



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

1933 CHAPTER 44 23 and 24 Geo 5

## 9 Rights of superiors and others.

<sup>F1</sup>(1) .....

<sup>F1</sup>(2) .....

(3) Before selling or otherwise disposing of the ground or any part thereof on which any church or manse included in the Tenth Schedule to the principal Act as extended by section fifteen of this Act has been erected, the General Trustees shall give to any [<sup>F2</sup>person] whose lands adjoin such ground or part and by whose predecessor in title such ground or part was originally granted or disposed without valuable consideration for the erection of the church or manse, an opportunity to purchase <sup>F3</sup>... such ground or part <sup>F4</sup>...

[<sup>F5</sup>(4) Where part of the lands which adjoin as is mentioned in subsection (3) above are conveyed, then on registration of the conveyance that subsection shall cease to afford a right of pre-emption to any owner of the part conveyed unless in the conveyance it is provided that the subsection shall instead cease to afford such a right to any owner of the part retained (in which case the subsection shall apply accordingly).

(5) The Scottish Ministers may by order made by statutory instrument make provision as to the procedures to be followed for the purposes of subsection (3) above.

(6) Without prejudice to the generality of subsection (5) above, any such order may include provision—

- (a) as to how a price is to be fixed; and
- (b) for any case where there is at any time, as regards the ground or part, more than one person to whom an opportunity to purchase must be afforded under subsection (3) above.]

---

**Changes to legislation:** There are currently no known outstanding effects for the Church of Scotland (Property and Endowments) (Amendment) Act 1933, Section 9. (See end of Document for details)

---

### Textual Amendments

- F1** S. 9(1)(2) repealed (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), [Sch. 12 para. 17\(4\)\(a\)](#), [Sch. 13 Pt. 1](#) (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2; S.S.I. 2003/456, art. 2
- F2** Words in s. 9(3) substituted (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), [Sch. 12 para. 17\(4\)\(b\)\(i\)](#) (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2
- F3** Words in s. 9(3) repealed (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), [Sch. 12 para. 17\(4\)\(b\)\(ii\)](#), [Sch. 13 Pt. 1](#) (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2
- F4** Words in s. 9(3) repealed (28.11.2004) by [Title Conditions \(Scotland\) Act 2003 \(asp 9\)](#), ss. 122(1), 129(2), [Sch. 15](#) (with ss. 119, 121) (see S.S.I. 2003/456, art. 2)
- F5** S. 9(4)-(6) inserted (28.11.2004) by [Title Conditions \(Scotland\) Act 2003 \(asp 9\)](#), [ss. 108](#), 129(4) (with ss. 119, 121); S.S.I. 2003/454, art. 2(2)

**Changes to legislation:**

There are currently no known outstanding effects for the Church of Scotland (Property and Endowments) (Amendment) Act 1933, Section 9.