



# Leasehold Reform Act 1967

## 1967 CHAPTER 88

### PART I

#### ENFRANCHISEMENT AND EXTENSION OF LONG LEASEHOLDS

*Land held for public purposes, ecclesiastical land, etc.*

#### **31 Ecclesiastical property.**

- (1) The provisions of this section shall have effect as regards the operation of this Part of this Act on tenancies (including subtenancies) of ecclesiastical property, that is to say, property belonging to [<sup>F1</sup>the Chapter of a cathedral] or belonging to [<sup>F2</sup>a diocesan board of finance as diocesan glebe land]; and in this section “ecclesiastical landlord” means [<sup>F3</sup>the Chapter] or [<sup>F2</sup>diocesan board of finance] having an interest as landlord in ecclesiastical property.
- (2) In relation to an interest of an ecclesiastical landlord, the consent of the Church Commissioners shall be required to sanction—
  - (a) the provisions to be contained in a conveyance in accordance with section 10 above, or in a lease granting a new tenancy under section 14, and the price or rent payable, except as regards matters determined by the court [<sup>F4</sup>a leasehold valuation tribunal][<sup>F5</sup>, the First-tier Tribunal] or the [<sup>F6</sup>Upper Tribunal] ;
  - (b) any exercise of the ecclesiastical landlord’s rights under section 17 above, except as aforesaid, and any agreement for the payment of compensation to a tenant in accordance with that section without an application thereunder;
  - (c) any grant of a tenancy in satisfaction of the right to an extended lease under this Part of this Act;

[<sup>F7</sup>provided that the consent of the Church Commissioners shall only be required if their consent would be required if the transaction were carried out under <sup>F8</sup>[<sup>F9</sup>... Part 2 of the Church Property Measure 2018][<sup>F10</sup>or the Cathedrals Measure 2021].
- (3) Where the ecclesiastical property forms part of the endowment of a cathedral church, any sum received by [<sup>F11</sup>the Chapter] by way of the price payable for the property

*Changes to legislation: There are currently no known outstanding effects for the Leasehold Reform Act 1967, Section 31. (See end of Document for details)*

under section 9 above, or by way of compensation under any provision of this Part of this Act providing for compensation to be recovered by or awarded to a landlord, shall be treated as part of that endowment; and the powers conferred by [F12section 24 of the Cathedrals Measure 2021] in relation to the investment in the acquisition of land of moneys forming part of the endowment of a cathedral church shall extend to the application of any such moneys in the payment of compensation in accordance with section 17 above (whether possession is obtained under that section or without an application thereunder).

- (4) In the case of ecclesiastical property belonging to [F13a diocesan board of finance]—
- (a) no consent or concurrence other than that of the Church Commissioners under subsection (2) above shall be required to a disposition under this Part of this Act of the [F14interest of the diocesan board of finance] (including a grant of a tenancy in satisfaction of the right to an extended lease);
  - (b) .....<sup>F15</sup>
  - (c) any sum receivable by the [F16diocesan board of finance] by way of the price payable for the property under section 9 above, or of any such compensation as is mentioned in subsection (3) above, shall be paid to [F17board] to be applied for purposes for which the proceeds of a sale by agreement of the property would be applicable under any enactment or Measure authorising such a sale or disposing of the proceeds of such a sale, and any sum required for the payment of compensation as mentioned in subsection (3) above may be paid by [F17board] on behalf of the incumbent out of any moneys in [F18its] hands;
  - (d) .....<sup>F19</sup>

[F20(5) In this section—

“diocesan board of finance” has the same meaning as “DBF” in the Church Property Measure 2018;

“diocesan glebe land” has the same meaning as in that Measure.]

