



Church of England (Miscellaneous Provisions) Measure 2024

2024 No. 1

Church property

PROSPECTIVE

14 Disposals etc. of land

(1) In section 43 of the Church Property Measure 2018 (power of incumbent to dedicate land for highway), after subsection (3) insert—

“(4) Where the benefice is vacant, the power under this section is exercisable by—

- (a) the priest-in-charge appointed for the benefice, or
- (b) if none is appointed, the bishop of the diocese to which the benefice belongs, after receiving a request to exercise the power from the PCC or, if the land is situated in more than one parish, from each of the PCCs acting jointly (and subsection (2)(b) would accordingly not apply).”

(2) After section 45 of that Measure insert—

“45A Power for bishop to act where benefice vacant

(1) Where a benefice is vacant, the person determined in accordance with subsection (2) may do anything in relation to any land that the incumbent would be entitled to do in relation to that land if the benefice were full; but that person must for that purpose obtain such authority under the faculty jurisdiction as the incumbent would be required to obtain.

(2) The person entitled to act under subsection (1) is—

(a) the priest-in-charge appointed for the benefice, or

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Church of England (Miscellaneous Provisions) Measure 2024, Section 14. (See end of Document for details)

- (b) if none is appointed, the bishop of the diocese to which the benefice belongs, after receiving a request to act from the PCC or, if the land is situated in more than one parish, from each of the PCCs acting jointly.
- (3) The power conferred by subsection (1) includes, in a case where the incumbent is the sole trustee of the land concerned, the power to do anything which a trustee of the land is entitled to do.
- (4) A power exercisable by the bishop under subsection (1) is in addition to, and does not limit, the powers conferred by sections 1(7), 2(2), 5(4) and (5), 12(1)(b), 43(4) and 45(8).”
- (3) In section 48 of that Measure (interpretation of references to land), after subsection (11) insert—
 - “(11A) A reference to disposing, in relation to land, has the same meaning as in the Law of Property Act 1925 (see section 205(1)(ii) of that Act).”
- (4) In section 1 of the Sharing of Church Buildings Act 1969 (agreements for sharing church buildings), in subsection (3)(a)—
 - (a) in sub-paragraph (i), for “Pastoral Measure 1983” substitute “Mission and Pastoral Measure 2011”, and
 - (b) in sub-paragraph (ii), for “section 20(8A)” substitute “section 34(8)”.
- (5) In that section, in subsection (6)—
 - (a) for “section 67 of the Pastoral Measure 1968” substitute “section 85 of the Mission and Pastoral Measure 2011”, and
 - (b) after “a reference to the minister in charge of the parish” insert “or the bishop of the diocese concerned”.
- (6) In that section, after subsection (10) insert—
 - “(11) In subsection (6), the reference to the minister in charge of a parish is a reference to—
 - (a) a curate licensed to the charge of the parish, or
 - (b) a minister holding office as priest-in-charge of the benefice to which the parish belongs.”
- (7) In section 12 of the Church Property Measure 2018, omit subsection (5) and in section 36 of that Measure, omit subsection (2).

Commencement Information

II S. 14 not in force at Royal Assent, see [s. 22\(4\)](#)

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