



New Parishes Measure 1943 (repealed)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.

14 Power of corporations &c., to give or grant land for sites of churches, &c.

- (1) It shall be lawful for any of the following bodies by way of gift or for valuable consideration, and notwithstanding that the consideration may not be the full consideration, to grant to the [^{F1}diocesan board of finance] buildings or land for any of the purposes mentioned in the last foregoing section, that is to say—
- (a) any corporation, whether lay, ecclesiastical or collegiate, and whether sole or aggregate;
 - [^{F2}(b) any trustees for charitable purposes but (except in the case of an exempt charity within the meaning of the Charities Act 2011) only—
 - (i) with the sanction of an order of the Charity Commission, or
 - (ii) in accordance with such provisions of sections 117(2) and 119 to 121 of the Charities Act 2011 as are applicable;]
 - (c) in the case of buildings or land belonging to His Majesty in right of the Crown or of the Duchy of Lancaster, or belonging to the Duchy of Cornwall or belonging to a government department or held in trust for His Majesty for the purposes of a government department the appropriate authority, that is to say—
 - (i) in the case of land belonging to His Majesty in right of the Crown, the [^{F3}Crown Estate Commissioners] or other government department having the management of the land in question, subject to the consent, in either case, of the Treasury;
 - (ii) in the case of land belonging to His Majesty in right of the Duchy of Lancaster, the Chancellor of the Duchy;

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- (iii) in the case of land belonging to the Duchy of Cornwall, the Duke of Cornwall or the possessor for the time being of the Duchy of Cornwall;
- (iv) in the case of land belonging to a government department or held in trust for His Majesty for the purposes of a government department, that department, with the consent of the Treasury.
- [^{F4}(1A) During a vacancy in a benefice the power under subsection (1) of this section which would have been exercisable by the incumbent of the benefice had the benefice been full, shall be exercisable by the bishop.]
- [^{F5}(2) Where the grantor is the incumbent of a benefice in his capacity as such, or where during a vacancy in a benefice the grantor is the bishop, the purchase money shall be paid to the [^{F6}diocesan board of finance] and shall be appropriated by [^{F6}it] for the benefit of the diocesan stipends fund.]
- (3) It shall be lawful . . . ^{F7} for the [^{F8} diocesan board of finance] to hold any property real or personal for any such purpose as aforesaid . . . ^{F9} .
- [^{F10}(3A) The powers conferred by this section to grant buildings or land shall apply to grants to a Parsonages Board for the diocese for the purposes of its functions under the Ecclesiastical Offices (Terms of Service) Measure 2009 (2009 No. 1) as they apply to grants to the diocesan board of finance.
- (3B) Where any buildings or land vested in the diocesan board of finance are or is to be appropriated to any of the uses specified in section 13(1) the board shall execute a declaration specifying that use and, thereupon, the buildings or land to which the declaration relates shall vest in the incumbent or diocesan authority, as the case may be, in accordance with section 16.]
- [^{F11}[^{F12}(4) Section 337 of the Charities Act 2011 (provisions as to orders under that Act) applies to any order under subsection (1)(b) as it applies to orders under that Act.]]

Textual Amendments

- F1** Words in s. 14(1) substituted (1.9.2010) by Church of England (Miscellaneous Provisions) Measure 2010 (No. 1), s. 13(2), **Sch. 1 para. 3(a)**; S.I. 2010/2, art. 3, Sch. 2
- F2** S. 14(1)(b) substituted (14.3.2012) by Charities Act 2011 (c. 25), s. 355, **Sch. 7 para. 9(1)** (with s. 20(2), Sch. 8)
- F3** Words substituted by virtue of Crown Estate Act 1956 (c. 73) s. 1(7) and Crown Estate Act 1961 (c. 55, SIF 29:7), **Sch. 2 Pt. II para. 4(1)**
- F4** S. 14(1A) inserted by Church of England (Miscellaneous Provisions) Measure 1983 (No. 2, SIF 21:3), **s. 2(1)**
- F5** S. 14(2) substituted by Church of England (Miscellaneous Provisions) Measure 1983 (No. 2, SIF 21:3), **s. 2(2)**
- F6** Words in s. 14(2) substituted (1.9.2010) by Church of England (Miscellaneous Provisions) Measure 2010 (No. 1), s. 13(2), **Sch. 1 para. 3(b)**; S.I. 2010/2, art. 3, Sch. 2
- F7** Words repealed by Charities Act 1960 (c. 58, SIF 19), **Sch. 7 Pt. II**
- F8** Words in s. 14(3) substituted (1.9.2010) by Church of England (Miscellaneous Provisions) Measure 2010 (No. 1), s. 13(2), **Sch. 1 para. 3(c)**; S.I. 2010/2, art. 3, Sch. 2
- F9** Words repealed by Endowments and Glebe Measure 1976 (No. 4, SIF 21:8), **Sch. 8**
- F10** S. 14(3A)(3B) inserted (1.9.2010) by Church of England (Miscellaneous Provisions) Measure 2010 (No. 1), s. 13(2), **Sch. 1 para. 3(d)**; S.I. 2010/2, art. 3, Sch. 2

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F11 S. 14(4) substituted (14.3.2012) by Charities Act 2011 (c. 25), s. 355, **Sch. 7 para. 9(2)** (with s. 20(2), Sch. 8)

F12 S. 14(4) added (1.8.1993) by 1993 c. 10, ss. 98(1), 99(1), **Sch. 6 para. 3(3)**

Modifications etc. (not altering text)

C1 S. 14 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)** and Pastoral Measure 1983 (No. 1, SIF 21:4), **s. 76(1)**; modified by Endowments and Glebe Measure 1976 (No. 4, SIF 21:8), **s. 23(1)**; explained by Pastoral Measure 1983 (No. 1, SIF 21:4), **s. 76(2)**

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