



Church Property Measure 2018

2018 No. 8

PART 1

PARSONAGE LAND

Procedure

13 Proceeds of sale etc.

- (1) Where property of a benefice is sold or exchanged under section 1, the Parsonages Board for the diocese must apply any money arising from the sale or exchange for the following purposes in the following order of priority—
- (a) in payment of the costs, charges and expenses of the sale or exchange;
 - (b) in or towards repayment of money spent with the Board's consent to make the property more saleable or exchangeable;
 - (c) where the property was bought, built or improved wholly or in part with a loan from the Church Commissioners or on the security of a mortgage or charge in their favour, in or towards repayment of the principal or interest;
 - (d) where the property was bought wholly or in part with a loan under section 2(7), in or towards repayment of the loan;
 - (e) in or towards payment to the incumbent of the whole or part of the removal costs;
 - (f) in or towards payment to the incumbent of such amounts as have been paid to the Church Commissioners to reduce a loan made by them for or towards building or buying a house suitable for the residence and occupation of the incumbent;
 - (g) in or towards repayment to the Church Commissioners of the whole or part of a grant made by them for or towards building or buying a house suitable for the residence and occupation of the incumbent;
 - (h) for or towards the exercise of a power under section 2(1) or 4(1);

Changes to legislation: There are currently no known outstanding effects for the Church Property Measure 2018, Section 13. (See end of Document for details)

- (i) in allocation of the money to the capital account of the diocesan stipends fund or to the pastoral account of the diocese, or partly to each, depending on what the DBF decides.
- (2) In subsection (1)(e), “removal costs” means costs reasonably incurred in respect of—
- (a) removal from one parsonage house to another,
 - (b) storage of the furniture, and
 - (c) rent paid for temporary residence pending occupation of the new parsonage house.
- (3) Money may be applied for the purpose specified in subsection (1)(e)—
- (a) only to the extent that the income derived from the money arising from the sale or exchange pending its application under subsection (1)(a) to (d) is insufficient for that purpose, and
 - (b) only with the consent of the bishop and of the Parsonages Board.
- (4) The Parsonages Board must provide the Church Commissioners with such information as they may require concerning transactions under this Part affecting property.
- (5) Any income derived from money arising from a sale or exchange under this Part must, pending the application of the money under this section, be added to the capital by way of accumulation.
- (6) Where the Parsonages Board is proposing to apply money under subsection (1)(h) or (i), it must give written notice to the registered patron of the benefice, and to the PCC of each parish in the benefice, of the right to make representations on the proposal within the period specified in rules.
- (7) If representations are made in accordance with subsection (6), the Parsonages Board must send them to the Church Commissioners for their consideration.

Commencement Information

II S. 13 in force at 1.3.2019 by S.I. 2019/97, art. 2

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