



Sequestration Act 1871

1871 CHAPTER 45 34 and 35 Vict

E

An Act for amending the Law relating to Sequestration of Ecclesiastical Benefices.
F1

[13th July 1871]

Textual Amendments

F1 Act repealed (E.) (1.7.2018) by [Statute Law \(Repeals\) Measure 2018 \(No. 1\)](#), s. 2(3), [Sch. Pt. 2](#); [S.I. 2018/718](#), art. 2

Commencement Information

II Act wholly in force at Royal Assent

F21 **E**

Textual Amendments

F2 [S. 1](#) repealed (Provinces of Canterbury and York except Channel Islands and Isle of Man) (1.6.1992) by [Church of England \(Miscellaneous Provisions\) Measure 1992 \(No. 1\)](#), s. 17(2), [Sch. 4](#), Pt.II; Instrument dated 27.5.1992 made by Archbishops of Canterbury and York.

2 Application of enactments in Schedule, Part I. **E+W**

Such of the provisions of the Act specified in the schedule to this Act as are described in Part I. of that schedule and all provisions of that Act relative thereto shall have effect for purposes of this Act ^{F3}...

Changes to legislation: There are currently no known outstanding effects for the Sequestration Act 1871. (See end of Document for details)

Textual Amendments
F3 Words in s. 2 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 6 Group 1

3 F4 **E+W**

Textual Amendments
F4 S. 3 repealed (1.4.1978) by Endowments and Glebe Measure 1976 (No. 4), s. 49(2), Sch. 8

4 **Application of enactments in Schedule, Part II.** **E+W**

Such of the provisions of the Act specified in the schedule to this Act as are described in Part II. of that schedule and all provisions of that Act relative thereto shall apply in every case where a curate is appointed under this Act.

5 **Power for bishop to inhibit in certain cases.** **E+W**

In case any such sequestration remains in force for more than six months, the bishop, if it appears to him that scandal or inconvenience is likely to arise from the incumbent continuing to perform the services of the church while the sequestration remains in force, may, from and after the expiration of such period, inhibit the incumbent from performing any services of the church within the diocese as long as the sequestration shall remain in force, and the bishop may at any time withdraw such inhibition.

6 F5 **E+W**

Textual Amendments
F5 S. 6 repealed by Patronage (Benefices) Measure 1986 (No. 3, SIF 21:4), s. 41(2), Sch. 5

7 **Incumbent of sequestrated benefice not to accept other benefice but with leave.** **E+W**

During the continuance of any sequestration it shall not be lawful for the incumbent of the benefice under sequestration to accept or be instituted or licensed to any other benefice or preferment, the acceptance of or institution or licensing to which would avoid or vacate the benefice so under sequestration, unless with the consent in writing of the bishop of the diocese and the sequestrator.

8 **Extent.** **E+W**

This Act shall not extend to Scotland or Ireland.

9 **Short title.** **E+W**

This Act may be cited as “The Sequestration Act 1871”.

Changes to legislation: There are currently no known outstanding effects for the Sequestration Act 1871. (See end of Document for details)

THE SCHEDULE **E+W**

Sections 2, 4.

1 & 2 VICT. C. 106. THE PLURALITIES ACT, 1838

ENACTMENTS APPLIED

PART I E+W

Section one hundred and seven.	Provisions relating to bishops to apply to archbishops in their own dioceses.
Section one hundred and eight.	Power of archbishops and bishops as to exempt or peculiar benefices, &c.
Section one hundred and nine.	Where jurisdiction is given to bishop, &c., all concurrent jurisdiction to cease.

PART II E+W

Section seventy-five	Non-resident incumbents neglecting to appoint curates, the bishop to appoint. As far as the same relates to the residence of curates.
Section seventy-six	Curate to reside on benefices under certain circumstances.
... F6	... F6
Section ninety-seven	Curate not to quit curacy without three months' notice to incumbent and bishop, under a penalty.
Section one hundred and two	Licenses to curates and revocations thereof to be entered in the registry of the diocese.

Textual Amendments

F6 Entry repealed by [Ecclesiastical Fees Measure 1962 \(No. 1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Sequestration Act 1871.