

**ELIZABETH II**



**1972 CHAPTER xxvi**

An Act to provide for the division for ecclesiastical purposes between Westminster Abbey and the adjoining parishes of the parish of Saint Margaret Westminster and for the dissolution of that parish and its rectory; to provide for the vesting in the Dean and Chapter of Westminster of the church of Saint Margaret Westminster and certain other property held for its benefit and for the maintenance by the Dean and Chapter of that church and the services to be held therein; and for other purposes.

[27th July 1972]

**WHEREAS—**

(1) Her late Majesty Queen Elizabeth the First in the year 1560 by Royal Charter dated 21st May in the second year of Her Reign refounded the Collegiate Church of Saint Peter Westminster (now commonly known and in this Act referred to as “ Westminster Abbey ”) establishing it as a Collegiate Church of one Dean (in this Act referred to as “ the Dean ”) and twelve Prebendaries and ordained that the Dean and the said Prebendaries should be a body corporate with perpetual succession and a common seal by the name of the Dean and Chapter of the Collegiate Church of Saint Peter Westminster (which body

corporate is in this Act referred to as "the Dean and Chapter" saving to Herself, Her Heirs and Successors the right to appoint the Dean and the said Prebendaries on their offices becoming vacant:

(2) By the authority of Parliament the said Prebendaries are now styled Canons (in this Act referred to as "the Canons") and their number has been reduced to five:

(3) By the said Royal Charter Her late Majesty granted to the Dean and Chapter All Her Church of the late Monastery of Saint Peter Westminster and all the site circuit compass and Precinct of the said late Monastery and also All Her Rectory and Church of Saint Margaret in Her City of Westminster with all their rights and appurtenances:

1840 c. 113.

(4) By the Ecclesiastical Commissioners Act 1840 it was (among other things) provided—

(a) (by section 29) that the rectory of the parish of Saint Margaret Westminster should become and be permanently annexed to the Canonry in Westminster Abbey therein specified and that the said parish should become and be part of the Province of Canterbury, of the Diocese of London and of the Archdeaconry of Middlesex; and

(b) (by section 30) that one of the prebendal houses belonging to the Dean and Chapter should as therein provided be permanently annexed to the said Canonry and be the house of residence for the rector of the said parish:

(5) By an Order in Council dated 23rd August, 1843, and made under section 45 of the Ecclesiastical Commissioners Act 1840 the number of minor canons in Westminster Abbey was fixed at six:

1888 c. 11.

(6) By the Westminster Abbey Act 1888 it was (among other things) provided—

(a) (by section 3) that the Dean and Chapter might in the manner therein mentioned transfer the property still held by them to the Ecclesiastical Commissioners for England but that the property so to be transferred should not include Westminster Abbey or the Precincts thereof designated the Parish of the Close of the Collegiate Church of Saint Peter Westminster (which excluded property is in this Act referred to as "the Close");

(b) (by section 4) that a scheme under that Act should establish a fabric fund charged on the revenues of the

Dean and Chapter to keep Westminster Abbey and the buildings attached thereto in good substantial repair; and

- (c) (by section 7) that every dean, canon, and member of the collegiate establishment of the Dean and Chapter should pay all rates and taxes payable in respect of his official house:

(7) The said section 3 of the Westminster Abbey Act 1888 was 1888 c. 11.  
repealed by the Statute Law Revision Act 1908: 1908 c. 49.

(8) By the Westminster Abbey Measure 1929 it was (among 1929 No. 4.  
other things) provided (by section 2) that a scheme under the Measure might provide that notwithstanding the provisions of section 7 of the Westminster Abbey Act 1888 any rates in respect of the official residences of the Dean and the Canons might be paid out of the fabric fund established by a scheme made under that Act:

(9) By section 4 of the Church House (Westminster) Act 1934 1934 c. xxiv.  
it was provided that the prebendal house belonging to the Dean and Chapter known as No. 20 Dean's Yard Westminster should as from a date now past become and be permanently annexed to the Canonry therein mentioned and be the house of residence for the rector of the parish of Saint Margaret Westminster for the time being:

(10) The Close is a Royal Peculiar and the Dean is the Ordinary thereof subject only to the jurisdiction of Her Majesty as Visitor:

