



Roman Catholic Relief Act 1829

1829 CHAPTER 7 10 Geo 4

An Act for the Relief of His Majesty's Roman Catholic Subjects [13th April 1829]

Modifications etc. (not altering text)

- C1 Short title given by [Short Titles Act 1896 \(c. 14\)](#)
- C2 Act repealed in so far as it relates to any of the Universities of Oxford, Cambridge and Durham or any college therein, by [University Tests Act 1871 \(c. 26\), s. 8](#)
- C3 Preamble repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\), Sch. 1 Pt. XVI](#)

1 F1

Textual Amendments

- F1 S. 1 repealed by [Promissory Oaths Act 1871 \(c. 48\), Sch. 1 Pt. II](#)

2 F2

Textual Amendments

- F2 S. 2 repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\), Sch. 1 Pt. XVI](#)

3, 4. F3

Textual Amendments

- F3 Ss. 3, 4 repealed by [Promissory Oaths Act 1871 \(c. 48\), Sch. 1 Pt. II](#)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Roman Catholic Relief Act 1829. (See end of Document for details)

5 F4

Textual Amendments
F4 S. 5 repealed by Statute Law (Repeals) Act 1978 (c. 45), Sch. 1 Pt. XVI

6, 7. F5

Textual Amendments
F5 Ss. 6, 7 repealed by Promissory Oaths Act 1871 (c. 48), Sch. 1 Pt. II

8 So much of any Acts as require the formula contained in 8 & 9 Will. 3. c. 3. (S.) to be tendered or taken, repealed. Roman Catholics may elect and be elected members for Scotland.

And whereas in an Act of the Parliament of Scotland made in the eighth and ninth session of the first Parliament of King William the Third, intituled “An Act for the preventing the “growth of popery,” a certain declaration or formula is therein contained, which it is expedient should no longer be required to be taken and subscribed: Such parts of any Acts as authorise the said declaration or formula to be tendered, or require the same to be taken, sworn, and subscribed, shall be and the same are hereby repealed, except as to such offices, places, and rights as are hereinafter excepted; and that it shall be lawful for persons professing the Roman Catholic religion to elect and be elected members to serve in Parliament for Scotland, and to be enrolled as freeholders in any shire of Scotland, and to be chosen commissioners or delegates for choosing burgesses to serve in Parliament for any districts of burghs in Scotland, being in all other respects duly qualified . . . F6

Textual Amendments
F6 Words repealed by Promissory Oaths Act 1871 (c. 48), Sch. 1 Pt. II

9 No Roman Catholic priest to sit in the House of Commons.

No person in holy orders in the Church of Rome shall be capable of being elected to serve in Parliament as a member of the House of Commons; and if any such person shall be elected to serve in Parliament as aforesaid such election shall be void; and if any person, being elected to serve in Parliament as a member of the House of Commons shall, after his election, take or receive holy orders in the Church of Rome, the seat of such person shall immediately become void; and if any such person shall, in any of the cases aforesaid, presume to sit or vote as a member of the House of Commons, he shall be subject to the same penalties, forfeitures, and disabilities as are enacted by the ^{M1}House of Commons (Clergy Disqualification) Act 1801; and proof of the celebration of any religious service by such person, according to the rites of the church of Rome, shall be deemed and taken to be primâ facie evidence of the fact of such person being in holy orders within the intent and meaning of this Act.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Roman Catholic Relief Act 1829. (See end of Document for details)

Marginal Citations

M1 [1801 c. 63.](#)

10 Roman Catholics may hold civil and military offices under his Majesty, with certain exceptions.

It shall be lawful for any of his Majesty's subjects professing the Roman Catholic religion to hold, exercise, and enjoy, all civil and military offices and places of trust or profit under his Majesty, and to exercise any other franchise or civil right, except as herein-after excepted . . . ^{F7}

Textual Amendments

F7 Words repealed by [Promissory Oaths Act 1871 \(c. 48\)](#), [Sch. 1 Pt. II](#)

11 ^{F8}

Textual Amendments

F8 [S. 11](#) repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\)](#), [Sch. 1 Pt. XVI](#)

12 Offices withheld from Roman Catholics.

Provided also, that nothing herein contained shall extend, or be construed to extend to enable any person or persons professing the Roman Catholic religion to hold or exercise the office of guardians and justices of the United Kingdom, or of regent of the United Kingdom, under whatever name, style, or title such office may be constituted; nor to enable any person, otherwise than as he is now by law enabled, to hold or enjoy the office of lord high chancellor, lord keeper or lord commissioner of the great seal of Great Britain . . . ^{F9}; or his Majesty's high commissioner to the general assembly of the Church of Scotland.

