



Cathedrals Measure 1963

1963 No. 2

PROVISIONS AS TO PROPERTY

20 Acquisition and disposal of land by cathedral bodies.

- (1) A capitular body, dean, provost or canon shall, subject to the provisions of this section, have the following powers, that is to say:—
- (a) power to sell, grant a lease of, exchange, mortgage or charge land, and to dedicate land for the purposes of a highway;
 - (b) power to acquire land by gift inter vivos or by will, and
 - (c) power to acquire land required for providing access to land owned by the capitular body, dean, provost or canon, as the case may be, or for improving the amenities of any such land,
- and a capitular body shall, subject to the said provisions, also have power to acquire land—
- (i) for improving the amenities of the cathedral church;
 - (ii) for any ecclesiastical, educational or other charitable purpose connected with the cathedral church or any parish of which the cathedral church or any part thereof is the parish church; and
 - (iii) for the provision of houses to be occupied by persons engaged or to be engaged in duties connected with the cathedral church.
- (2) Before exercising any powers conferred under the last foregoing subsection, the capitular body, dean, provost or canon shall obtain the consent of the Church Commissioners and also in the case of the disposal, leasing, mortgaging or charging of a house of residence—
- (a) the consent of the bishop or during a vacancy of the see the guardian of the spiritualities;
 - (b) the consent of the dean, provost or residentiary canon who normally occupies the house except during a vacancy in the office of the dean, provost or residentiary canon, as the case may be; and
 - (c) where the house is allocated for the use of the holder of a dignity the right of presentation to which is vested in Her Majesty, the consent of Her Majesty;

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Cathedrals Measure 1963, Section 20. (See end of Document for details)

Provided that no consent shall be required under this sub-section for:—

- (i) the grant of a lease to a clerk in Holy Orders holding office in the cathedral church or to any person employed in connection with the cathedral church;
 - (ii) the acquisition of land by a gift inter vivos or by will;
 - (iii) any transaction for which the sanction of an order is required under section twenty-nine of the ^{M1}Charities Act 1960; or
 - (iv) any transaction relating to land which at the passing of this Measure is held by the dean and chapter of the cathedral church of St. Paul in London as part of the Tillingham estate.
- (3) The Church Commissioners may by order except from the provisions of the last foregoing subsection transactions relating to land forming part of an estate specified in the order or transactions of a class so specified or relating to property of a class so specified.
 - (4) The powers conferred by this section may be exercised notwithstanding that the consideration for any transaction executed thereunder may not be the full consideration.
 - (5) The sealing by the Church Commissioners of any document under this section shall be conclusive evidence that all the requirements of this section with respect to the transaction to which the document relates have been complied with.
 - (6) A statement in a document sealed by the capitular body, dean, provost or canon, as the case may be, that the consent thereto of the Church Commissioners is not required under this section shall be sufficient evidence of that fact.

Marginal Citations

M1 1960 c. 58.

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