(11) The parish of Saint Margaret Westminster is in the Province of Canterbury the Diocese and Archdeaconry of London and the Rural Deanery of Westminster (Saint Margaret's) and the Reverend David Lawrence Edwards (in this Act referred to as "Canon Edwards") is the holder of the Canonry in Westminster Abbey to which the rectory of that parish is annexed and is accordingly the rector thereof:

(12) It is expedient that for ecclesiastical purposes the parish of Saint Margaret Westminster as now constituted should be divided and that under such division—

- (a) the central part including the Church of Saint Margaret and its churchyard and the Palace of Westminster (being the part shown in the plan deposited as hereinafter recited) should cease to be part of the Province of Canterbury the Diocese and Archdeaconry of London and the said Rural Deanery and be added to the Close;
- (b) the remaining parts should be transferred to adjoining parishes in the Diocese of London; and

(c) the said parish and the rectory thereof should be dissolved:

(13) It is expedient that provision should be made for one of the Canons to be in charge of the Church of Saint Margaret Westminster and for the vesting of the church, its contents and its churchyard in the Dean and Chapter:

1944 No. 1.

(14) The Church Commissioners for England hold a fund for the Diocese of London which was opened under section 30 of the Reorganisation Areas Measure 1944 and is known as the London Diocesan Stipends Fund and it is expedient that provision should be made for the vesting of the endowments of the rectory of Saint Margaret Westminster in the said commissioners as part of that fund:

(15) Certain trust funds are held for the benefit of the Church of Saint Margaret Westminster particulars whereof are contained in Schedule 1 to this Act and it is expedient that those trust funds and any other property held for the benefit of that church should be transferred to the Dean and Chapter as part of the capitular funds held by them and that that church and its contents and churchyard should be maintained by the Dean and Chapter in the same manner as they maintain Westminster Abbey and out of the same resources and that the Dean and Chapter should be responsible for all outgoings in respect of the said church:

(16) It is expedient that provision should be made as in this Act provided for services to be held and baptisms and marriages to be solemnised in the Church of Saint Margaret Westminster:

(17) It is expedient that the prebendal house known as No. 20 Dean's Yard Westminster should cease to be annexed to the canonry in Westminster Abbey now held by Canon Edwards and cease to be the house of residence for the rector of the parish of Saint Margaret Westminster:

(18) There are at present only three minor canons in Westminster Abbey and there is no longer any need for as many as six and it is expedient that provision should be made for a reduction in the number thereof as in this Act provided:

(19) It is expedient that provision should be made as in this Act provided for the payment of the rates and taxes payable in respect of all the official residences belonging to the Dean and Chapter:

(20) It is expedient that the other provisions contained in this Act should be enacted:

(21) The objects of this Act cannot be effected without the authority of Parliament:

(22) A plan marked "Westminster Abbey and Saint Margaret Westminster", signed by the Very Reverend Eric Symes Abbott, now the Dean, and Canon Edwards and showing the part of the parish of Saint Margaret Westminster to be added to the Close was in the month of November, 1971, deposited in the office of the Clerk of the Parliaments, House of Lords and in the Private Bill Office of the House of Commons and in the Chapter Office of Westminster Abbey in Dean's Yard in the city of Westminster and is in this Act referred to as the deposited plan:

May it therefore please Your Majesty that it may be enacted, and be it enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

## PART I

### PRELIMINARY

1. This Act may be cited as the Westminster Abbey and Saint Margaret Westminster Act 1972.

2.—(1) Part II of this Act and the partial repeal of section 29 of the Ecclesiastical Commissioners Act 1840 shall come into operation on 1st June, 1973.

Commence-  
ment.  
1840 c. 113.

(2) Subject to the provisions of the foregoing subsection this Act shall come into operation on the passing thereof.

3. This Act is divided into Parts as follows:—

Part I.—Preliminary.

Part II.—Saint Margaret Westminster.

Part III.—Westminster Abbey.

Part IV.—Miscellaneous.

Division of  
Act into  
Parts.

4.—(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them that is to say:—

"Canon Edwards" means the Reverend David Lawrence Edwards aforesaid;

"the Canons" means the Canons of the Collegiate Church of Saint Peter Westminster and the expression "Canonry" shall be construed accordingly;

PART I  
—cont.

