



# Pastoral Measure 1983 (repealed)

1983 No. 1

## PART III

### REDUNDANT CHURCHES

*Amendment and revocation of redundancy schemes  
and redundancy provisions in pastoral schemes*

**57 Amendment of redundancy schemes and provisions.**

- (1) A redundancy scheme, and such provisions of a pastoral scheme as are made by virtue of section 46 or section 47, may be amended by a subsequent redundancy scheme prepared, [<sup>F1</sup>and made] in accordance with subsections (2) to (6) of section 50, and [<sup>F1</sup>subsection (9)] shall apply thereto.
- (2) An amending redundancy scheme may revoke all or any provisions of the previous redundancy scheme or, as the case may be, any such provisions of a pastoral scheme, and may substitute or add other provisions providing for any of the matters mentioned in section 51, so far as applicable, and may contain such transitional provisions as appear to the Commissioners to be necessary or expedient in consequence of the changes made by the amending scheme.
- (3) Without prejudice to the provisions of subsection (2), the Commissioners may, with the agreement of the Secretary of State, make an amending redundancy scheme which provides—
  - (a) for empowering the Commissioners to sell, give or exchange any property vested in the Redundant Churches Fund, being a redundant building or any part thereof or any land annexed or belonging to the building or the church of which it forms part, for any use or uses which appear to the Commissioners to be suitable and which shall be specified or described in the scheme; and
  - (b) for empowering the diocesan board of finance to use or hold that property for such use or uses as aforesaid, or to let or license it for that use or those uses, or partly the one and partly the other;

*Status: Point in time view as at 01/06/2005.*

*Changes to legislation: There are currently no known outstanding effects for the Pastoral Measure 1983 (repealed), Cross Heading: Amendment and revocation of redundancy schemes and redundancy provisions in pastoral schemes. (See end of Document for details)*

and the scheme may for that purpose provide that immediately before the date on which the property vests in the Commissioners under section 59(2) or in the diocesan board of finance under section 59(3), as the circumstances require, it shall cease to be vested in the said Fund.

Before preparing a draft of a scheme which provides as aforesaid the Commissioners shall consult the said Fund.

- (4) The proceeds of any sale or exchange made, and the premiums on any lease or licence granted, by virtue of subsection (3) shall be paid to the Commissioners, and out of those proceeds or premiums, as the case may be, the sum expended by the Redundant Churches Fund on the care and maintenance of the property to which the amending redundancy scheme relates, or so much thereof as the Commissioners may, with the agreement of the Secretary of State, determine, shall be repaid to the Fund by the Commissioners, and subject as aforesaid and to an appropriate order made under section 53(1)(b) or (c), the net proceeds or net premiums, as the case may be, shall be paid and applied in accordance with section 51(5).
- (5) Where any property to which the amending redundancy scheme relates is by virtue of subsection (3) let or licensed by the diocesan board of finance, the net rent from time to time paid thereunder shall be paid by the said board to the Redundant Churches Fund until the sum expended by the Fund on the care and maintenance of that property, or so much of that sum as the Commissioners may, with the agreement of the Secretary of State, determine, has been repaid to the Fund out of such rent.
- (6) A redundancy scheme or any provision thereof, and any such provision of a pastoral scheme, may be amended or revoked under this section before it comes into operation.

#### Textual Amendments

- F1** Words in s. 57(1) substituted (1.6.2005) by [Church of England \(Miscellaneous Provisions\) Measure 2005 \(No. 3\)](#), s. 11(2), [Sch. 4 para. 17](#); 2005 No. 2, Instrument made by Archbishops

## 58 Restoration of redundant building to use as a church building.

A pastoral scheme may provide that a redundant building or part of such a building which is vested in the Redundant Churches Fund or the diocesan board of finance or the Commissioners shall be restored to use as a church or part of a church, and may further provide:—

- (a) for designating the church as a parish church or chapel of ease;
- (b) for vesting the building or part, with or without any land vested as aforesaid with the building or part, in the incumbent of the benefice in the area of which it is situated, or in such other person as may be specified in the scheme;
- (c) for such transitional, supplementary or consequential matters as appear to the Commissioners to be necessary or expedient;
- (d) for revoking the declaration of redundancy and revoking or amending any provisions, whether in a pastoral scheme or redundancy scheme, made under this Part in relation to the redundant building or part.

**Status:**

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