



Church Property (Miscellaneous Provisions) Measure 1960

1960 No. 1 8 and 9 Eliz 2

PART I **U.K.**

AMENDMENTS OF THE ^{M1}PARSONAGES MEASURE 1938

Marginal Citations

M1 1938 No. 3.

1 Power to exchange a parsonage house. **U.K.**

After subsection (1) of section one of the Parsonages Measure, 1938 (which confers power to sell parsonage houses), there shall be inserted the following subsection:—

“(1A) Where the incumbent of any benefice, or during a vacancy the bishop, has the power under the foregoing subsection to sell the residence house of the benefice, the incumbent or bishop, as the case may be, shall also have the following powers, that is to say:—

- (i) power to exchange that house for any other house suitable for the residence and occupation of the incumbent of the benefice;
- (ii) power to pay and receive money in respect of equality of exchange ;
and
- (iii) for the purpose of obtaining a loan from the Commissioners for the provision of moneys required to be paid for equality of exchange, the powers of charging the revenues of the benefice exercisable by the incumbent under the Clergy Repair Act, 1776, and the Acts extending or amending that Act or any of them.

For the purposes of this subsection the word “house” includes the out buildings, gardens, orchards and appurtenances or any of them or any part thereof.”

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Church Property (Miscellaneous Provisions) Measure 1960, Part I. (See end of Document for details)

Modifications etc. (not altering text)

- C1** The text of ss. 1, 2(1)(2), 3(1)(2), 4(1), 5, 6(2), 12(2), 15, 20(4), 22 and Sch. is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

2 Acquisition of leasehold property under s. 2 of the Parsonages Measure, 1938. U.K.

- (1) In paragraph (i) of subsection (1) of section two of the Parsonages Measure, 1938 (which confers power to erect or purchase parsonage houses) the words “and so that leasehold property shall not be purchased except for the purpose of merging forthwith the term for which the same is held in the freehold reversion expectant on such term” are hereby repealed.
- (2) At the end of section twenty of the said Measure (which relates to interpretation) there shall be added the words “ and the expression “purchase”, in relation to any land , includes the acceptance of any leasehold interest in that land ”.

Modifications etc. (not altering text)

- C2** The text of ss. 1, 2(1)(2), 3(1)(2), 4(1), 5, 6(2), 12(2), 15, 20(4), 22 and Sch. is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

3 Power to divide and improve parsonage houses. U.K.

- (1) After section two of the Parsonage Measure, 1938, there shall be inserted the following section:—

“2A Power to divide and improve parsonage houses during vacancy in the benefice.

- (1) During a vacancy in a benefice the bishop shall have the power, with the consent of the Commissioners, the diocesan dilapidations board and the patron of the benefice, to authorise the sequestrators of the benefice:—
- (a) to divide the residence house of the benefice into two or more parts or to reduce the size of the residence house in any other way
 - (b) to enlarge the residence house,
 - (c) to carry out improvements to the residence house and the outbuildings thereof, and
 - (d) to carry out improvements to the drive paths and garden of the residence house,

and for the purpose of carrying out any work authorised under this section the sequestrators may enter upon the land of the benefice.

- (2) Where the bishop during a vacancy in a benefice exercises his power under subsection (1) of this section and the vacancy is filled before the work undertaken in pursuance of that power has been completed, the incumbent succeeding to the benefice shall, to the extent of any moneys specially

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applicable or lent by the Commissioners, complete that work with such modifications, if any, as may be agreed by the bishop, the Commissioners and the diocesan dilapidations board, and in default of his so doing the diocesan dilapidations board may complete the work.”

- (2) In section three of the said Measure for the words “either of the foregoing sections” wherever those words occur, there shall be substituted the words “ any of the foregoing sections ”, . . . ^{F1}

Textual Amendments

F1 Words repealed by [Patronage \(Benefices\) Measure 1986 \(No. 3, SIF 21:4\)](#), s. 41(2), [Sch. 5](#)

Modifications etc. (not altering text)

- C3** The text of ss. 1, 2(1)(2), 3(1)(2), 4(1), 5, 6(2), 12(2), 15, 20(4), 22 and Sch. is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.
- C4** The text of s. 3(2) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

4 Consequential amendments of the Parsonages Measure 1938 and adaptation of rules made thereunder. [U.K.](#)

- (1) The amendments specified in the Schedule to this Measure, being amendments consequential on the foregoing provisions of this Measure, shall be made in the Parsonages Measure, 1938.
- (2) Any reference in any rules under section fifteen of the ^{M2}Parsonages Measure 1938 to that Measure shall be construed as a reference to that Measure as amended by this Measure; any reference in those rules to a sale, or to an intention to sell, under that Measure, shall be construed as including a reference to an exchange, or to an intention to exchange, under that Measure as so amended; and any reference in those rules to land purchased under that Measure shall be construed as including a reference to land acquired by way of exchange under that Measure as so amended.

Modifications etc. (not altering text)

- C5** The text of ss. 1, 2(1)(2), 3(1)(2), 4(1), 5, 6(2), 12(2), 15, 20(4), 22 and Sch. is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M2 [1938 No. 3.](#)

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Church Property (Miscellaneous Provisions) Measure 1960, Part I.