1970 No. 1.

“ the capitular funds ” means the investments and property for the time being representing the capital sum recently appropriated by the commissioners to the Dean and Chapter under the provisions of the Collegiate Churches (Capital Endowments) Measure 1970;

“ the Close ” means Westminster Abbey and the precincts thereof designated the Parish of the Close of the Collegiate Church of Saint Peter Westminster;

“ the commissioners ” means the Church Commissioners for England;

“ the Dean ” means the Dean of the said Collegiate Church for the time being;

“ the Dean and Chapter ” means the Dean and Chapter of the said Collegiate Church;

“ the deposited plan ” means the plan referred to in the preamble to this Act;

1944 No. 1.

“ the diocesan stipends fund ” means the fund held by the commissioners for the Diocese of London which was opened under the provisions of section 30 of the Reorganisation Areas Measure 1944;

“ the existing parish ” means the parish of Saint Margaret Westminster as constituted for ecclesiastical purposes at the date of the passing of this Act;

“ Saint Margaret’s Church ” means the parish church of the existing parish;

“ the scheduled funds ” means the funds held for the benefit of Saint Margaret’s Church which are specified in Schedule 1 to this Act or the investments and property for the time being representing the same or any part thereof remaining unapplied at the date of the commencement of Part II of this Act;

“ the specified area ” means the part of the existing parish which includes Saint Margaret’s Church and its churchyard and the Palace of Westminster and which is included within the inner edge of the red line shown on the deposited plan;

“ Westminster Abbey ” means the Collegiate Church of Saint Peter Westminster.

(2) Any reference in this Act to any enactment shall be construed as a reference to that enactment as applied, extended, amended or varied by or by virtue of any enactment including this Act.

PART II

SAINT MARGARET WESTMINSTER

5.—(1) The specified area shall cease to be part of the Province of Canterbury and of the Diocese and Archdeaconry of London and of the Rural Deanery of Westminster (Saint Margaret's) and shall be added to the Close and be under the same ecclesiastical jurisdiction as the Close with the Dean as the Ordinary thereof subject only to the jurisdiction of Her Majesty as Visitor.

Division of parish of Saint Margaret Westminster between Westminster Abbey and adjoining parishes.

(2) Of the remaining parts of the existing parish—

(a) that part thereof which lies to the north of an imaginary line drawn from the boundary of the existing parish at the intersection of Broadway and Tothill Street, Westminster along the middle of Tothill Street to the east end thereof, thence east-north-east along the middle of Broad Sanctuary to the west boundary of the specified area and thence following the boundary of the specified area in a northerly and easterly direction to its junction with the eastern boundary of the existing parish shall be transferred to and become part of the parish of Saint Martin-in-the-Fields Westminster; and

(b) that part of the existing parish which lies to the south of the said imaginary line shall be transferred to and become part of the parish of Saint Matthew Westminster.

(3) The existing parish and the rectory thereof shall be dissolved.

6.—(1) The Dean and Chapter shall appoint one of the Canons to be in charge of Saint Margaret's Church for such period as the Dean and Chapter shall from time to time determine and to perform such duties on their behalf in relation to that church as the Dean and Chapter shall from time to time specify:

A Canon to be in charge of Saint Margaret's Church.

Provided always that if immediately before the commencement of this Part of this Act Canon Edwards is the holder of the Canonry to which the rectory of the existing parish is annexed, then so long as he holds his Canonry he shall be the person in charge of Saint Margaret's Church and shall perform such duties in relation to that church as the Dean and Chapter shall from time to time specify.

(2) The person in charge of Saint Margaret's Church under the foregoing subsection may for the purpose of style and designation but not for any other purpose, be styled the Rector of Saint Margaret Westminster.

7.—(1) Such services as may be held in Saint Margaret's Church shall be subject to the authority of the Dean as Ordinary in like manner as the services in Westminster Abbey are subject to his authority.

Services in Saint Margaret's Church.

PART II  
—cont.

(2) Moneys collected in the course of or in connection with such services and any other moneys collected in or paid or subscribed to Saint Margaret's Church shall be disposed of in such manner as the Dean and Chapter shall determine.

Vesting of Saint Margaret's Church in Dean and Chapter.

8. The freehold of Saint Margaret's Church and its churchyard together with the contents of that church and all other goods, plate and ornaments belonging thereto shall, by virtue of this Act, vest in the Dean and Chapter.

Vesting of endowments of rectory of Saint Margaret Westminster in commissioners.

