

## SCHEDULES

### SCHEDULE 1

Section 1

#### AMENDMENT OF PARSONAGES MEASURE 1938

- 1 [The Parsonages Measure 1938 \(1 & 2 Geo. 6 No. 3\)](#) shall be amended as follows.
- 2 In section 1(4) after the words “subsection (1)” there shall be inserted the words “or (1A)” and after the words “this Measure”, where they first occur, there shall be inserted the words “or under section 31 or 37 of the Pastoral Measure 1983”.
- 3 In section 1(5) the words “in the first instance” and all the words after “purchaser” to the end shall be omitted.
- 4 In section 3(1) for the words “the prescribed”, in the first place where they occur, there shall be substituted the word “written” and after the word “benefice”, in the second place where it occurs, there shall be inserted the words “stating that representations may be made within the prescribed time”.
- 5 For section 5 there shall be substituted the following section—

#### **“5 Application of moneys derived from sales**

##### **“5 “5 Application of moneys derived from sales**

- (1) The Board shall apply any moneys arising from any sale or exchange under this Measure of any part of the property of a benefice for the purposes set out below in the following order of priority—
  - (a) in payment of the costs, charges and expenses of such a sale or exchange;
  - (b) in or towards repayment of any money expended with the previous consent of the Board for the purpose of rendering the property sold or exchanged more readily saleable or exchangeable;
  - (c) where the property sold or exchanged has been purchased, built or improved wholly or in part by means of a loan from or on the security of a mortgage or charge in favour of the Church Commissioners, in or towards repayment of any principal money or interest owing on such loan, mortgage or charge;
  - (d) where the property sold or exchanged has been purchased wholly or in part by means of a loan under section 17 of this Measure, in or towards the repayment of that loan;
  - (e) to the extent that the income derived from any money arising from the sale or exchange of the property sold or exchanged pending the application of the money under paragraphs (a) to (d) above shall be insufficient for this purpose, with the prior consent of the bishop and the Board, in or towards payment to the incumbent of the benefice in question of the whole or part of the expenses reasonably incurred in respect of removal from one residence house to another,

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

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the storage of the furniture and any rent paid for any temporary residence pending occupation of the new residence house;

- (f) in or towards repayment to the incumbent of such amounts as may have been paid to the Church Commissioners in reduction of any loan made by them for or towards the erection or purchase of a residence house;
  - (g) in or towards repaying the Church Commissioners the whole or part of any grant made by them for or towards the erection or purchase of a residence house;
  - (h) for or towards the exercise of any powers contained in sections 2(1)(i) and (ii) and 2A(1) of this Measure; and
  - (i) in allocation of it to the capital account of the diocesan stipends fund of the diocese to which the benefice belongs or to the pastoral account of that diocese, or partly to the one and partly to the other, as the Diocesan Board of Finance may determine.
- (2) The Board shall provide the Church Commissioners with such information as they may require concerning transactions under this Measure affecting property.
- (3) As soon as practicable after the coming into force of Schedule 1 to the Church of England (Miscellaneous Provisions) Measure 2006 the Church Commissioners shall transfer to the Diocesan Board of Finance for the diocese to which the benefice belongs any sums held by them in connection with the sale or exchange of property of a benefice under this Measure.”.

- 6 In section 6 the words after the word “accumulation” to the end shall be omitted.
- 7 In section 7 for the words “the prescribed” there shall be substituted the word “written”, after the word “affected” there shall be inserted the word “and”, the words “and to the Church Commissioners” shall be omitted, for the words “5(1)(ii) or (3)” there shall be substituted the words “5(1)(h) or (i)” and after the word “Measure”, in the second place where it occurs, there shall be inserted the words “stating that representations may be made within the prescribed time”.
- 8 In section 9(4) for the words “Church Commissioners”, in the second place where they occur, there shall be substituted the word “Board”.
- 9 In section 15(6) after the word “above” there shall be inserted the word “be”.