



# Church Property Measure 2018

## CHAPTER 8

### CHURCH PROPERTY MEASURE 2018

#### PART 1

##### PARSONAGE LAND

###### *Dealings in parsonage house etc.*

- 1 Sale, exchange or demolition of parsonage house
- 2 Construction, purchase or improvement of parsonage house
- 3 Consent to dealing under section 1 or 2
- 4 Vacancy in benefice: division, improvement etc. of parsonage house
- 5 Representations, reports, etc.
- 6 Leasing
- 7 Leases of excluded parts made before 1 April 1978
- 8 Transfer to DBF
- 9 Return of gift of land to be used for parsonage house
- 10 Loans by Church Commissioners

###### *Status of parsonage house etc.*

- 11 Certification etc.

###### *Procedure*

- 12 Conveyancing formalities
- 13 Proceeds of sale etc.
- 14 Registered patron where benefice vested in Crown or bishop

###### *Supplementary*

- 15 Rules

*Changes to legislation: There are currently no known outstanding effects  
for the Church Property Measure 2018. (See end of Document for details)*

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## **PART 2**

### GLEBE LAND

#### *Responsibility for land*

- 16 General functions of DBF

#### *Management and acquisition*

- 17 Land management scheme  
18 Land management scheme: suspension  
19 Acquisition and appropriation

#### *Dealings*

- 20 Dealings  
21 Consent to dealings  
22 Notice of proposed dealing  
23 Grants and appropriations  
24 Loans by Church Commissioners

#### *Procedure*

- 25 Proceeds of sale etc.  
26 Rent and other periodical payments

#### *Disputes*

- 27 Disputes about glebe land etc.

## **PART 3**

### NEWLY ACQUIRED LAND

- 28 Acquisition of land  
29 Grant of land  
30 Land subject to rights of common  
31 Land subject to rent etc.  
32 Vesting of land acquired by DBF  
33 Land no longer required for purpose for which acquired  
34 Consent to dealings under section 33  
35 Shared burial ground  
36 Supplementary

## **PART 4**

### MISCELLANEOUS AND GENERAL

#### *Diocesan stipends fund*

- 37 Sequestrations  
38 Investments in diocesan stipends funds

#### *Diocesan Board of Finance*

- 39 Memorandum and articles of association  
40 Church Commissioners: information and advice

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*Property rights and obligations*

- 41 Covenants
- 42 Easements
- 43 Dedicating land for highway
- 44 Chancel repair liability of PCCs
- 45 Land granted under Gifts for Churches Acts etc.

*Formalities*

- 46 Signification of consent
- 47 Execution of documents

*Interpretation*

- 48 References to land
- 49 Other interpretation etc.

*Ancillary provision*

- 50 Consequential amendments
- 51 Transitional and saving provision
- 52 Repeals and revocations

*Final provision*

- 53 Commencement
- 54 Extent
- 55 Short title

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SCHEDULES

SCHEDULE 1 — Consequential amendments  
PART 1 — ACTS AND MEASURES

*Places of Worship (Enfranchisement) Act 1920*

- 1 In section 1 of the Places of Worship (Enfranchisement) Act...

*Marriage Act 1949*

- 2 (1) Section 10 of the Marriage Act 1949 (publication of...

*Diocesan Stipends Funds Measure 1953*

- 3 The Diocesan Stipends Funds Measure 1953 is amended as follows....
- 4 (1) Section 4 (application of money credited to capital account)...
- 5 In section 8 (interpretation), in subsection (1), in the definition...

*Crown Estate Act 1961*

- 6 In section 4 of the Crown Estate Act 1961 (grants...

*Incumbents and Churchwardens (Trusts) Measure 1964*

- 7 In section 1 of the Incumbents and Churchwardens (Trusts) Measure...

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*Forestry Act 1967*

- 8 In Schedule 2 to the Forestry Act 1967 (forestry dedication:...

*Leasehold Reform Act 1967*

- 9 (1) Section 31 of the Leasehold Reform Act 1967 (ecclesiastical...

