



# Ecclesiastical Jurisdiction and Care of Churches Measure 2018

2018 No. 3

## PART 3

### CARE OF CHURCHES ETC.

#### *Inspection*

#### **45 Scheme for inspection of church or building in the list**

- (1) In the case of each diocese, the scheme established by the diocesan synod or the bishop under section 1 or 1B of the Inspection of Churches Measure 1955, providing for the inspection of every church or relevant building in the diocese at least once every five years and having effect immediately before the commencement of this section, continues to have effect.
- (2) The scheme contains—
  - (a) provision establishing a fund by means of contributions from parochial, diocesan or other sources;
  - (b) provision for the payment out of that fund or otherwise of the cost of inspecting churches or relevant buildings in the diocese;
  - (c) provision for the appointment of [<sup>F1</sup>persons] to inspect the churches or relevant buildings in the diocese and make a report on each one inspected;
  - <sup>F2</sup>(d) .....
  - <sup>F2</sup>(e) .....
  - (f) such other provisions as were included under section 1(2)(e) or 1B(1) of the Inspection of Churches Measure 1955 (power of diocesan synod or bishop to make provisions consistent with that Measure).

[<sup>F3</sup>(2A) In relation to each church in the diocese, the provision specified in subsection (2)(c) must provide—

*Status: Point in time view as at 01/09/2020.*

*Changes to legislation: There are currently no known outstanding effects for the Ecclesiastical Jurisdiction and Care of Churches Measure 2018, Section 45. (See end of Document for details)*

- (a) for the PCC of the parish in which the church is situated to appoint a person to inspect the church and to make a report on the inspection,
  - (b) for the PCC not to make the appointment unless it—
    - (i) has obtained and had regard to advice from the advisory committee on the appointment, and
    - (ii) is satisfied that the person to be appointed has the necessary qualifications and experience, and
  - (c) for a copy of the report on the inspection to be sent to—
    - (i) the archdeacon of the archdeaconry in which the church is situated,
    - (ii) the PCC,
    - (iii) the incumbent of the benefice to which the parish in which the church is situated belongs, and
    - (iv) the secretary of the advisory committee.
- (2B) In relation to each relevant building in the diocese, the provision specified in subsection (2)(c) must provide—
- (a) for the manager of the building to appoint a person to inspect the building and to make a report on the inspection,
  - (b) for the manager of the building not to make the appointment unless the manager—
    - (i) has obtained, and had regard to, advice from the advisory committee on the appointment, and
    - (ii) is satisfied that the person to be appointed has the necessary qualifications and experience, and
  - (c) for a copy of the report on the inspection to be sent to—
    - (i) the archdeacon of the archdeaconry in which the building is situated,
    - (ii) the secretary of the advisory committee, and
    - (iii) the Church Buildings Council.]
- (3) The diocesan synod may at any time establish a further scheme to replace the previous scheme (regardless of whether that previous scheme was established by the diocesan synod or by the bishop); and a further scheme—
- (a) must be for the purpose specified in subsection (1),
  - (b) must contain the provision specified in [<sup>F4</sup>subsection (2)(a) to (c)], and
  - (c) may contain such other provision not inconsistent with this section or sections 46 to 48 as the diocesan synod thinks fit.
- (4) A scheme established under subsection (3) and passed at a meeting of the diocesan synod—
- (a) must be signed by the chair of the meeting, and
  - (b) comes into operation on the date on which it is signed.
- [<sup>F5</sup>(4A) In exercising a function under the scheme referred to in this section, a PCC, the manager of a relevant building or an advisory committee must have regard to any guidance issued by the Church Buildings Council.]
- (5) “Relevant building” means a building included in the list other than a building within section 38(2)(b) (episcopal house of residence).
- [<sup>F6</sup>(5A) A reference to the manager of a relevant building is—

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- (a) if the building is held on charitable trusts, a reference to the persons who have the general control and management of the administration of the charity;
- (b) in any other case, a reference to the person who has the general control and management of the building.]

<sup>F7</sup>(6) .....

#### Textual Amendments

- F1** Word in s. 45(2)(c) substituted (1.9.2020) by Church of England (Miscellaneous Provisions) Measure 2020 (No. 1), **ss. 7(1)(a)**, 16(3); S.I. 2020/835, art. 2
- F2** S. 45(2)(d)(e) omitted (1.9.2020) by virtue of Church of England (Miscellaneous Provisions) Measure 2020 (No. 1), **ss. 7(1)(b)**, 16(3); S.I. 2020/835, art. 2
- F3** S. 45(2A)(2B) inserted (1.9.2020) by Church of England (Miscellaneous Provisions) Measure 2020 (No. 1), **ss. 7(2)**, 16(3); S.I. 2020/835, art. 2
- F4** Words in s. 45(3)(b) substituted (1.9.2020) by Church of England (Miscellaneous Provisions) Measure 2020 (No. 1), **ss. 7(3)**, 16(3); S.I. 2020/835, art. 2
- F5** S. 45(4A) inserted (1.9.2020) by Church of England (Miscellaneous Provisions) Measure 2020 (No. 1), **ss. 7(4)**, 16(3); S.I. 2020/835, art. 2
- F6** S. 45(5A) inserted (1.9.2020) by Church of England (Miscellaneous Provisions) Measure 2020 (No. 1), **ss. 7(5)**, 16(3); S.I. 2020/835, art. 2
- F7** S. 45(6) omitted (1.9.2020) by virtue of Church of England (Miscellaneous Provisions) Measure 2020 (No. 1), **ss. 7(6)**, 16(3); S.I. 2020/835, art. 2

#### Commencement Information

- I1** S. 45 in force at 1.9.2018 by S.I. 2018/720, **art. 2**

**Status:**

Point in time view as at 01/09/2020.

**Changes to legislation:**

There are currently no known outstanding effects for the Ecclesiastical Jurisdiction and Care of Churches Measure 2018, Section 45.