which section 47 of this Measure applies, the Fund may enter into and carry out an agreement with the Historic Buildings and Monuments Commission for England for the acquisition and preservation by the Commission of the building or part with or without other land so situated and so vested;”

and for “the next two following subsections” there shall be substituted “ subsections (2) and (3) of this section ”.

(3) After subsection (1) there shall be inserted—

“(1A) The Historic Buildings and Monuments Commission for England shall not enter into an agreement under subsection (1)(c) or (d) of this section without the consent of the Secretary of State.”

(4) In subsection (2)(a) after “the Minister” there shall be inserted “ or (as the case may be) the Historic Buildings and Monuments Commission for England ”, after “him” there shall be inserted “ or them ” and after “his” there shall be inserted “ or their ”, and in subsection (2)(c) after “the Minister” there shall be inserted “ or (as the case may be) the Historic Buildings and Monuments Commission for England ”.

(5) In subsection (3) after “the said Minister” there shall be inserted “ or (as the case may be) the Historic Buildings and Monuments Commission for England ” and after “the Minister” (in both places) there shall be inserted “ or the Commission ”.

(6) After subsection (3) there shall be inserted—

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- “(3A) Before giving his consent under subsection (3) of this section in relation to a building or part situated in England the Minister shall consult with the Historic Buildings and Monuments Commission for England.”
- (7) In subsection (4) after “the Minister” (in the first place) there shall be inserted “ or the Historic Buildings and Monuments Commission for England ” and after “the Minister” (in the second and third places) there shall be inserted “ or the Commission (as the case may be) ”.
- (8) After subsection (4) there shall be inserted—
- “(4A) The Historic Buildings and Monuments Commission for England shall not enter into an agreement under subsection (4) of this section unless—
- (a) the land is situated in England, and
 - (b) the Secretary of State has consented.”
- (9) In subsection (5) after “the said Minister” there shall be inserted “ or (as the case may be) the Historic Buildings and Monuments Commission for England ”.
- (10) After subsection (5) there shall be inserted—
- “(6) Where a redundant building (or part) situated in England has been acquired for its preservation by the Minister under subsection (1) of this section either with or without any other land so situated, the Historic Buildings and Monuments Commission for England may by agreement with the Minister undertake on his behalf the management and preservation of the building (or part) together with the other land (if any).
- (7) Where the Minister has under subsection (4) of this section acquired land situated in England for its maintenance with a building (or part), the Commission may undertake, in any agreement made under subsection (6) of this section in relation to the building (or part), the maintenance of the land on behalf of the Minister.
- (8) Where the Minister has under subsection (5) of this section acquired for their preservation the contents of a redundant building (or part), the Commission may undertake, in any agreement made under subsection (6) of this section in relation to the building (or part), the preservation of the contents on behalf of the Minister.”

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