



Care of Churches and Ecclesiastical Jurisdiction Measure 1991 (No. 1)

1991 No. 1

PART IVV

MISCELLANEOUS AND GENERAL

21 Deposit of articles in places of safety

- (1) If it appears to an archdeacon that any article appertaining to a church in his archdeaconry, being an article which he considers to be of architectural, artistic, historical or archaeological value, is exposed to danger of loss or damage and ought to be removed to a place of safety, he may subject to subsection (2) below order that the article in question shall be removed from the church and deposited in such place of safety as may be specified in the order.
- (2) Unless the archdeacon is of the opinion that the article in question should be removed to a place of safety immediately, he shall notify the churchwardens and any other person having custody of the article and the parochial church council and advisory committee of the facts as they appear to the archdeacon and inform them that he will consider any written representations made to him by any of them before a date specified in the notice being a date not less than twenty-eight days after service of the notice; and in that event the archdeacon shall not make an order under this section before that date and shall before making such an order consider any representations duly made to him under this subsection.
- (3) Where the archdeacon makes an order under this section without giving the advisory committee an opportunity to make representations to him in connection with the making of the order, he shall, as soon as practicable after the removal of the article in question to a place of safety, notify the committee of the removal.
- (4) An order under this section shall be in such form as may be prescribed and shall be directed to, and served on, the churchwardens and any other person having custody of the article in question.

Status: This is the original version (as it was originally enacted).

- (5) If any person on whom an order made by an archdeacon under this section is served refuses or fails to comply with the order, the archdeacon may apply to the consistory court of the diocese in which the article in question is for an order that that person shall deliver the article to the place of safety specified in the order made by the archdeacon, and the court, if satisfied that that order was made in accordance with the provisions of this section, may make an order accordingly.
- (6) Where an order is made by an archdeacon under this section the archdeacon shall, within twenty-eight days after the removal of the article in question to a place of safety, apply to the consistory court of the diocese concerned for a faculty authorising the retention of the article in the place of safety.
- (7) In this section “article” does not include a record or register to which section 10(1) of the Parochial Registers and Records Measure 1978 applies.