



# Places of Worship Registration Act 1855

1855 CHAPTER 81 18 and 19 Vict

An Act to amend the Law concerning the certifying and registering of Places of Religious Worship in England. [30th July 1855]

## Modifications etc. (not altering text)

- C1 Short title given by [Short Titles Act 1896 \(c. 14\)](#)
- C2 Act extended by [Sharing of Church Buildings Act 1969\(c. 38\)](#), s. 6(1)
- C3 Power to amend Act conferred by [Public Expenditure and Receipts Act 1968\(c. 14\)](#), s. 5, Sch. 3 para. 2
- C4 Preamble omitted under authority of [Statute Law Revision Act 1892 \(c. 19\)](#)

## Commencement Information

- I1 Act wholly in force at Royal Assent

## 1 15 & 16 Vict. c. 36. repealed, but places of worship certified thereunder to have force, etc.

The <sup>M1</sup>said Act of the fifteenth and sixteenth years of Her Majesty, chapter thirty-six, shall be repealed: Provided always, that the certifying thereunder before the passing of this Act of any place of meeting for religious worship shall, subject to the provisions herein-after contained, have the same force and effect from the time of such certifying as if the same had been duly certified, registered, and recorded, as before the passing of the said Act of the fifteenth and sixteenth years of Her Majesty, chapter thirty-six, was required by law, and such Act and this Act had not been passed.

## Marginal Citations

- M1 [1852 c. 36](#)

## 2 Places of worship to be certified to Registrar General.

Every place of meeting for religious worship of Protestant Dissenters or other Protestants, and of persons professing the Roman Catholic religion, . . . <sup>F1</sup> not

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heretofore certified and registered or recorded in manner required by law, and every place of meeting for religious worship of persons professing the Jewish religion, not heretofore certified and registered or recorded as aforesaid, and every place of meeting for religious worship of any other body or denomination of persons, may be certified in writing to the Registrar General of Births, Deaths, and Marriages in England, through the superintendent registrar of births, deaths, and marriages of the district in which such place may be situate; and such certificate shall be in duplicate, and upon forms in accordance with Schedule A. to this Act, or to the like effect, such forms to be provided by the said Registrar General, and to be obtained (without payment) upon application to such superintendent registrar as aforesaid; and the said superintendent registrar shall, upon the receipt of such certificate in duplicate, forthwith transmit the same to the said Registrar General, who, after having caused the place of meeting therein mentioned to be recorded as herein-after directed, shall return one of the said certificates to the said superintendent registrar, to be re-delivered by him to the certifying party, and shall keep the other certificate with the records of the General Register Office.

#### Textual Amendments

**F1** Words repealed by [Statute Law \(Repeals\) Act 1977 \(c. 18\)](#), [Sch. 1 Pt. V](#)

### 3 Places of meeting to be recorded.

The said Registrar General shall cause all places of meeting for religious worship certified to him under this Act to be recorded in a book to be kept by him for that purpose at the General Register Office; . . . <sup>F2</sup>; and the certifying to the said Registrar General of any such place of meeting for religious worship of Protestant Dissenters or other Protestants, or Roman Catholics, or persons professing the Jewish religion, and of any place of meeting for religious worship of any other body or denomination of persons, shall, subject to the provisions herein contained, have the same force and effect as if such place had been duly certified and recorded or registered and recorded as before the passing of the said Act of the fifteenth and sixteenth years of Her Majesty, chapter thirty-six, was required by law, and such Act and this Act had not been passed.

#### Textual Amendments

**F2** Words repealed by [Statute Law \(Repeals\) Act 1977 \(c. 18\)](#), [Sch. 1 Pt. V](#)

### 4 Places of meeting already certified, save those certified under 15 & 16 Vict. c. 36., may be certified to Registrar General, and be recorded by him.

