



New Parishes (Scotland) Act 1844

1844 CHAPTER 44 7 and 8 Vict

5 Patronage in new parishes.

When any parish or parishes shall have been disjoined or divided, and a new parish erected, under the provisions of the said recited Act as altered and amended by this Act, . . . ^{F1} the patronage of such new parish and the right of presentation to the kirk thereof shall belong to the person, if there be only one such person, or to the persons . . . ^{F2}, if there are more than one and not more than three such persons, who shall bear the burden of the whole stipend provided for the minister of such new parish at the erection thereof . . . ^{F2}; and if the persons who bear the burden of such stipend shall exceed three in number, then the patronage of such new parish, and the right of presentation to the kirk thereof, shall be vested in and be exercised by three trustees, or, in case of difference of opinion, by the majority of three trustees, who . . . ^{F2} shall be elected by a majority of votes at a meeting of the heritors of such new parish, and of the persons who are liable in payment of stipend to the minister thereof, or who have contributed the sum of five pounds towards the fund out of which any part of the stipend is provided, or towards the expence of providing the church for such new parish . . . ^{F2}; Provided always, that no person shall be qualified to hold the office of trustee who is not a member of the Church of Scotland in full communion therewith.

Textual Amendments

F1 Words repealed by [Statute Law Revision Act 1891 \(c. 67\)](#)

F2 Words repealed by [Statute Law Revision Act 1892 \(c. 19\)](#)

Changes to legislation:

New Parishes (Scotland) Act 1844, Section 5 is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Commencement Orders yet to be applied to the New Parishes (Scotland) Act 1844

Commencement Orders bringing legislation that affects this Act into force:

- [S.S.I. 2003/456 art. 2 commences \(2000 asp 5\)](#)