



# Ecclesiastical Jurisdiction and Care of Churches Measure 2018

2018 No. 3

## PART 3

### CARE OF CHURCHES ETC.

#### *Interpretation*

#### **55 Interpretation of Part 3**

(1) In this Part, unless otherwise indicated—

“advisory committee” means—

- (a) in relation to a diocese, the Diocesan Advisory Committee of that diocese;
- (b) in relation to an archdeaconry, the Diocesan Advisory Committee of the diocese in which the archdeaconry is situated;

“article” includes anything affixed to land or a building, and a reference to an article includes a reference to part of an article;

“building” includes a structure or erection, and a reference to a building includes a reference to part of a building;

“diocesan board of finance” has the same meaning [<sup>F1</sup>as “DBF” in the Church Property Measure 2018 (see section 49 of that Measure)];

“land” includes buildings but, subject to that, the definition of the word given in Schedule 1 to the Interpretation Act 1978 does not apply;

“the list” means the list maintained under section 38;

“minister”, in the case of a parish in which a special cure of souls has been assigned to a vicar in a team ministry by a scheme under the Mission and Pastoral Measure 2011 or by licence from the bishop, means that vicar;

“minister”, in the case of a parish not of that description, means—

- (a) the incumbent of the benefice to which the parish belongs, or

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*Changes to legislation: There are currently no known outstanding effects for the Ecclesiastical Jurisdiction and Care of Churches Measure 2018, Section 55. (See end of Document for details)*

- (b) a curate licensed to the charge of the parish or a minister acting as priest-in-charge of the parish, where rights of presentation are suspended;
    - “national amenity society” means—
      - (a) the Ancient Monuments Society,
      - (b) the Council for British Archaeology,
      - (c) the Georgian Group,
      - (d) the Society for the Protection of Ancient Buildings,
      - (e) the Victorian Society,
      - (f) the Twentieth Century Society, or
      - (g) such other group of persons as the Dean of the Arches and Auditor may from time to time designate as a national amenity society;
    - “parish” means—
      - (a) an ecclesiastical parish, or
      - (b) a district which is constituted as a conventional district for the cure of souls;
    - “place of worship” includes the curtilage of a place of worship.
- (2) In the definition of “national amenity society” in subsection (1), the reference in each of paragraphs (a) to (f) to a named group of persons is a reference to the group of persons commonly known by that name, regardless of the form in which the group is for the time being constituted.
- (3) In this Part, “church” means—
- (a) a parish church,
  - (b) any other church or chapel which has been consecrated for the purpose of public worship according to the rites and ceremonies of the Church of England, and
  - (c) a building licensed for public worship according to the rites and ceremonies of the Church of England.
- (4) In subsection (3)(a), “parish church” does not include a parish church which is a cathedral to which the Care of Cathedrals Measure 2011 applies.
- (5) In subsection (3)(b), the reference to a church or chapel does not include a reference to—
- (a) a cathedral church to which the Care of Cathedrals Measure 2011 applies,
  - (b) a church or chapel which is not subject to the jurisdiction of the bishop of a diocese, or
  - (c) the Cathedral Church of Christ in Oxford.
- (6) In subsection (3)(c), the reference to a building licensed for public worship does not include a reference to a building—
- (a) which is in a university, college, school, hospital or public or charitable institution but which has not been designated under section 43(2) of the Mission and Pastoral Measure 2011 as a parish centre of worship,
  - (b) which has been excluded from this Part by a direction of the bishop of the diocese with the approval of the advisory committee, or
  - (c) which is used solely for the purpose of religious services relating to burial or cremation.

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- (7) A notice, order or other document required by this Part to be served on or sent or given to a person may be served, sent or given by post, by delivering it to the person, or by leaving it at the person's proper address; and for that purpose and the purposes of section 7 of the Interpretation Act 1978, a person's proper address is that person's last known address.
- (8) Nothing in this Part prejudices or affects the provisions of—
- (a) the Ancient Monuments and Archaeological Areas Act 1979,
  - (b) the Town and Country Planning Act 1990,
  - (c) the Planning (Listed Buildings and Conservation Areas) Act 1990, or
  - (d) an instrument made under an Act referred to in paragraph (a), (b) or (c).

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**Textual Amendments**

- F1** Words in s. 55(1) substituted (1.3.2019) by [Church Property Measure 2018 \(No. 8\), s. 53\(2\), Sch. 1 para. 30](#); [S.I. 2019/97, art. 2](#)
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**Commencement Information**

- I1** S. 55 in force at 1.9.2018 by [S.I. 2018/720, art. 2](#)

**Status:**

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