



Church of Scotland (Property and Endowments) (Amendment) Act 1933

1933 CHAPTER 44 23 and 24 Geo 5

2 Transfer of churchyards attached to parishes quoad sacra, and parliamentary churches.

- (1) Notwithstanding anything contained in paragraph (g) of subsection (1) of section thirty-four of the principal Act, and without prejudice to anything therein contained, the trustees or other persons by whom any churchyard forming part of the statutory properties and endowments of a parish quoad sacra or connected with a parliamentary church is held, or the General Trustees if any such churchyard shall have become vested in them, may by notice in writing require the local authority to take over such churchyard, and as from the date of such notice such churchyard shall, without the necessity of any further conveyance, be transferred to and vested in the local authority, and the provisions of section thirty-two of the principal Act shall apply to any churchyard so transferred in like manner as they apply to a churchyard transferred under that section.
- (2) For the purposes of this section the expression “local authority” shall as regards any churchyard, mean the council [^{F1}constituted under section 2 of the Local Government etc. (Scotland) Act 1994 within whose area] the churchyard is situated, . . . ^{F2}

Textual Amendments

- F1** Words in s. 2(2) substituted (S.) (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para.18**; S.I. 1996/323, **art.4**
- F2** Words repealed by **Local Government (Scotland) Act 1973 (c. 65)**, **Sch. 29**

Changes to legislation:

There are currently no known outstanding effects for the Church of Scotland (Property and Endowments) (Amendment) Act 1933, Section 2.