



New Churches (Scotland) Act 1834

1834 CHAPTER 41 4 and 5 Will 4

An Act to regulate the Appointment of Ministers to Churches in Scotland erected by voluntary contribution. [30th July 1834]

Textual Amendments

F1 Act repealed (*prosp.*) by [2000 asp 5, ss. 76\(2\), 77\(2\)\(a\)\(d\)](#), [Sch. 13 Pt. I](#) (with [ss. 58, 62, 75](#))

Modifications etc. (not altering text)

C1 Short title given by [Short Titles Act 1896 \(c. 14\)](#)

C2 Preamble omitted under authority of [Statute Law Revision \(No. 2\) Act, 1890 \(c. 51\)](#)

- [1.] **Ministers to places of worship in Scotland built by voluntary contribution, and erected into parochial churches, to be appointed according to the mode prescribed by the church courts. Proviso for parishes, in which churches are erected by voluntary contribution. Act not to affect powers of commissioners of teinds under Scotch Act, 6 Ann. c. 9.**

Where any church, chapel, or other place of worship in Scotland, built or acquired and endowed by voluntary contribution, shall, according to the provisions of the existing law, be erected into a parochial church, either as an additional church within a parish already provided with a parochial church, or as the church of a separate parish to be erected out of a part or parts of any existing parish or parishes, whether the same be established and erected merely quoad spiritualia by the authority of the church courts of the Established Church of Scotland, or also quoad temporalia by authority of the lords of council and session, as commissioners of teinds, neither the King's Majesty, nor any private person, nor any body politic or corporate, having right to the patronage of the parish or parishes within which such additional churches shall be established, or out of which such new parishes shall be erected, shall have any claim, right, or title whatsoever to the patronage of such newly-established churches or newly-erected parishes; but the appointment of ministers thereto shall be made according to the manner and subject to the conditions which shall be or have been prescribed by the said church courts, subject always to such alterations as shall be made by them according to the laws of the church from time to time: Provided always, that neither any part of

Changes to legislation: New Churches (Scotland) Act 1834 is up to date with all changes known to be in force on or before 24 May 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. (See end of Document for details) [View outstanding changes](#)

the stipends of ministers appointed for the service of any such additional churches to be erected by voluntary contribution as aforesaid, nor any charge for the support or repairs of any such church, school house, or other building appertaining to the same, nor for the erection or support or repairs of any manse or building for the residence of such ministers, nor for the provision of any glebe for any of such ministers aforesaid, nor for the support of any schoolmaster, shall be imposed on or become chargeable on the teinds or to the heritors or any parish or magistrates of towns in which any such church as aforesaid shall be erected or endowed by voluntary contribution as aforesaid:Provided also, that nothing herein contained shall be construed to limit or affect the powers of the commissioners of teinds exercised under and according to the provisions of the Act of the Scottish Parliament, sixth of Queen Anne, c. 9., intituled“ An Act anent the plantation of kirks and valuation of teinds.”

2 One fifth of sittings to be at rents fixed by church courts.

Provided always, that in every church or chapel which may be erected under the authority of this Act not less than one fifth part of the sittings therein shall be at rents to be fixed by the said church courts.

3, 4. F2

Textual Amendments
F2 Ss. 3, 4 repealed by Statute Law Revision (No. 2) Act 1888 (c. 57), Sch.

Changes to legislation:

New Churches (Scotland) Act 1834 is up to date with all changes known to be in force on or before 24 May 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 Churches (Scotland) Act 1834

Commencement Orders bringing legislation that affects this Act into force:

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