



Ancient Monuments and Archaeological Areas Act 1979

1979 CHAPTER 46

PART III

MISCELLANEOUS AND SUPPLEMENTAL

Application to special cases

51 Ecclesiastical Property.

- (1) Without prejudice to the provisions of the ^{M1}Acquisition of Land (Authorisation Procedure) Act 1946 with respect to notices served under that Act, where under any of the provisions of this Act a notice is required to be served on an owner of land, and the land is ecclesiastical property, a like notice shall be served on the [^{F1}Church Commissioners][^{F1}Diocesan Board of Finance for the diocese in which the land is situated].
- (2) [^{F2}Where the fee simple of any ecclesiastical property is in abeyance, the fee simple][^{F2}Where any ecclesiastical property is vested in the incumbent of a benefice which is vacant it] shall for the purposes of this Act be treated as being vested in the [^{F1}Church Commissioners][^{F1}Diocesan Board of Finance for the diocese in which the land is situated].
- (3) Any sum which under section [^{F3}9ZL,] 7, 9 or 46 of this Act is payable in relation to land which is ecclesiastical property and apart from this subsection would be payable to an incumbent, shall be paid to the [^{F1}Church Commissioners][^{F1}Diocesan Board of Finance for the diocese in which the land is situated], to be applied for the purposes for which the proceeds of a sale by agreement of the land would be applicable under any enactment or Measure authorising, or disposing of the proceeds of, such a sale.
- (4) Where any sum is recoverable under section 8 of this Act in respect of land which is ecclesiastical property the [^{F1}Church Commissioners][^{F1}Diocesan Board of Finance

Status: Point in time view as at 23/02/2017. This version of this provision has been superseded.

Changes to legislation: Ancient Monuments and Archaeological Areas Act 1979, Section 51 is up to date with all changes known to be in force on or before 03 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

for the diocese in which the land is situated] may apply any money or securities held by [^{F4}them][^{F4}it] in the payment of that sum.

- (5) In this section “ecclesiastical property” means land belonging to an ecclesiastical benefice of the Church of England, or being or forming part of a church subject to the jurisdiction of a bishop of any diocese of the Church of England or the site of such a church, or being or forming part of a burial ground subject to such jurisdiction.

Textual Amendments

- F1** Words in s. 51 substituted (E.) (1.10.2006) by [Church of England \(Miscellaneous Provisions\) Measure 2006 \(No. 1\)](#), s. 16(2), [Sch. 5 para. 20\(a\)](#); 2006 No. 2, Instrument made by Archbishops
- F2** Words in s. 51(2) substituted (E.) (1.10.2006) by [Church of England \(Miscellaneous Provisions\) Measure 2006 \(No. 1\)](#), s. 16(2), [Sch. 5 para. 20\(b\)](#); 2006 No. 2, Instrument made by Archbishops
- F3** Word in s. 51(3) inserted (E.W.) (21.5.2016) by [Historic Environment \(Wales\) Act 2016 \(anaw 4\)](#), [ss. 13\(5\)](#), [41\(2\)](#)
- F4** Word in s. 51(4) substituted (E.) (1.10.2006) by [Church of England \(Miscellaneous Provisions\) Measure 2006 \(No. 1\)](#), s. 16(2), [Sch. 5 para. 20\(a\)](#); 2006 No. 2, Instrument made by Archbishops

Marginal Citations

- M1** 1946 c. 49.

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