



Welsh Church Act 1914

1914 CHAPTER 91

PART I

DISESTABLISHMENT AND VESTING AND DISTRIBUTION OF PROPERTY

Distribution of Property

8 Distribution of property by Welsh Commissioners

- (1) Subject to the provisions of this Act, the Welsh Commissioners shall by order transfer the property vested in them by this Act, as follows:—
- (a) they shall transfer to the representative body—
 - (i) all churches ;
 - (ii) all ecclesiastical residences, together with any moveable chattels held and enjoyed with or as incident to the occupation of any such residence, by the incumbent for the time being of the office to which the residence is attached ;
 - (iii) all funds or endowments specially allocated to the repair, restoration, or improvement of the fabric of any such church or ecclesiastical residence ;
 - (iv) all property which consists of or is the produce of or is or has been derived from grants made by Queen Anne's Bounty out of moneys provided by Parliament;
 - (v) all property which consists of or is the produce of or is or has been derived from grants made by Queen Anne's Bounty out of the Royal Bounty Fund;
 - (vi) all private benefactions ;
 - (vii) if so requested by the representative body, any glebe or other land, not comprised within any of the above-mentioned categories and not being a burial ground; subject to the payment by the representative body to the Welsh Commissioners of a sum equal to the value thereof, such value to be determined in default of agreement by arbitration,

Status: This is the original version (as it was originally enacted).

regard being had to the tenancies, charges, incumbrances, interests, and rights subject to which the land is transferred to the representative body ;

- (viii) if so requested by the representative body, any burial grounds which before the date of disestablishment have been closed under or in pursuance of the provisions of any Act of Parliament or of any Order in Council made thereunder ;
- (b) of the property not so transferred to the representative body they shall transfer the burial ground of any ecclesiastical parish so as to vest the same in the existing incumbent during his incumbency and on the determination thereof—
 - (i) where the burial ground is situate in an area in which the Burial Acts, 1852 to 1906, are in force or in which (not being a rural district) a burial ground has been provided under the Public Health (Interments) Act, 1879, or a local Act, in the burial authority, or where the burial authority is a joint committee, in such one or more of the authorities represented on that committee, or in trustees on their behalf, as the Welsh Commissioners think fit;
 - (ii) where the burial ground is situate in a rural parish, or in a part of a rural parish in which the Burial Acts, 1852 to 1906, are not in force, in the council of that parish, or, if there is no council, in the chairman of the parish meeting and overseers of that parish; and
 - (iii) in any other case, in the council of the borough or urban district in which the burial ground is situate :
- (c) of the property not so transferred to the representative body they shall transfer any tithe rentcharge which was formerly appropriated to the use of any parochial benefice to the council of the county in which the land out of which the tithe rentcharge issues is situate :

Provided that where such land is not situate in Wales or Monmouthshire they shall transfer the tithe rentcharge to the council of such county in Wales and Monmouthshire as the Welsh Commissioners think fit;

- (d) of the property not so transferred to the representative body they shall transfer any other property which was formerly appropriated to the use of any parochial benefice (including the money paid under this section by the representative body in respect of glebes) to the council of the county in which the ecclesiastical parish to the use of which the property was so appropriated is situate : Provided that if such ecclesiastical parish is situate in more than one county the property shall be transferred to such one or more of those councils or be divided between them as the Welsh Commissioners may think fit;
 - (e) they shall transfer all other property vested in them to the University of Wales.
- (2) Save as otherwise provided by this Act, all property transferred under this section shall be held subject to all existing public and private rights with respect thereto, and all tenancies, charges, and incumbrances which may at the date of transfer be subsisting therein, and in the case of all such property, except tithe rentcharge transferred to a county council, to the existing interests of all persons who at the passing of this Act hold ecclesiastical offices in the Church in Wales, and in the case of such tithe rentcharge to the obligation to make such provision as is herein-after mentioned in lieu of such existing interests.
- (3) Where property of any such class as aforesaid has before the date of disestablishment been sold, redeemed, or otherwise converted, or where any moneys are at that date

held upon trust to be applied in the building purchase or repair of, or to make good dilapidations in, property of any such class as aforesaid, the proceeds of sale, redemption, or other conversion, and such moneys as aforesaid or the securities in which such proceeds or moneys are for the time being invested, shall be dealt with in like manner as if they were property of that class.