

Status: Point in time view as at 01/01/2001.

Changes to legislation: *There are currently no known outstanding effects for the Church of England (Miscellaneous Provisions) Measure 2000, Paragraph 3. (See end of Document for details)*

SCHEDULES

SCHEDULE 1

AMENDMENT OF PARSONAGES MEASURE 1938

- 3 In section 1—
- (a) in subsection (3)—
 - (i) paragraph (i) shall cease to have effect;
 - (ii) in paragraph (iii) for “Commissioners of Crown Lands” there shall be substituted the words “ Crown Estate Commissioners ”;
 - (b) after subsection (3) there shall be inserted the following subsections—
 - “(3A) The consent of the Church Commissioners shall not be required under subsection (3)(ii) above in the case of a sale or exchange if—
 - (a) the disposition is made to a person who is not a connected person or a trustee for, or nominee of, a connected person; and
 - (b) the requirements of subsection (3B) below have been complied with in relation to it.
 - (3B) The incumbent or bishop, as the case may be, must, before entering into an agreement for the sale or exchange—
 - (a) obtain and consider a written report on the proposed disposition from a qualified surveyor instructed by and acting exclusively for him;
 - (b) advertise the proposed disposition for such period and in such manner as the surveyor has advised in his report (unless he has there advised that it would not be in the best interests of the benefice to advertise the proposed disposition); and
 - (c) decide that he is satisfied, having considered the surveyor’s report, that the terms on which the disposition is proposed to be made are the best that can be reasonably obtained for the benefice.”;
 - (c) for subsection (5) there shall be substituted the following subsection—
 - “(5) All moneys arising from any sale or exchange under the provisions of this section shall be paid in the first instance to the Board, and the receipt of the Board shall be a sufficient discharge to the purchaser, but thereafter the moneys shall be transferred to the Church Commissioners.”;
 - (d) at the end there shall be inserted the following subsection—
 - “(6) In this section and in section 2 below—
 - “connected person” means the spouse or a child, parent, grandparent, brother or sister of the incumbent or bishop or of a member, officer, agent or employee of the parochial church

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council of any parish within the benefice in question or of the diocesan board of finance concerned;

“qualified surveyor” means a fellow or professional associate of the Royal Institution of Chartered Surveyors or of the Incorporated Society of Valuers and Auctioneers reasonably believed by the incumbent or the bishop, as the case may be, to have ability in, and experience of, the valuation of land of the particular kind, and in the particular area, in question.”.

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