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**Changes to legislation:** There are currently no known outstanding effects for the National Heritage Act 1983, Cross Heading: Pastoral Measure 1983 (No. 1). (See end of Document for details)

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## SCHEDULES

### SCHEDULE 4

#### THE COMMISSION: AMENDMENTS

##### *Pastoral Measure 1983 (No. 1)*

- 70 (1) Section 66 of the Pastoral Measure 1983 (transfer of redundant churches) shall be amended as follows.
- (2) In subsection (1) after paragraph (b) there shall be inserted—
- “(c) where a redundant building or any part thereof is situated in England and is vested in the diocesan board of finance, whether in pursuance of a pastoral scheme or a redundancy scheme or pending the making of a redundancy scheme, the board may, with the approval of the bishop and the Commissioners, enter into and carry out an agreement with the Historic Buildings and Monuments Commission for England for the acquisition and preservation by the Commission of the building or part with or without other land so situated and so vested in the board;
  - (d) where a redundant building or any part thereof is situated in England and is vested in the Redundant Churches Fund in pursuance of a redundancy scheme or a pastoral scheme to which section 47 applies, the Fund may enter into and carry out an agreement with the Historic Buildings and Monuments Commission for England for the acquisition and preservation by the Commission of the building or part with or without other land so situated and so vested;”
- and for “the next two following subsections” there shall be substituted “ subsections (2) and (3) ”.
- (3) After subsection (1) there shall be inserted—
- “(1A) The Historic Buildings and Monuments Commission for England shall not enter into an agreement under subsection (1)(c) or (d) without the consent of the Secretary of State.”
- (4) In subsection (2)(a) after “the Secretary of State” there shall be inserted “ or (as the case may be) the Historic Buildings and Monuments Commission for England ”, after “him” there shall be inserted “ or them ” and after “his” there shall be inserted “ or their ”, and in subsection (2)(c) after “the Secretary of State” there shall be inserted “ or (as the case may be) the Historic Buildings and Monuments Commission for England ”.
- (5) In subsection (3) after “the Secretary of State” (in the first place) there shall be inserted “ or (as the case may be) the Historic Buildings and Monuments Commission for England ” and after “the Secretary of State” (in the second and third places) there shall be inserted “ or the Commission ”.

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(6) After subsection (3) there shall be inserted—

“(3A) Before giving his consent under subsection (3) in relation to a building or part situated in England, the Secretary of State shall consult with the Historic Buildings and Monuments Commission for England.”

(7) In subsection (4) after “the Secretary of State” (in the first place) there shall be inserted “or the Historic Buildings and Monuments Commission for England” and after “the Secretary of State” (in the second and third places) there shall be inserted “or the Commission (as the case may be)”.

(8) After subsection (4) there shall be inserted—

“(4A) The Historic Buildings and Monuments Commission for England shall not enter into an agreement under subsection (4) unless—

- (a) the land is situated in England, and
- (b) the Secretary of State has consented.”

(9) In subsection (5) after “the Secretary of State” there shall be inserted “or (as the case may be) the Historic Buildings and Monuments Commission for England”.

(10) After subsection (5) there shall be inserted—

“(6) Where a redundant building (or part) situated in England has been acquired for its preservation by the Secretary of State under subsection (1) either with or without any other land so situated, the Historic Buildings and Monuments Commission for England may by agreement with the Secretary of State undertake on his behalf the management and preservation of the building (or part) together with the other land (if any).

(7) Where the Secretary of State has under subsection (4) acquired land situated in England for its maintenance with a building (or part), the Commission may undertake, in any agreement made under subsection (6) in relation to the building (or part), the maintenance of the land on behalf of the Secretary of State.

(8) Where the Secretary of State has under subsection (5) acquired for their preservation the contents of a redundant building (or part), the Commission may undertake, in any agreement made under subsection (6) in relation to the building (or part), the preservation of the contents on behalf of the Secretary of State.”

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