



Benefices (Sequestrations) Measure 1933

1933 No. 4 23 and 24 Geo 5

1 Remuneration of occasional ecclesiastical duties performed in vacant benefices.

- (1) The bishop of every diocese shall . . . ^{F1}have power . . . ^{F1} to determine the amount of the remuneration to be paid [^{F2}for the performance of occasional ecclesiastical duties in any benefice during a vacancy therein and, where any such duty is performed by a person other than a clerk in Holy Orders, the person to whom the remuneration is to be paid.]
- (2) A determination by the bishop under this section shall be binding on and shall be given effect to by the sequestrators.
- (3) The power conferred by this section shall authorise the bishop both to fix a general scale of remuneration to be applied in the absence of any special determination by him of the remuneration to be paid in a particular case and also to make such a special determination if, in his opinion, circumstances so require.

Textual Amendments

- F1** Words repealed by [Endowments and Glebe Measure 1976 \(No. 4\)](#), s. 49(2), **Sch. 8**
- F2** Words substituted by [Church of England \(Miscellaneous Provisions\) Measure 1976 \(No. 3\)](#), s. 5

2 Powers of sequestrators during vacancies.

- (1) During a vacancy in a benefice the sequestrators may, subject to the provisions of this Measure, from time to time out of the income thereof which shall accrue during the vacancy, make provision for—
 - (i) the proper care and custody of the house of residence of the benefice;
 - (ii) the upkeep of any garden, kitchen garden, orchard or other land belonging to and occupied together with such house of residence;
 - (iii) the remuneration payable in respect of any professional assistance required by them in connection with their duties; and
 - (iv) the payment of interest upon moneys borrowed by them for any purpose for which provision has to be made by them under this Measure or otherwise.

Changes to legislation: There are currently no known outstanding effects for the Benefices (Sequestrations) Measure 1933. (See end of Document for details)

- (2) The powers conferred by this section—
 - (i) shall be exercisable in any benefice only with the approval of the bishop of the diocese in which the benefice is situate, who may, at his discretion, either give a general approval of the said powers or some of them being exercised or sanction only particular items of expenditure; and
 - (ii) shall be exercised in such manner and to such extent as the bishop shall direct in any case where he shall think it desirable to give directions.
- (3) The bishop of a diocese may delegate all the powers conferred on him by this section so far as they relate to the benefices within a particular archdeaconry to the archdeacon of that archdeaconry, and may revoke any such delegation.
- (4) Subject to the rights of an outgoing incumbent, or the representatives of a deceased incumbent, the produce of any garden, kitchen garden, orchard, or other land belonging to and occupied together with the house of residence of a vacant benefice may be sold by the sequestrators, the proceeds of sale being treated as part of the income of the benefice.

3 F3

Textual Amendments
 F3 S. 3 repealed by [Endowments and Glebe Measure 1976 \(No. 4\)](#), s. 49(2), **Sch. 8**

4 F4

Textual Amendments
 F4 S. 4 repealed by [Endowments and Glebe Measure 1976 \(No. 4\)](#), s. 49(2), **Sch. 8**

5 Existing powers of sequestrators.

The powers conferred on sequestrators by this Measure shall be in addition to the powers already vested in them under the existing law.

^{F5}**6**

Textual Amendments
 F5 S. 6 repealed (1.6.1992) by [Church of England \(Miscellaneous Provisions\) Measure 1992 \(No. 1\)](#), s. 17(2), **Sch. 4 Pt. II**; Instrument dated 27.5.1992 made by [Archbishops of Canterbury and York](#).

7 Short title.

This Measure may be cited as the Benefices (Sequestrations) Measure 1933.

Changes to legislation: *There are currently no known outstanding effects for the Benefices (Sequestrations) Measure 1933. (See end of Document for details)*

8 Extent.

This Measure shall extend to the whole of the provinces of Canterbury and York except the Channel Islands and the Isle of Man.

Changes to legislation:

There are currently no known outstanding effects for the *Benefices (Sequestrations) Measure 1933*.