



# Welsh Church Act 1914

## 1914 CHAPTER 91

### PART I

#### DISESTABLISHMENT AND VESTING AND DISTRIBUTION OF PROPERTY

##### *Vesting of Property*

#### **4 Vesting of property**

- (1) As from the date of disestablishment there shall, save as by this section provided, vest in the Welsh Commissioners herein-after mentioned—
  - (a) all property vested in the Ecclesiastical Commissioners or Queen Anne's Bounty, which is ascertained as herein-after mentioned to be Welsh ecclesiastical property ; and
  - (b) all property not so vested, and not consisting of charges on the common fund of the Ecclesiastical Commissioners, which, at the passing of this Act, belongs to or is appropriated to the use of any ecclesiastical office or cathedral corporation in the Church in Wales, or the holder of any such office as such ;subject, in the case of all such property, to all tenancies, charges, and incumbrances, and to all rights and interests saved by this Act, affecting the property.
- (2) All plate, furniture, and other moveable chattels belonging to any church affected by this Act, or used in connexion with the celebration of Divine worship therein, not being the property of a private individual, shall vest in the representative body herein-after mentioned if and when incorporated :

Provided that if such a body is not incorporated at the date of disestablishment all such moveable chattels as aforesaid shall, until the incorporation of such a body, remain vested in the same persons and be applicable to the same purposes as before the date of disestablishment.

## **5 Apportionment of property by Ecclesiastical Commissioners and Queen Anne's Bounty**

- (1) The Ecclesiastical Commissioners shall, as soon as may be after the passing of this Act and before the date of disestablishment, ascertain and by order declare what property vested in them at the passing of this Act, or under the provisions herein-after in this section contained, consists of property of either of the classes or descriptions mentioned in Part I. of the First Schedule to this Act, and property so ascertained and declared shall, subject to the adjustments made in accordance with Part II of the same schedule, and to such alterations therein as may be made between the passing of this Act and the date of disestablishment, be Welsh ecclesiastical property within the meaning of this Act.
- (2) Queen Anne's Bounty shall as soon as may be after the passing of this Act, and before the date of disestablishment, ascertain and by order declare what property vested in them at the passing of this Act, or under the provisions herein-after in this section contained, is property of the class or description mentioned in the Second Schedule to this Act, and all property so ascertained and declared shall, subject to such alterations therein and additions thereto as may be made between the passing of this Act and the date of disestablishment, be Welsh ecclesiastical property within the meaning of this Act, and the order shall distinguish between the property derived from grants made by Queen Anne's Bounty out of the Royal Bounty Fund or moneys provided by Parliament and property derived from other sources.
- (3) There shall as from the passing of this Act become vested in the Ecclesiastical Commissioners and Queen Anne's Bounty respectively all property (other than ecclesiastical residences) belonging to or appropriated to the use of any ecclesiastical office or cathedral corporation in the Church in Wales, or the holder of any such office as such, towards the purchase of which grants made by the Ecclesiastical Commissioners and Queen Anne's Bounty respectively have been applied ; but such vesting shall not affect any beneficial interest in any such property.
- (4) Orders of the Ecclesiastical Commissioners and Queen Anne's Bounty under this section and the schedules therein referred to shall be made with the concurrence of the Welsh Commissioners, or, in default of such concurrence, with the approval of His Majesty the King in Council given on the advice of the Judicial Committee of the Privy Council.

## **6 Powers and liabilities of Ecclesiastical Commissioners and Queen Anne's Bounty after disestablishment**

As from the date of disestablishment, any liability or power of the Ecclesiastical Commissioners or Queen Anne's Bounty to make payments for any ecclesiastical purpose in or connected with the Church in Wales shall cease:

Provided that—

- (a) they shall continue to make such payments as are required for the purpose of preserving any existing interests; and
- (b) nothing in this Act shall prevent them from carrying into effect any contract made before the passing of this Act for the sale or purchase of any property affected by this Act or otherwise in relation to any such property, or from making any payments which under this Act they are required or authorised to make; and

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*Status: This is the original version (as it was originally enacted).*

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- (c) it shall be lawful for the Ecclesiastical Commissioners and Queen Anne's Bounty, if they think fit, within one year after the date of disestablishment, to transfer to the representative body the whole or any part of the property specified in Part I. and Part II. respectively of the Third Schedule to this Act, and for the Ecclesiastical Commissioners to charge their common fund with the payment to the representative body of a perpetual annuity not exceeding the annual value of the property mentioned in Part III. of the Third Schedule to this Act, subject to the payment thereof by the representative body of such sums as may be required for preserving existing interests in any such property ; and
- (d) it shall be lawful for the Ecclesiastical Commissioners and Queen Anne's Bounty in any year after the date of the disestablishment to pay to the representative body such sum (if any) as they think fit, so, however, that, in the case of the Ecclesiastical Commissioners, the sum paid in any year shall not exceed the sum mentioned in Part IV. of the Third Schedule to this Act.

## **7 Private benefactions**

- (1) Any property which consists of, or is the produce of, or is or has been derived from, property given by any person out of his private resources since the year sixteen hundred and sixty-two, or money raised by voluntary subscriptions since that year, or voluntarily given since that year out of funds not liable under any statutory provision to be applied to ecclesiastical purposes, or which is the produce of, or is or has been derived from the proceeds of sale of advowsons sold under the Lord Chancellor's Augmentation Act, and applied for the augmentation of any livings in Wales or Monmouthshire, shall, for the purposes of this Act, be deemed to be a private benefaction.
- (2) Where, in the case of any property given or money raised since the year sixteen hundred and sixty-two, the source from which such property or money was derived is unknown, it shall be deemed to be a private benefaction within the meaning of this Act.
- (3) The Ecclesiastical Commissioners and Queen Anne's Bounty as respects any property transferred from them respectively, and the Welsh Commissioners as respects any other property vested in them by this Act, shall as soon as may be after the passing of this Act ascertain and by order declare what part of the property constitutes private benefactions within the meaning of this Act.
- (4) Orders of the Ecclesiastical Commissioners and Queen Anne's Bounty under this section shall be made with the concurrence of the Welsh Commissioners, and every such order of the Welsh Commissioners under this section as relates to a benefice with respect to which the Ecclesiastical Commissioners or Queen Anne's bounty have sent to the Welsh Commissioners full particulars of any private benefaction made thereto through them, shall be made with the concurrence of the Ecclesiastical Commissioners or Queen Anne's Bounty as the case requires, and if in any case the concurrence required by this section is not given, the order shall be made with the approval of His Majesty the King in Council, given on the advice of the Judicial Committee of the Privy Council.