



New Parishes Measure 1943 (repealed)

1943 No. 1 6 and 7 Geo 6

PART II

GENERAL PROVISIONS APPLICABLE TO ALL ECCLESIASTICAL DISTRICTS

Acquisition of land for church sites, &c.

13 Power of [^{F1}Church Commissioners] to acquire land for churches, &c.

- (1) [^{F2}Subject to subsections (1A) and (1B) below, the diocesan board of finance] may acquire by way of gift, devise or purchase, . . . ^{F3}
- (a) [^{F4}a church or a part of a church or any other building] fit to be used as or to be converted into a church;
 - (b) any land as a site for a new church or for a church to be substituted for an existing church, or for enlarging the site of an existing church;
 - [^{F5}(bb) any building to be used as a [^{F6}place of worship (other than a church) or] church hall or both as a church or other place of worship and as a church hall or any land for the site of a building to be so used or for enlarging the site of an existing building so used;]
 - (c) any land for providing a new or extending an existing churchyard or burial ground;
 - (d) any building or land for or for an extension of a house of residence for an incumbent ^{F7}...;
 - (e) any land required for providing access to or improving the amenities of any such church [^{F8}or other place of worship], [^{F9}church hall,] churchyard, burial ground or house of residence.
 - [^{F10}(f) any land required for providing vehicle parking space for use in connection with any such church or other place of worship, church hall, churchyard or burial ground]

[^{F11}(1A) The consent of the Commissioners shall be required to the exercise of any power to purchase buildings or land under subsection (1) unless—

Status: Point in time view as at 31/01/2011. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the New Parishes Measure 1943 (repealed), Section 13. (See end of Document for details)

- (a) no person who is a connected person or a trustee for, or nominee of, a connected person is a party to the proposed transaction, and
- (b) the person or body in whom or which, under section 16 of this Measure, the buildings or land are or is to vest has obtained and considered a written report on the proposed transaction from a qualified surveyor instructed by and acting exclusively for that person or body and decided that he, she or it is satisfied, having considered the surveyor's report, that the terms on which the transaction are proposed to be made are the best that can reasonably be obtained for that person or body.

(1B) In subsection (1A)—

- (a) “connected person” means the incumbent, the bishop, the registered patron, any member, officer, agent or employee of the parochial church council of any parish within the benefice in question or of the diocesan board of finance or of the registered patron or the spouse or civil partner or any child, parent, grandparent, grandchild, brother or sister of any such person; and
- (b) “qualified surveyor” means a person who is a member of the Royal Institution of Chartered Surveyors reasonably believed by the person or body in whom or which the buildings or land are or is to vest to have ability in, and experience of, the valuation of property of the particular kind, and in the particular area, concerned.”;]

(2) The [^{F12}diocesan board of finance] may accept gifts and bequests of money to be laid out in the purchase of land for any of the purposes aforesaid, . . . ^{F13}

^{F14}(3)

Textual Amendments

- F1** Words substituted by virtue of [Church Commissioners Measure 1947 \(No. 2, SIF 21:8\)](#), **s. 18(2)**
- F2** Words in s. 13(1) substituted (1.9.2010) by [Church of England \(Miscellaneous Provisions\) Measure 2010 \(No. 1\)](#), s. 13(2), **Sch. 1 para. 2(a)**; S.I. 2010/2, art. 3, Sch. 2
- F3** Words repealed by [Charities Act 1960 \(c. 58, SIF 19\)](#), **Sch. 7 Pt. II**
- F4** Words substituted by [Church Property \(Miscellaneous Provisions\) Measure 1960 \(No. 1, SIF 21:8\)](#), **s. 5**
- F5** S. 13(1)(bb) substituted by [Church of England \(Miscellaneous Provisions\) Measure 1983 \(No. 2, SIF 21:3\)](#), **s. 1(1)(a)**
- F6** Words in s. 13(1)(bb) inserted (1.6.1992) by [Church of England \(Miscellaneous Provisions\) Measure 1992 \(No. 1\)](#), **s. 8(a)(i)**; Instrument dated 27.5.1992 made by Archbishops of Canterbury and York.
- F7** Words in s. 13(1)(d) repealed (31.1.2011) by virtue of [Ecclesiastical Offices \(Terms of Service\) Measure 2009 \(No. 1\)](#), s. 13(2), **Sch. 3** (with s. 9); S.I. 2010/8, art. 2
- F8** Words in s. 13(1)(e) inserted (1.6.1992) by [Church of England \(Miscellaneous Provisions\) Measure 1992 \(No. 1\)](#), **s. 8(a)(ii)**; Instrument dated 27.5.1992 made by Archbishops of Canterbury and York.
- F9** Words inserted by [Church of England \(Miscellaneous Provisions\) Measure 1983 \(No. 2, SIF 21:3\)](#), **s. 1(1)(b)**
- F10** S. 13(1)(f) inserted (1.6.1992) by [Church of England \(Miscellaneous Provisions\) Measure 1992 \(No. 1\)](#), **s. 8(a)(iii)**; Instrument dated 27.5.1992 made by Archbishops of Canterbury and York.
- F11** S. 13(1A)(1B) inserted (1.9.2010) by [Church of England \(Miscellaneous Provisions\) Measure 2010 \(No. 1\)](#), s. 13(2), **Sch. 1 para. 2(b)**; S.I. 2010/2, art. 3, Sch. 2
- F12** Words in s. 13(2) substituted (1.9.2010) by [Church of England \(Miscellaneous Provisions\) Measure 2010 \(No. 1\)](#), s. 13(2), **Sch. 1 para. 2(c)**; S.I. 2010/2, art. 3, Sch. 2
- F13** Words repealed by [Charities Act 1960 \(c. 58, SIF 19\)](#), **Sch. 7 Pt. II**

Status: Point in time view as at 31/01/2011. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the New Parishes Measure 1943 (repealed), Section 13. (See end of Document for details)

F14 S. 13(3) repealed (1.9.2010) by Church of England (Miscellaneous Provisions) Measure 2010 (No. 1), s. 13(2), Sch. 1 para. 2(d), **Sch. 2**; S.I. 2010/2, art. 3, Sch. 2

Modifications etc. (not altering text)

C1 S. 13 excluded by Sharing of Church Buildings Act 1969 (c. 38, SIF 21:8), **s. 3(3)**; extended by Sharing of Church Buildings Measure 1970 (No. 2, SIF 21:8), **s. 2(2)**

C2 The “Commissioners” means the Church Commissioners: Church Commissioners Measure 1947 (No. 2, SIF 21:8), **s. 18(2)**

Status:

Point in time view as at 31/01/2011. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the New Parishes Measure 1943 (repealed), Section 13.