Textual Amendments

F9 Words repealed by [Statute Law Revision Act 1950 \(c. 6\)](#) and [Statute Law Revision \(Northern Ireland\) Act 1976 \(c. 12\)](#), [Sch. Pt. IV](#)

13 ^{F10}

Textual Amendments

F10 [S. 13](#) repealed by [Statute Law Revision Act 1891 \(c. 67\)](#)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Roman Catholic Relief Act 1829. (See end of Document for details)

14 Roman Catholics may be members of lay corporations.

It shall be lawful for any of his Majesty's subjects professing the Roman Catholic religion to be a member of any lay body corporate, and to hold any civil office or place of trust or profit therein, and to do any corporate act, or vote in any corporate election or other proceeding . . . ^{F11} upon taking such oath or oaths as may now by law be required to be taken by any persons becoming members of such lay body corporate, or being admitted to hold any office or place of trust or profit within the same.

Textual Amendments

F11 Words repealed by [Statute Law Revision Act 1873 \(c. 91\)](#)

[^{F12F13}15 Such members of corporations not to vote in ecclesiastical appointments.

Provided nevertheless, that nothing herein contained shall extend to authorise or empower any of his Majesty's subjects professing the Roman Catholic religion, and being a member of any lay body corporate, to give any vote at or in any manner to join in the election, presentation, or appointment of any person to any ecclesiastical benefice whatsoever, or any office or place belonging to or connected with the [^{F14}Church of England], or the Church of Scotland, being in the gift, patronage, or disposal of such lay corporate body.]

Textual Amendments

- F12** [S. 15](#) repealed (N.I.) by [Statute Law Revision \(Northern Ireland\) Act 1980 \(c.59\)](#), [Sch. Pt. XIV](#)
- F13** [S. 15](#) repealed (provinces of Canterbury and York) insofar as it relates to ecclesiastical benefices by [Patronage \(Benefices\) Measure 1986 \(No. 3, SIF 21:4\)](#), ss. 30(2), 41, [Sch. 5](#)
- F14** Words substituted from 1.8.1871 by virtue of [Irish Church Act 1869 \(c. 42\)](#), [s. 69](#) and [Statute Law Revision \(Northern Ireland\) Act 1980 \(c. 59\)](#), [Sch. Pt. XIV](#)

16 Not to extend to offices, &c. in the established church, or ecclesiastical courts, universities, colleges, or schools; nor to presentations to benefices.

Provided also, that nothing in this Act contained shall be construed [^{F15}to enable any persons, otherwise than as they are now by law enabled, to hold, enjoy, or exercise any office, place, or dignity, of, in, or belonging to the [^{F16}Church of England], or the Church of Scotland, or any place or office whatever of, in, or belonging to any of the ecclesiastical courts of judicature of England and Ireland respectively, or any court of appeal from or review of the sentences of such courts, or of, in, or belonging to the commissary court of Edinburgh, or of, in, or belonging to any cathedral or collegiate or ecclesiastical establishment or foundation]: . . . ^{F17}; [^{F15}or] to repeal, abrogate, or in manner to interfere with any local statute, ordinance, or rule, which is or shall be established by competent authority within any university, college, hall, or school, by which Roman Catholics shall be prevented from being admitted thereto, or from residing or taking degrees therein: [^{F18}Provided also, that nothing herein contained shall extend to enable any person, otherwise than as he is now by law enabled, to exercise any right of presentation to any ecclesiastical benefice whatsoever; or to repeal, vary, or alter in any manner the laws now in force in respect to the right of presentation to any ecclesiastical benefice.]

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Roman Catholic Relief Act 1829. (See end of Document for details)

Textual Amendments

- F15** Words repealed (N.I.) by [Statute Law Revision \(Northern Ireland\) Act 1980 \(c. 59\)](#), **Sch. Pt. XIV**
- F16** Words substituted from 1.8.1871 by virtue of [Irish Church Act 1869 \(c. 42\)](#), **s. 69** and [Statute Law Revision \(Northern Ireland\) Act 1980 \(c. 59\)](#), **Sch. Pt. XIV**
- F17** Words repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\)](#), **Sch. 1 Pt. XVI**
- F18** Words repealed (N.I.) by [Statute Law Revision \(Northern Ireland\) Act 1980 \(c. 59\)](#), **Sch. Pt. XIV** and (provinces of Canterbury and York) by [Patronage \(Benefices\) Measure 1986 \(No. 3, SIF 21:4\)](#), s. 41, **Sch. 5**

[^{F19}17] **Proviso for presentations to benefices connected with offices.**

Provided always, that where any right of presentation to any ecclesiastical benefice shall belong to any office in the gift or appointment of his Majesty, and such office shall be held by a person professing the Roman Catholic religion, the right of presentation shall devolve upon and be exercised by the archbishop of Canterbury for the time being.]

