



# Ecclesiastical Jurisdiction and Care of Churches Measure 2018

2018 No. 3

## PART 4

### FACULTY JURISDICTION

#### *Subject-matter of faculty*

#### **63 Emergency demolition of church**

- (1) The chancellor of a diocese may by an instrument in writing signed by him or her authorise the demolition of the whole or part of a church in the diocese if the chancellor is satisfied that—
  - (a) the demolition is urgently necessary in the interests of health or safety or for the preservation of the church,
  - (b) it is not practicable to secure health or safety or (as the case may be) the preservation of the church by works of repair or works for affording temporary support or shelter, and
  - (c) the works to be carried out are limited to the minimum measures immediately necessary.
- (2) An instrument under this section may require the person to whom it is issued (subject to the person obtaining any faculty required) to carry out such works for the restoration of the church following its demolition or partial demolition as the instrument may specify.
- (3) In the case of partial demolition of a church which is a listed building or is in a conservation area, an instrument under this section must require the person to whom it is issued, as soon as practicable after the works have been carried out, to give the local planning authority notice in writing describing the works.
- (4) Where the chancellor of a diocese issues an instrument under this section, he or she must send a copy of the instrument to—

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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 63. (See end of Document for details)*

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- (a) the Church Buildings Council, and
  - (b) the local planning authority.
- (5) “Listed building” and “conservation area” each have the same meaning as in the Planning (Listed Buildings and Conservation Areas) Act 1990 (see section 91 of that Act); and “local planning authority”, in relation to an area, means the body exercising the functions of the local planning authority under section 8 of that Act in that area.
- (6) The power conferred by this section does not affect any power of a chancellor which was exercisable under a rule of law on 1 March 1993 and is still exercisable on the commencement of this section.

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**Commencement Information**

**II** [S. 63](#) in force at 1.9.2018 by [S.I. 2018/720](#), [art. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Ecclesiastical Jurisdiction and Care of Churches Measure 2018, Section 63.