



Leasehold Reform Act 1967

1967 CHAPTER 88

PART II

AMENDMENTS OF OTHER ACTS

40 Amendments of Places of Worship (Enfranchisement) Act 1920.

- (1) In section 1(1) of the Places of Worship (Enfranchisement) Act 1920 after the words " place of worship ". where first occurring, there shall be inserted the words " or, in connexion with a place of worship, for the purpose of a minister's house " ; and accordingly in section 5 of that Act—
 - (a) in the definition of " place of worship " for the words " caretaker's house or minister's house " there shall be substituted the words " or caretaker's house " ; and
 - (b) in the definition of " trustees " after the words " place of worship " there shall be inserted the words " or minister's house " .
- (2) In section 1(1) of the Places of Worship (Enfranchisement) Act 1920 after paragraph (a) of the proviso there shall be inserted as a new paragraph (aa) the following paragraph:—
 - “(aa) where the person entitled to the freehold or an intermediate reversion requires that underlying minerals be excepted, the trustees shall not be entitled to acquire his interest in the minerals if proper provision is made for the support of the premises as they have been enjoyed during the lease and in accordance with the terms of the lease and of the trust; and”.
- (3) After section 1(1) of the Places of Worship (Enfranchisement) Act 1920 there shall be inserted as a new subsection (1A):—
 - “(1A) Where the residence house of a benefice is held by the incumbent under a lease to which this Act applies, this Act shall have effect (with any necessary modifications) in relation to the enlargement of the incumbent's leasehold interest into a fee simple, and in relation to the estate so acquired, as it would have effect if the residence house were vested for that interest in trustees ; and

Status: This is the original version (as it was originally enacted).

the powers and provisions of the Parsonages Measure 1938 (as amended by any subsequent enactment) relating to the purchase of houses for parsonages shall apply for and in relation to the acquisition under this Act of the freehold reversion.”.

- (4) In section 2 of the Places of Worship (Enfranchisement) Act 1920 for the words from " the Lands Clauses Acts ", where first occurring, to the end of paragraph (a) there shall be substituted—

“Part I of the Compulsory Purchase Act 1965 shall apply as if the trustees were an authority authorised to acquire the premises by virtue of a compulsory purchase order, made under the Acquisition of Land (Authorisation Procedure) Act 1946 ; but in relation to any acquisition under this Act the following provisions shall have effect:—

- (a) in Part I of the Compulsory Purchase Act 1965 section 4 (time limit for acquisition) shall not apply, and for purposes of the said Part I " land " shall include easements in or relating to land ;”

and accordingly in the Places of Worship (Enfranchisement) Act 1920 there shall be omitted the definition in section 5 of " the county court " and the Schedule (which adapted for purposes of that Act the enactments originally applied by section 2, and in particular made in relation to re-sales special provision about the right to pre-emption conferred by the Lands Clauses Acts but not by the Compulsory Purchase Act 1965).

- (5) Section 4 of the Places of Worship (Enfranchisement) Act 1920 (under which the trusts of a place of worship may be enforced after enfranchisement by the Charity Commissioners, and if the trusts are not observed, the Commissioners may require the land to be sold) shall be omitted.
- (6) In section 5 of the Places of Worship (Enfranchisement) Act 1920, in the definition of " freehold reversion ", there shall be omitted the words from " and, where " onwards (being words relating to copyhold land and land of customary tenure).
- (7) In accordance with the provisions of this section the Places of Worship (Enfranchisement) Act 1920 shall, subject to subsection (8) below, have effect as set out in Schedule 6 to this Act.
- (8) This section and the repeals made by Part II of Schedule 7 to this Act shall not affect the operation of the Places of Worship (Enfranchisement) Act 1920 where an interest has been acquired, or notice to treat for its acquisition has been served, under that Act before this section comes into force, except that section 4 of that Act shall cease to have effect for any purpose.