



Incumbents and Churchwardens (Trusts) Measure 1964

1964 No. 2

1 Interpretation.

In this Measure—

^{F1}
...

“Diocesan authority” means the diocesan board of finance or any existing or future body appointed by the diocesan conference to act as trustees of diocesan trust property;

^{F2}
...

“Incumbent” includes any minister with a separate cure of souls but shall not include a curate in charge of a conventional district;

“Incumbent or churchwardens” means any incumbent and the churchwardens of the parish comprising the benefice of that incumbent or of any parish comprised in any united benefice of that incumbent and shall be deemed to refer to them or any of them jointly or severally;

“Land” includes land of any tenure, and mines and minerals, whether or not held apart from the surface, buildings or parts of buildings (whether the division is horizontal, vertical or made in any other way) and other corporeal hereditaments also a manor and a rent and other incorporeal hereditaments and an easement, right, privilege or benefit in, over or derived from land; but not an advowson ^{F3} . . ., and “hereditament”, “manor”, and “mines and minerals” shall bear the meanings assigned to them by paragraph (ix) of subsection (1) of section two hundred and five of the ^{M1}Law of Property Act 1925;

“Parish” means an ecclesiastical parish or district, whether old or new, the Minister of which has a separate cure of souls therein and includes each parish which remains a separate parish, in cases where a scheme of union provides for the union of benefices but not of parishes, but shall not include a parish whereof the parish church is a cathedral.

“Permanent trusts” means any trust of property which is a permanent endowment within the meaning of [^{F4}section 353(3) of the Charities Act 2011].

Changes to legislation: There are currently no known outstanding effects for the Incumbents and Churchwardens (Trusts) Measure 1964, Section 1. (See end of Document for details)

Textual Amendments

- F1** Definition "Custodian trustee" in s. 1 omitted (1.7.2015) by virtue of [Ecclesiastical Property Measure 2015 \(No. 2\)](#), **ss. 2(2)**, 3(2); S.I. 2015/1468, art. 2
- F2** Words in s. 1 omitted (1.3.2019) by virtue of [Church Property Measure 2018 \(No. 8\)](#), s. 53(2), Sch. 1 para. 7, **Sch. 3** (with Sch. 2); S.I. 2019/97, art. 2
- F3** Words in s. 1 repealed (1.1.1997) by 1996 c. 47, s. 25(2), **Sch. 4** (with ss. 24(2), 25(4)); S.I. 1996/2974, **art. 2**
- F4** Words in s. 1 substituted (14.3.2012) by [Charities Act 2011 \(c. 25\)](#), s. 355, **Sch. 7 para. 13** (with s. 20(2), Sch. 8)

Marginal Citations

- M1** 1925 c. 20.

Changes to legislation:

There are currently no known outstanding effects for the Incumbents and Churchwardens (Trusts) Measure 1964, Section 1.