Textual Amendments

- F19** [S. 17](#) repealed (N.I.) by [Statute Law Revision \(Northern Ireland\) Act 1980 \(c. 59\)](#), **Sch. Pt. XIV** and (provinces of Canterbury and York) by [Patronage \(Benefices\) Measure 1986 \(No. 3, SIF 21:4\)](#), ss. 30(3), 41, **Sch. 5**

18 No Roman Catholic to advise the Crown in the appointment to offices in the established church.

It shall not be lawful for any person professing the Roman Catholic religion directly or indirectly to advise his Majesty, or any person or persons holding or exercising the office of guardians of the United Kingdom, or of regent of the United Kingdom, under whatever name, style, or title such office may be constituted, [^{F20}or the lord lieutenant of Ireland], touching or concerning the appointment to or disposal of any office or preferment in the [^{F21}Church of England], or in the Church of Scotland; and if any such person shall offend in the premises he shall, being thereof convicted by due course of law, be deemed guilty of a high misdemeanor, and disabled for ever from holding any office, civil or military, under the Crown.

Textual Amendments

- F20** Words repealed (N.I.) by [Statute Law Revision \(Northern Ireland\) Act 1980 \(c. 59\)](#), **Sch. Pt. XIV**
- F21** Words substituted from 1.8.1871 by virtue of [Irish Church Act 1869 \(c. 42\)](#), **s. 69** and [Statute Law Revision \(Northern Ireland\) Act 1980 \(c. 59\)](#), **Sch. Pt. XIV**

Modifications etc. (not altering text)

- C4** Reference to Lord Lieutenant of Ireland to be construed as reference to Secretary of State: [Irish Free State \(Consequential Provisions\) Act 1922 \(13 Geo. 5 Sess. 2 c. 2\)](#), **Sch. 1 para. 1(1)** and [Northern Ireland Constitution Act 1973 \(c. 36\)](#), **Sch. 5 para. 4(1)**

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Roman Catholic Relief Act 1829. (See end of Document for details)

19— F22
22.

Textual Amendments
F22 Ss. 19—22 repealed by [Promissory Oaths Act 1871 \(c. 48\)](#), [Sch. 1 Pt. II](#)

23, 24. F23

Textual Amendments
F23 Ss. 23, 24 repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\)](#), [Sch. 1 Pt. XVI](#)

25 F24

Textual Amendments
F24 S. 25 repealed by [Promissory Oaths Act 1871 \(c. 48\)](#), [Sch. 1 Pt. II](#)

26 F25

Textual Amendments
F25 S. 26 repealed by [Roman Catholic Relief Act 1926 \(c. 55\)](#), [Sch.](#) and [Statute Law Revision Act 1953 \(2 & 3 Eliz. 2 c. 5\)](#)

27 F26

Textual Amendments
F26 S. 27 repealed by [Statute Law Revision Act 1890 \(c. 33\)](#)

28— F27
36.

Textual Amendments
F27 Ss. 28—36 repealed by [Roman Catholic Relief Act 1926 \(c. 55\)](#), [Sch.](#) and [Statute Law Revision Act 1953 \(2 & 3 Eliz. 2 c. 5\)](#)

37 F28

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Roman Catholic Relief Act 1829. (See end of Document for details)

Textual Amendments

F28 S. 37 repealed by [Statute Law Revision Act 1953 \(2 & 3 Eliz. 2 c. 5\)](#)

38 Penalties how to be recovered.

All penalties imposed by this Act shall and may be recovered as a debt due to his Majesty, by information to be filed in the name of his Majesty's attorney general for England or for [^{F29}Northern Ireland], as the case may be, in the [^{F30}High Court or the High Court of Justice in Northern Ireland] respectively, or in the name of his Majesty's advocate general in the Court of Exchequer in Scotland.

Textual Amendments

F29 Words substituted by virtue of S.R. & O. 1921/1802 (Rev. XVI, p. 954: 1921, p. 1332), art. 2(2) also, as regards N.I. by [Judicature \(Northern Ireland\) Act 1978 \(c. 23, SIF 38\)](#), [Sch. 5 para. 1](#)

F30 Words substituted by virtue of [Supreme Court of Judicature \(Consolidation\) Act 1925 \(c. 49\)](#), [ss. 18, 224\(1\)](#) and [Supreme Court of Judicature Act \(Ireland\) 1877 \(c. 57\)](#), [ss. 21, 71](#) and S.R. & O. 1921/1802 (Rev. XVI, p. 954: 1921, p. 1332), art. 2(1)

39, 40.^{F31}

Textual Amendments

F31 Ss. 39, 40 repealed by [Promissory Oaths Act 1871 \(c. 48\)](#), [Sch. 1 Pt. II](#)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Roman Catholic Relief Act 1829. (See end of Document for details)

F32F32 SCHEDULE

Textual Amendments

F32 Sch. repealed by [Roman Catholic Relief Act 1926 \(c. 55\)](#), [Sch.](#) and [Statute Law Revision Act 1953 \(2 & 3 Eliz. 2 c. 5\)](#)

.....
F32

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Roman Catholic Relief Act 1829.