Any place of meeting for religious worship heretofore certified and registered or recorded in manner required by law, and which continues to be used for religious worship, save any such place of meeting certified to the said Registrar General under the said <sup>M2</sup>Act of the fifteenth and sixteenth years of Her Majesty, chapter thirty-six, may, at any time after the passing of this Act, be certified in writing to such Registrar General through the superintendent registrar of the district in which such place may be situate, and shall be recorded by such Registrar General in manner herein-before mentioned concerning places of meeting not heretofore certified and registered or recorded.

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#### Marginal Citations

M2 1852 c. 36.

#### 5 <sup>X1</sup>Fee of 2s. 6d. to be paid with certificate to superintendent registrar.

Upon the delivery of every certificate to the superintendent registrar for transmission to the Registrar General, for the purpose of being recorded under this Act, the person delivering the same shall pay to such superintendent registrar for his own use the sum of [<sup>F3</sup>£28.00], and it shall not be lawful to demand or take any greater fee or reward for the same respectively.

#### Editorial Information

X1 Unreliable marginal note

#### Textual Amendments

F3 Fee payable (6.4.2010) by virtue of [The Registration of Births, Deaths and Marriages \(Fees\) Order 2010 \(S.I. 2010/441\)](#), arts. 1(1), 2, [Sch.](#)

#### 6 Notice to be given to Registrar General of every place of meeting becoming disused for the purposes for which it was certified.

Whenever any place of meeting for religious worship which may have been certified under the said Act of the fifteenth and sixteenth years of Her Majesty, chapter thirty-six, or this Act, shall have wholly ceased to be used as a place of meeting for religious worship, the person or one of the persons who so certified or last certified the same (as the case may be), or the trustee or one of the trustees for the time being of such place of meeting, or the owner or occupier or one of the owners or occupiers thereof, shall, if then resident within the superintendent registrar's district within which such place shall be situate, forthwith give notice to the Registrar General, through such superintendent registrar, that such place has so ceased to be used as a place of meeting for religious worship, such notice to be in a form in accordance with the Schedule B. to this Act, or to the like effect, and which form shall be provided by the said Registrar General, and may be obtained (without payment) upon application to the said superintendent registrar; and the person giving such notice shall sign the same in the presence of such superintendent registrar, or of his deputy, who shall forthwith transmit the same through the General Post to the Registrar General at the General Register Office.

#### 7 List of certified places to be printed.

The said Registrar General shall, at such periods as [<sup>F4</sup>the Secretary of State] shall from time to time in that behalf order or direct, make out and cause to be printed a list of all places of meeting which have been certified to and recorded by him under the said Act of the fifteenth and sixteenth years of Her Majesty, chapter thirty-six, or this Act, and the record of which has not been cancelled as herein-after provided, and shall state in such list the county and superintendent registrar's district within which each of such places of meeting is situated, and the religious denomination to which the persons for the time being certifying it belong, and shall cause a copy of such list to

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be sent to every superintendent registrar of births, deaths, and marriages in England; and such list shall be open at all reasonable times to all persons desirous of inspecting the same . . . <sup>F5</sup>

#### Textual Amendments

- F4** Words in s. 7 substituted (3.4.2008) by [The Transfer of Functions \(Registration\) Order 2008 \(S.I. 2008/678\)](#). art. 5(1), {Sch. 2 para. 2}
- F5** Words repealed by [S.I. 1968/1242](#), [Sch. 2](#)

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

- C5** [S. 7](#): functions transferred (1.4.1996) by [S.I. 1996/273](#), art. 3(1), [Sch. 1 para. 2](#)
- C6** Functions transferred (3.4.2008) by [The Transfer of Functions \(Registration\) Order 2008 \(S.I. 2008/678\)](#). art. 3(1), {Sch. 1 para. 2}

### 8 Direction to the Registrar General to cancel records of certificates of places of worship ceasing to be used as such.

