



Church of Scotland (Property and Endowments) Amendment Act 1933

1933 CHAPTER 44

3 Non-statutory properties and endowments of quoad sacra parishes

- (1) The trustees or other persons in whom any properties or endowments, whether heritable or moveable, of a parish quoad sacra, other than the statutory properties and endowments of the parish, are vested shall, if so required by the General Trustees, convey or transfer such properties and endowments (hereinafter referred to as non-statutory properties and endowments) or any of them in the option of such Trustees or other persons as aforesaid to the General Trustees or to any other body authorised for the purpose by the General Assembly, or to a permanent body of local trustees, and on their so conveying or transferring the same, such trustees or other persons as aforesaid shall be thereby fully exonerated and discharged of the trust under which the said properties and endowments were held without the necessity of any further release, discharge or exoneration.
- (2) The General Trustees shall as regards any non-statutory properties and endowments vested in them, and any trustees or other persons shall as regards any such properties or endowments vested in them, have power, subject to the provisions of any deed of trust, conveyance or other deed applicable thereto and to the approval of the presbytery of the bounds, to sell or otherwise dispose of such properties and endowments and to apply the proceeds thereof in the first place to meet the proper requirements of the parish as such requirements may be determined by the General Assembly, or by any body to which the General Assembly may delegate the necessary power, and any remainder after these requirements have been fully met shall be applied for such ends, uses and purposes as the General Assembly may direct:

Provided always that—

- (i) the consent of the General Assembly declared by Act of Assembly shall be required to the sale or disposal of any such properties and endowments, except where by the terms of the deed of trust, conveyance or other deed under which any such properties and endowments are held the General Trustees or any trustees or other persons holding the same have power to sell or to dispose thereof without such consent; and

Status: This is the original version (as it was originally enacted).

- (ii) where it is proposed under the authority of the General Assembly to transfer the statutory properties and endowments of a parish quoad sacra to a new area, the non-statutory properties and endowments of such parish, or the proceeds of the sale of the same, if sold, may, with the like approval of the presbytery of the bounds and of the kirk session of the parish concerned, also be transferred along with the statutory properties and endowments of such parish to such new area.