#### Textual Amendments

- F1** Words in s. 31(1) substituted (coming into force in accordance with s. 53(3) of the amending Measure) by [Cathedrals Measure 2021 \(No. 2\), Sch. 4 para. 11\(2\)\(a\)](#) (with ss. 42(4), 48, 52(1))
- F2** Words substituted by [Church of England \(Legal Aid and Miscellaneous Provisions\) Measure 1988 \(No. 1, SIF 21:1\), s. 10\(a\)](#)
- F3** Words in s. 31(1) substituted (coming into force in accordance with s. 53(3) of the amending Measure) by [Cathedrals Measure 2021 \(No. 2\), Sch. 4 para. 11\(2\)\(b\)](#) (with ss. 42(4), 48, 52(1))
- F4** Words inserted by [Housing Act 1980 \(c. 51\), Sch. 23 para. 9](#)
- F5** Words in s. 31(2)(a) inserted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\), art. 1, Sch. 1 para. 8](#) (with Sch. 3)
- F6** Words in s. 31(2)(a) substituted (1.6.2009) by [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\), art. 1, Sch. 1 para. 85](#) (with Sch. 5)
- F7** Words in s. 31(2) substituted (E.) (1.10.2006) by [Church of England \(Miscellaneous Provisions\) Measure 2006 \(No. 1\), s. 16\(2\), Sch. 5 para. 15\(a\)](#); 2006 No. 2, Instrument made by Archbishops
- F8** Words in s. 31(2) omitted (coming into force in accordance with s. 53(3) of the amending Measure) by virtue of [Cathedrals Measure 2021 \(No. 2\), Sch. 4 para. 11\(3\)\(a\)](#) (with ss. 42(4), 48, 52(1))
- F9** Words in s. 31(2) substituted (E.) (1.3.2019) by [Church Property Measure 2018 \(No. 8\), s. 53\(2\), Sch. 1 para. 9\(2\)](#); S.I. 2019/97, art. 2
- F10** Words in s. 31(2) inserted (coming into force in accordance with s. 53(3) of the amending Measure) by [Cathedrals Measure 2021 \(No. 2\), Sch. 4 para. 11\(3\)\(b\)](#) (with ss. 42(4), 48, 52(1))

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- F11** Words in s. 31(3) substituted (coming into force in accordance with s. 53(3) of the amending Measure) by [Cathedrals Measure 2021 \(No. 2\), Sch. 4 para. 11\(4\)\(a\)](#) (with ss. 42(4), 48, 52(1))
- F12** Words in s. 31(3) substituted (coming into force in accordance with s. 53(3) of the amending Measure) by [Cathedrals Measure 2021 \(No. 2\), Sch. 4 para. 11\(4\)\(b\)](#) (with ss. 42(4), 48, 52(1))
- F13** Words substituted by [Church of England \(Legal Aid and Miscellaneous Provisions\) Measure 1988 \(No. 1, SIF 21:1\), s. 10\(b\)\(i\)](#)
- F14** Words substituted by [Church of England \(Legal Aid and Miscellaneous Provisions\) Measure 1988 \(No. 1, SIF 21:1\), s. 10\(b\)\(ii\)](#)
- F15** S. 31(4)(b) repealed (provinces of Canterbury and York) by [Church of England \(Legal Aid and Miscellaneous Provisions\) Measure 1988 \(No. 1, SIF 21:1\), s. 10\(b\)\(iii\)](#)
- F16** Words substituted by [Church of England \(Legal Aid and Miscellaneous Provisions\) Measure 1988 \(No. 1, SIF 21:1\), s. 10\(b\)\(iv\)](#)
- F17** Words in s. 31(4)(c) substituted (E.) (1.10.2006) by [Church of England \(Miscellaneous Provisions\) Measure 2006 \(No. 1\), s. 16\(2\), Sch. 5 para. 15\(b\)](#); 2006 No. 2, Instrument made by Archbishops
- F18** Word in s. 31(4)(c) substituted (E.) (1.10.2006) by [Church of England \(Miscellaneous Provisions\) Measure 2006 \(No. 1\), s. 16\(2\), Sch. 5 para. 15\(b\)](#); 2006 No. 2, Instrument made by Archbishops
- F19** S. 31(4)(d) repealed (provinces of Canterbury and York) by [Church of England \(Legal Aid and Miscellaneous Provisions\) Measure 1988 \(No. 1, SIF 21:1\), s. 10\(b\)\(v\)](#)
- F20** S. 31(5) substituted (1.3.2019) by [Church Property Measure 2018 \(No. 8\), s. 53\(2\), Sch. 1 para. 9\(3\); S.I. 2019/97, art. 2](#)

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**Modifications etc. (not altering text)**

- C1** S. 31 amended (30.6.1999 with application as mentioned) by [1999 Measure No. 1, ss. 36\(2\)-\(6\), 38\(2\)\(3\)](#)

**Changes to legislation:**

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