



# Church Property Measure 2018

2018 No. 8

## PART 1

### PARSONAGE LAND

#### *Dealings in parsonage house etc.*

#### **7 Leases of excluded parts made before 1 April 1978**

- (1) This section applies where an excluded part of a parsonage house is subject to a lease granted before 1 April 1978.
- (2) The incumbent or the sequestrators of the benefice in question must, within seven days of receiving a sum for rent under the lease, pay the sum to the DBF for the diocese to which the benefice belongs.
- (3) A sum paid under subsection (2) is to be treated as income of the DBF arising from the diocesan glebe land and not as part of the income of the incumbent or sequestrators.
- (4) A sum due under subsection (2) is recoverable as a debt due to the DBF from the incumbent or his or her personal representatives or (as the case may be) from the sequestrators.
- (5) The DBF may require the incumbent or sequestrators to take all necessary steps to enforce the tenant's covenants under the lease, in particular the covenant to pay rent; and the DBF must indemnify the incumbent or sequestrators for costs incurred in bringing proceedings to enforce the covenants that are not recovered from another party.
- (6) If the incumbent or sequestrators fail to act under subsection (5) or ask the DBF to do so, the DBF may, on behalf of the incumbent or sequestrators, bring or continue proceedings to enforce the covenants.
- (7) The DBF must pay or reimburse the incumbent or sequestrators for—
  - (a) the cost of meeting the landlord's obligations under the lease, and

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*Changes to legislation: There are currently no known outstanding effects for the Church Property Measure 2018, Section 7. (See end of Document for details)*

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- (b) such cost of maintaining, repairing and insuring the premises subject to the lease as has to be met by the incumbent or sequestrators.
- (8) A payment made by the DBF under subsection (7) is to be treated for the purposes of section 26(1) as part of the outgoings and expenses of the diocesan glebe land.

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**Commencement Information**

**II** [S. 7](#) in force at 1.3.2019 by [S.I. 2019/97](#), [art. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Church Property Measure 2018, Section 7.