



# Church Property Measure 2018

2018 No. 8

## PART 2

GLEBE LAND

*Management and acquisition*

### 17 Land management scheme

- (1) Each scheme prepared by a DBF under section 19 of the Endowments and Glebe Measure 1976 and in force immediately before the commencement of this section is to continue in force; and the scheme is referred to in this Part as a “land management scheme”.
- (2) A land management scheme may provide for one or more committees to carry out functions specified in the scheme relating to management of the diocesan glebe land; and each of the following bodies may serve as such a committee—
  - (a) a committee of the DBF;
  - (b) the Parsonages Board;
  - (c) a committee constituted under the Repair of Benefice Buildings Measure 1972.
- (3) A land management scheme may provide for the establishment of one or more wholly owned subsidiaries of the DBF; and a subsidiary so established is referred to in this Measure as a “management subsidiary”.
- (4) A management subsidiary has, subject to the provisions of the land management scheme, the same powers and duties in relation to holding, managing and dealing with the diocesan glebe land specified in the scheme, or held by the subsidiary, as the DBF has in relation to diocesan glebe land held by it; and references in this Measure to a management subsidiary are to be read accordingly.
- (5) The DBF may, with the approval of the Church Commissioners, vary, revoke or replace a land management scheme by means of a subsequent scheme; and the scheme which

*Status: Point in time view as at 01/03/2019.*

*Changes to legislation: There are currently no known outstanding effects for the Church Property Measure 2018, Cross Heading: Management and acquisition. (See end of Document for details)*

has effect as a result of a revocation or replacement becomes the land management scheme.

- (6) “Subsidiary” has the same meaning as in the Companies Act 2006 (see section 1159 of that Act).

#### Commencement Information

**II** [S. 17](#) in force at 1.3.2019 by [S.I. 2019/97, art. 2](#)

### 18 Land management scheme: suspension

- (1) The Church Commissioners may suspend the operation of one or more provisions of a land management scheme by giving written notice to the DBF if the Commissioners are satisfied that—
- (a) the scheme is not being complied with, or
  - (b) the scheme is not being operated so as to result in the efficient management of the diocesan glebe land to which it relates.
- (2) A notice under subsection (1) must specify the provisions of the scheme to which the suspension applies.
- (3) The Commissioners must cancel a suspension under this section, by giving written notice to the DBF to that effect, if the DBF satisfies the Commissioners that—
- (a) the scheme is being complied with, or
  - (b) the DBF has taken the action necessary to ensure that the scheme will be operated so as to result in the efficient management of the land.

#### Commencement Information

**II** [S. 18](#) in force at 1.3.2019 by [S.I. 2019/97, art. 2](#)

### 19 Acquisition and appropriation

- (1) A DBF or a management subsidiary may acquire land to be held as part of the diocesan glebe land.
- (2) A DBF or a management subsidiary may appropriate for use as diocesan glebe land any land vested in it; and where it does so it holds the land as part of the diocesan glebe land.
- (3) The power under subsection (2) may not be exercised without the consent of the Charity Commission and—
- (a) if the land is vested in the DBF under section 6(2) of the Parochial Church Councils (Powers) Measure 1956, the consent of the PCC, or
  - (b) if the land is vested in the DBF under section 3 of the Incumbents and Churchwardens (Trusts) Measure 1964, the consent of the managing trustees of the land.
- (4) The power of a management subsidiary under subsection (2) may not be exercised without the consent of the DBF (in addition to the consent or consents required under subsection (3)).

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**Commencement Information**

**I3** [S. 19](#) in force at 1.3.2019 by [S.I. 2019/97](#), **art. 2**

**Status:**

Point in time view as at 01/03/2019.

**Changes to legislation:**

There are currently no known outstanding effects for the Church Property Measure 2018, Cross Heading: Management and acquisition.