*Sharing of Church Buildings Act 1969*

- 10 In section 3 of the Sharing of Church Buildings Act...

*Sharing of Church Buildings Measure 1970*

- 11 (1) Section 2 of the Sharing of Church Buildings Measure...

*Agriculture Act 1970*

- 12 In section 61 of the Agriculture Act 1970 (leases to...

*Repair of Benefice Buildings Measure 1972*

- 13 The Repair of Benefice Buildings Measure 1972 is amended as...  
 14 In section 14 (parsonage house ceasing to be such), in...  
 15 In section 15 (scheme to extend functions of Parsonages), in...  
 16 In section 31 (interpretation), in subsection (1), in the definition...

*Highways Act 1980*

- 17 (1) Section 87 of the Highways Act 1980 (agreement for...

*Leasehold Reform, Housing and Urban Development Act 1993*

- 18 The Leasehold Reform, Housing and Urban Development Act 1993 is...  
 19 (1) Paragraph 8 of Schedule 2 (ecclesiastical landlords) is amended...  
 20 In Schedule 14 (landlord's right to terminate new lease on...

*Commons Act 2006*

- 21 In section 14 of the Commons Act 2006 (statutory dispositions...

*Ecclesiastical Offices (Terms of Service) Measure 2009*

- 22 In section 6 of the Ecclesiastical Offices (Terms of Service)...

*Mission and Pastoral Measure 2011*

- 23 The Mission and Pastoral Measure 2011 is amended as follows....  
 24 In section 45 (pastoral scheme: parsonage house), in subsection (3)...  
 25 (1) Section 47 (pastoral scheme: endowments etc.) is amended as...  
 26 In section 51 (powers exercisable by pastoral order), in paragraph...  
 27 (1) Section 92 (grant of land for new churches etc....  
 28 In paragraph 8 of Schedule 3 (pastoral schemes and orders:...

*Charities Act 2011*

- 29 In section 10 of the Charities Act 2011 (ecclesiastical corporations...

*Changes to legislation: There are currently no known outstanding effects for the Church Property Measure 2018. (See end of Document for details)*

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*Ecclesiastical Jurisdiction and Care of Churches Measure 2018*

- 30 In Part 3 of the Ecclesiastical Jurisdiction and Care of...  
PART 2 — SUBORDINATE LEGISLATION

*Parsonages Measure Rules 2000*

- 31 The Parsonages Measure Rules 2000 (S.I. 2000/3171) are amended as...  
32 In each of rules 1 to 7 and 10 to...  
33 For rule 8 substitute— Specified period for objections to or...  
34 In rule 9 (passing objections or representations to Commissioners), for...  
35 (1) Rule 13 (interpretation) is amended as follows.

*Land Registration Rules 2003*

- 36 In Schedule 4 to the Land Registration Rules 2003 (S.I....

*Works on Common Land, etc. (Procedure) (England) Regulations 2007*

- 37 The Works on Common Land, etc. (Procedure) (England) Regulations  
2007...  
38 In regulation 2(2) (scope), for “section 15 of the New...  
39 (1) Regulation 23 (the title to which becomes “ Applications...

*Commons Registration (England) Regulations 2014*

- 40 (1) In Schedule 4 to the Commons Registration (England) Regulations...

SCHEDULE 2 — Transitional and saving provisions

*Continuity of the law*

- 1 The repeal and re-enactment of provisions by this Measure does...  
2 A reference, express or implied, in this Measure, another enactment...  
3 A reference, express or implied, in an enactment, instrument or...  
4 Any rules, regulations, orders or schemes made or other things...  
5 Paragraphs 1 to 4 have effect in place of section...

*Effect of previous transitionals and savings*

- 6 The repeals made by this Measure do not affect the...  
7 (1) The repeal by this Measure of a provision previously...

*Use of existing forms etc.*

- 8 A reference to a provision repealed by this Measure which...

SCHEDULE 3 — Repeals and revocations

**Changes to legislation:**

There are currently no known outstanding effects for the Church Property Measure 2018.