9.—(1) The endowments of the rectory of Saint Margaret Westminster shall by virtue of this Act vest in the commissioners and be appropriated by them to the capital account of the diocesan stipends fund or, in the case of an endowment being a periodical payment, to the income account of that fund.

(2) If immediately before the commencement of this Part of this Act Canon Edwards is the holder of the Canonry to which the rectory of the existing parish is annexed, then so long as he holds his Canonry the income account of the diocesan stipends fund shall be charged with the payment to Canon Edwards of the annual sum of seven hundred and fourteen pounds.

Transfer of rents and profits of churchyard of Christ Church Westminster.

10. Notwithstanding anything contained in subsection (1) of section 9 (Vesting of endowments of rectory of Saint Margaret Westminster in commissioners) of this Act the incumbent of the parish of Saint Peter Pimlico with Christ Church Westminster shall be entitled to receive all rents and profits derived from the former churchyard of Christ Church Westminster which immediately before the date of the commencement of this Part of this Act the rector of the existing parish was receiving and shall be liable to pay out of the said rents and profits any sums which the said rector was immediately before that date liable to pay out of those rents and profits.

Vesting of other property belonging to Saint Margaret's Church in Dean and Chapter.

11. The scheduled funds and any other property applicable as a fund for the maintenance or repair of Saint Margaret's Church or for any other purpose in relation to the fabric or furnishings of that church or for the purpose of maintaining the services therein or for any other ecclesiastical purpose in connection therewith (including all rights and property vested in or held by or on behalf of the parochial church council of the existing parish) shall, by virtue of this Act, vest in the Dean and Chapter and become part of the capitular funds or, in the case of property in the nature of income, become part of the income of those funds.

Dean and Chapter to be responsible for maintenance of Saint Margaret's Church.

12.—(1) The Dean and Chapter shall have the like powers, duties and liabilities with respect to the care, maintenance, preservation and insurance of the fabric of Saint Margaret's



PART II  
—cont.

Church and the goods, plate and ornaments thereof and for the care and maintenance of its churchyard as they have with respect to the fabric of Westminster Abbey and its goods, plate and ornaments and its curtilage.

(2) The Dean and Chapter shall be responsible for the discharge of all outstanding liabilities of any of them the rector and churchwardens and the parochial church council of the existing parish.

(3) All moneys applicable by the Dean and Chapter for the care, maintenance, preservation and insurance of Westminster Abbey, and for the goods, plate and ornaments thereof and for the care and maintenance of the curtilage thereof shall be applicable for the discharge of the duties and liabilities imposed on the Dean and Chapter by the foregoing subsections of this section.

13.—(1) For the purposes of the solemnisation of baptisms and of the publication of banns of marriage and the solemnisation of marriages by banns or licence Saint Margaret's Church shall be treated as part of Westminster Abbey.

Baptisms and marriages in Saint Margaret's Church.

(2) For the purposes of the registration of baptisms and marriages solemnised in Saint Margaret's Church Saint Margaret's Church shall be treated as if it had remained the parish church of a separate parish but so that the baptism and marriage register books shall be delivered or furnished to the Dean and Chapter and be in their power and custody and on their behalf be kept by the Registrar of Westminster Abbey.

14. All other the registers and records of Saint Margaret's Church shall be delivered to the Dean and Chapter and remain in their power and custody and on their behalf be kept by the Registrar of Westminster Abbey.

Registers and records of Saint Margaret's Church.

PART III

WESTMINSTER ABBEY

15.—(1) The prebendal house belonging to the Dean and Chapter known as No. 20 Dean's Yard, Westminster, shall forthwith cease to be annexed to the Canonry in Westminster Abbey now held by Canon Edwards, and cease to be the house of residence for the rector for the time being of the existing parish, and subject to the grant of such planning permission as may be required by law, the same or the rents and profits thereof may be used for such purposes connected with Westminster Abbey as the Dean and Chapter may from time to time think fit.

No. 20 Dean's Yard to cease to be annexed to a Canonry.

PART III  
—cont.

(2) A prebendal house belonging to the Dean and Chapter shall be allocated for the residence of Canon Edwards, while holding his Canonry, and for his successors in that Canonry in like manner as a prebendal house is allocated in the case of any other Canonry.

Number of  
minor  
canons in  
Westminster  
Abbey.

16. Notwithstanding anything in the said Order in Council dated 23rd August, 1843, there shall be not more than four minor canons in Westminster Abbey.