Whenever it shall appear to the satisfaction of the said Registrar General, from any notice which shall have been given to him as aforesaid, or otherwise, that any certified place of meeting for religious worship has wholly ceased to be used as such, the said Registrar General shall cause the record of such certification to be cancelled, and shall give public notice of the cancellation thereof, by advertisement in some newspaper circulating within the district in which such place of meeting is situated, and in the London Gazette, and shall also expunge the name of such place from the list of certified places so to be printed by him as aforesaid; and after such cancellation and publication thereof as aforesaid such place shall cease to be deemed duly certified as by law required, and shall so remain until it shall have been duly certified afresh under this Act.

### 9 <sup>x2</sup> Certified places exempted from the operation of “The Charitable Trusts Act, 1853.”

Every place of meeting for religious worship certified to the said Registrar General under the said Act of the fifteenth and sixteenth years of Her Majesty, chapter thirty-six, or this Act, and recorded by him as aforesaid, so long as the same continues to be bonâ fide used as a place of religious worship, and the record of the certification thereof has not been cancelled as herein-before is provided, [<sup>F6</sup>shall, so far as it is a charity, be treated for the purposes of section 3A(4)(b) of the Charities Act 1993 (institutions to be excepted from registration under that Act) as if that provision applied to it]; and where a building recorded and used as aforesaid is so excepted, there shall be excepted with it—

- (a) any forecourt, yard, garden, burial ground, vestry, or caretaker’s house, in respect of situation connected with, and held upon the same trusts as, the building so recorded; and
- (b) any Sunday-school house or other land or building which is certified by an order of the [<sup>F7</sup>Charity Commission], made upon the application of one or more of the charity trustees, to be held upon the same trusts as the building so recorded or upon the like trusts, and to be in respect of situation so connected with or held or used in connection with that building that it cannot conveniently be separated from that building.

In this section “building” includes part of a building.

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[<sup>F8</sup>(2) Section 89 of the said Act of 1993 (provisions as to orders under that Act) shall apply to any order under paragraph (b) above as it applies to orders under that Act.]

#### Editorial Information

X2 Unreliable marginal note.

#### Textual Amendments

- F6 Words in s. 9(1) substituted (31.1.2009) by Charities Act 2006 (c. 50), ss. 75, 79, Sch. 8 para. 2(a); S.I. 2008/3267, art. 2 (with arts. 3-17) (as amended (29.9.2009) by S.I. 2009/2648, art. 3)
- F7 Words in s. 9(1) substituted (27.2.2007) by Charities Act 2006 (c. 50), ss. 75, 79, Sch. 8 para. 2(b); S.I. 2007/309, art. 2, Sch. (subject to arts. 4-13)
- F8 S. 9(2) added (1.8.1993) by 1993 c. 10, ss. 98(1), 99(1), Sch. 6 para. 1(3)

### 10 Nothing to affect churches, etc. of Established Church.

Nothing in this Act shall affect or be construed to affect the churches or chapels of the [<sup>F9</sup>Church of England], or the celebration of divine service according to the rites and ceremonies of the said [<sup>F9</sup>Church of England], by ministers of such church, in any place hitherto used for such purpose, or being now or hereafter duly consecrated or licensed by any archbishop or bishop or other person lawfully authorized to consecrate or licence the same.

#### Textual Amendments

- F9 Words substituted from 1.8.1871 by virtue of Irish Church Act 1869 (c. 42), s. 69

### 11 Certificate of place having been certified to be given.

The Registrar General, . . . <sup>F10</sup>, shall, with respect to any place certified to him as a place of meeting for religious worship, the record whereof remains uncanceled, give to any person demanding the same a certificate, sealed or stamped with the seal of the General Register Office, that at the time or respective times in such certificate in that behalf stated the place therein described was duly certified and duly recorded as required by this Act, and that at the date of such sealed or stamped certificate the record of such certification remained uncanceled; and every such sealed or stamped certificate, if tendered in evidence upon any trial or other judicial proceeding in any civil or criminal court, shall be received as evidence of the said several facts therein mentioned, without any further or other proof of the same.

#### Textual Amendments

- F10 Words repealed by S.I. 1977/1861, art. 4

### 12 <sup>x3</sup>Sums received by or on account of Registrar General to be accounted for, and expenses defrayed as other expenses of the General Register Office.

