



# Ecclesiastical Jurisdiction and Care of Churches Measure 2018

2018 No. 3

## PART 3

### CARE OF CHURCHES ETC.

#### *The list of places of worship*

#### **38 The list**

- (1) The Church Buildings Council must continue to maintain the list (“the list”) which it was maintaining under section 1 of the Care of Places of Worship Measure 1999 immediately before the commencement of this section, being a list of eligible buildings which are, as a result of their inclusion in the list, subject to the faculty jurisdiction.
- (2) A building is eligible for inclusion in the list if (subject to subsection (3))—
  - (a) it is subject to any peculiar jurisdiction and is used for worship according to the rites and ceremonies of the Church of England;
  - (b) it is a chapel forming part of an episcopal house of residence;
  - (c) it is a chapel or other place of worship owned or leased by or held in trust for a religious community;
  - (d) it does not come within paragraph (a), (b) or (c) but is part of a university, college, school, hospital, Inn of Court, almshouse or other public or charitable institution and is primarily used—
    - (i) for worship according to the rites and ceremonies of the Church of England, or
    - (ii) for joint worship by members of the Church of England and one or more other Churches;
  - (e) it is subject to a sharing agreement made on behalf of the Church of England in pursuance of the Sharing of Church Buildings Act 1969 and is used for worship.

---

*Changes to legislation:* There are currently no known outstanding effects for the Ecclesiastical Jurisdiction and Care of Churches Measure 2018, Section 38. (See end of Document for details)

---

- (3) But a building is not eligible for inclusion in the list if—
- (a) the Care of Cathedrals Measure 2011 applies to it,
  - (b) it is subject to the faculty jurisdiction of a consistory court, or
  - (c) it comes within Article 7(1)(a) to (d) of the Ecclesiastical Exemption (Listed Buildings and Conservation Areas) (England) Order 2010 (ecclesiastical exemption: buildings used by other Churches).
- (4) In this section and sections 39 to 44—
- “building” does not include plant or machinery in the building;
  - “episcopal house of residence” has the same meaning as in section 3 of the Episcopal Endowments and Stipends Measure 1943.
  - [<sup>F1</sup>“religious community” has the same meaning as in the Canons (see Canon DA 1).]

---

#### **Textual Amendments**

- F1** Words in s. 38(4) inserted (14.7.2021) by [Church of England \(Miscellaneous Provisions\) Measure 2020 \(No. 1\)](#), **ss. 1(5)**, 16(3); S.I. 2021/545, art. 2
- 

#### **Commencement Information**

- I1** S. 38 in force at 1.9.2018 by [S.I. 2018/720](#), **art. 2**

**Changes to legislation:**

There are currently no known outstanding effects for the Ecclesiastical Jurisdiction and Care of Churches Measure 2018, Section 38.