Rates and  
taxes on  
houses of  
Westminster  
Abbey.

1888 c. 11.

17. Notwithstanding the provisions of section 7 of the Westminster Abbey Act 1888 the Dean and Chapter may defray out of the income of the capitular funds the whole or any part of the rates and taxes payable in respect of the official residence of any of them, the Dean and the Canons and the holder of any other dignity or office mentioned in the statutes of the Dean and Chapter and the holder of any office or employment remunerated out of the revenues of the Dean and Chapter.

## PART IV

## MISCELLANEOUS

Saving for  
Crypt Chapel.

18. Nothing in this Act shall affect the status of, or any jurisdiction over, the Chapel of St. Mary Undercroft (commonly known as the Crypt Chapel of the Palace of Westminster).

Saving for  
rights of  
members and  
officers of  
Houses of  
Parliament.

19. Nothing in this Act shall affect the customary rights of the members or officers of either House of Parliament in relation to Saint Margaret's Church or Westminster Abbey.

Saving for  
Westminster  
School.

20. Nothing in this Act shall affect the customary rights of Saint Peter's College, Westminster, commonly called Westminster School, in relation to Westminster Abbey.

Saving for  
residents.

21. Nothing in this Act shall affect the rights in respect of baptism, marriage, and the holding of a funeral service, in Saint Margaret's Church of any person—

(1) who immediately before the date of the coming into operation of Part II of this Act resided in the existing parish elsewhere than in the specified area; and

(2) whose name is immediately before that date on the church electoral roll of the existing parish;

and of the spouse and children of any such person, so long as such person continues so to reside.

**22.** Nothing contained in subsection (2) of section 5 (Division of parish of Saint Margaret Westminster between Westminster Abbey and adjoining parishes) of this Act shall prejudice or affect the making of a pastoral scheme or order under the Pastoral Measure 1968 relating to any part of the existing parish other than the specified area:

PART IV  
—cont.

Saving for pastoral scheme or order under Pastoral Measure 1968.

Provided that no such scheme or order shall come into operation before the commencement of Part II of this Act.

1968 No 1.

**23.** Nothing herein contained shall affect the continuance, status or boundaries of any parish or extra-parochial place as existing for civil purposes or any civil rights or obligations.

Act not to affect parishes for civil purposes or civil rights.

**24.** This Act shall bind the Crown.

The Crown.

**25.** The enactments specified in Schedule 2 to this Act are hereby repealed to the extent specified in column 3 of that Schedule.

Repeals.

**26.** All the costs, charges and expenses preliminary to and incidental to the preparing, applying for, obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Dean and Chapter.

Costs of Act.

## SCHEDULES

Section 4.

## SCHEDULE 1

## PARTICULARS OF THE SCHEDULED FUNDS

*The fund known as the Rector & Churchwardens' Fund*

£1,001·90 British Electricity 3½ per cent. Stock 1976/79.  
 £800 3½ per cent. War Loan.  
 5,786 shares in the Investment Fund of the Central Board of Finance  
 of the Church of England.

*The fund known as the Fabric Fund*

£1,425·87 4 per cent. Consols.  
 £1,872·93 3½ per cent. Conversion Stock.

*The fund known as the Rector's Fund*

£3,105·90 3½ per cent. Conversion Stock.  
 £3,672·33 5 per cent. Treasury Stock 1986/89.  
 1,755 shares in the Investment Fund of the Central Board of Finance  
 of the Church of England.

*The fund known as the Christ Church Broadway Fund*

£2,000 British Electricity 4¼ per cent. Stock 1974/79.  
 £9,000 Treasury 3½ per cent. Stock 1979/81.  
 29,722 shares in the Investment Fund of the Central Board of Finance  
 of the Church of England.

Section 25.

## SCHEDULE 2

## ENACTMENTS REPEALED BY THIS ACT

Session and chapter or number	Short title	Extent of repeal
3 & 4 Vict. c. 113 ...	Ecclesiastical Commissioners Act 1840	Section 29 so far as it relates to the existing parish and its rectory and section 30.
19 & 20 Geo. 5 No. 4	Westminster Abbey Measure 1929	Section 2.
24 & 25 Geo. 5 c. xxiv	Church House (Westminster) Act 1934	Section 4.

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# Westminster Abbey and Saint Margaret Westminster Act 1972

CHAPTER xxvi

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