



Irish Church Act 1869

1869 CHAPTER 42

Dealings between Commissioners and representative Church body

25 Enactments with respect to churches.

The following enactments shall be made with respect to churches rested in the Commissioners under this Act:

- (1) Where any church or ecclesiastical building or structure appears to the Commissioners to be ruinous, or if a church to be wholly disused as a place of public worship, and not suitable for restoration as a place of public worship, and yet to be deserving of being maintained as a national monument by reason of its architectural character or antiquity, the Commissioners shall by order vest such church, building, or structure in the secretary of the Commissioners of Public Works in Ireland, to be held by such secretary, his heirs and assigns, upon trust for the Commissioners of Public Works, to be preserved as a national monument, and not to be used as a place of public worship, and the Commissioners shall ascertain and by order declare what sum is in their judgment required for maintaining as national monuments the churches, buildings, and structures so vested, and shall pay such sum accordingly to the said secretary, to be held upon trust for the said Commissioners, and to be applied by them in maintaining the said churches, buildings, and structures :
- (2) Where any church is in actual use at the time of the passing of this Act, and the representative body of the said church, at any time within six months after the first of January one thousand eight hundred and seventy-one, apply to the Commissioners stating that they require such church for religious purposes, or for the purpose of taking the same down and erecting or enlarging another church or churches in lieu thereof, the Commissioners shall by order vest the church in the said representative body of the said Church, subject to any life estate or interest that is existing therein :
- (3) Where any church was in use at the time of the passing of this Act, and no application in respect thereof is made by the said representative body of the said Church within the said prescribed period, and such church was erected at the private expense of any person, the Commissioners shall, on the application of the person who erected such church, if alive, or of his representatives if he died since the year one thousand eight

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hundred, by order vest such church in the applicant or applicants, or in such person or persons as he or they may direct:

- (4) Where any church vested in the Commissioners under this Act is not disposed of under the preceding sections, the Commissioners shall dispose of such church and the site thereof in such manner as they think expedient:
- (5) Where any church is vested in the representative body of the said Church by order of the Commissioners, any school-house belonging thereto or used in connexion therewith, together with any land occupied with such schoolhouse, and by this Act vested in the Commissioners, shall be included in the said order :
- (6) No vesting order made under this section shall prejudice or affect the right of any person or persons to any vault or other place of burial within any church or ecclesiastical building, and every such vesting order shall be deemed to be subject thereto, and to all such other rights of sepulture therein as may be subsisting at the date of such order.