All sums to be received by or on account of the Registrar General in pursuance of this Act shall be accounted for and paid in manner directed by [<sup>F11</sup>the <sup>M3</sup>Registration

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Service Act 1953], with respect to sums received by him or on his account under the provisions of [<sup>F11</sup>the <sup>M4</sup>Births and Deaths Registration Act 1953] ; and all expenses incurred by the said Registrar General, or by any superintendent registrar, or registrar, with his sanction, and acting under his direction or authority, in carrying this Act into execution and making known its provisions, shall be deemed to have been incurred in carrying on the business of the General Register Office, and be defrayed accordingly.

**Editorial Information**

**X3** Unreliable marginal note.

**Textual Amendments**

**F11** Words substituted by virtue of [Interpretation Act 1978 \(c. 30\), s. 17\(2\)\(a\)](#)

**Marginal Citations**

**M3** 1953 c. 37.

**M4** 1953 c. 20.

**13** ..... <sup>F12</sup>

**Textual Amendments**

**F12** [S. 13](#) repealed with saving by [Statute Law \(Repeals\) Act 1977 \(c. 18\), s. 2, Sch. 1 Pt. XII](#)

**14** **Extent of Act.**

This Act shall not extend to Scotland or Ireland.

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## SCHEDULES REFERRED TO IN THE FOREGOING ACT

### SCHEDULE A

#### *To the Registrar General of Births, Deaths, and Marriages in England*

I, the undersigned (a), of , in the county of , do hereby, under and by virtue of the Places of Worship Registration Act 1855 certify that a certain building known by the name of , situated at , in the county of , within the superintendent registrar's district of , [was used (b) as a place of meeting for religious worship before the 30th day of June 1852 and] is intended to be used as heretofore (c) and will accordingly be forthwith used as a place of meeting for religious worship by a congregation or assembly of persons calling themselves (d)

and I request that this certificate may be recorded in the General Register Office, pursuant to the said Act. Dated this day of , 185 .

(Signature of the party certifying.)

(e)

of the place of meeting above described.

Directions for filling up this schedule.

(a) Here insert the name, residence, and county in which it is situate, and the rank or profession, of the party certifying.

(b) If the place was not so used before 30th June 1852, expunge this and the following line.

(c) If the building have not been previously used as a place of worship erase the words "as heretofore."

(d) Here insert "Protestant Dissenters," "Independents," "Particular Baptists," "Wesleyan Methodists," "Roman Catholics," "Jews," or other religious denomination of, or religious appellation adopted by, the persons on whose behalf the building is certified; but if those persons decline to describe themselves by any distinctive appellation, erase the words "calling themselves," and insert "who object to be designated by any distinctive religious appellation."

(e) Insert on this line, immediately under the signature, the word "minister," "proprietor," "a trustee," "occupier," "an attendant," or such other words as will clearly show the connexion subsisting between the persons certifying and the place of meeting.

### SCHEDULE B

#### *To the Registrar General of Births, Deaths, and Marriages in England*

I, the undersigned , of , in the county of , being the person or one of the persons who certified or last certified [*or* being "the trustee," *or* "one of the trustees," *or* the "owner," *or* "occupier," *or* "one of the owners or occupiers" (as the case may be), of] a certain building known by the name

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of [*or* a certain dwelling house, &c. (as the case may be)], situate at , in the county of , within the superintendent registrar's district of , [and being now resident within the same district,] do hereby declare and give you notice, in pursuance of the Places of Worship Registration Act, 1855, that the aforesaid building [*or* dwelling house, &c.], which was on the day of , 185 , recorded by you as a place of meeting for religious worship by a congregation or assembly of persons calling themselves [*or* by a congregation or assembly of Roman Catholics, *or* of persons belonging to the Society of Friends, *or* of persons professing the Jewish Religion (as the case may be)], has wholly ceased to be used as a place for public religious worship. Witness my hand, this day of , 185 .



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