



Sharing of Church Buildings Act 1969

1969 CHAPTER 38

1 Agreements for sharing church buildings.

- (1) It shall be lawful, notwithstanding any statutory or other legal provision, for any two or more Churches to which this Act applies to make agreements, through the parties mentioned in this section and in accordance with the provisions thereof, for the sharing by them of church buildings, and to carry such agreements into effect, and such agreements are in this Act referred to as “sharing agreements”.
- (2) A sharing agreement may be made in respect of a single church building or two or more church buildings in the same locality, and in respect of any existing or proposed church building, and, subject to the following provisions of this Act relating to consecrated churches of the Church of England and the sharing of residential buildings, may provide for the shared building or any of the shared buildings to be owned or continue to be owned by one only of the sharing Churches or to be jointly owned by all or some of the sharing Churches.
- (3) The parties to a sharing agreement shall—
 - (a) as respects the Church of England, be the Diocesan Board of Finance of the diocese and the incumbent and parochial church council of the parish in which the building or buildings is or are or will be situated [^{F1}and, where a team ministry is established for the benefice comprising that parish,—
 - (i) any vicar in the team ministry to whom a special cure of souls in respect of the parish has been assigned by a scheme under the Pastoral Measure 1983 or by his licence from the bishop; or
 - (ii) any member of the team to whom a special responsibility for pastoral care in respect of the parish has been assigned under section 20(8A) of that Measure, the parish not being one in respect of which a special cure of souls has been assigned as mentioned in paragraph (i) above]
 - (b) as respects any other Church, be such persons as may be determined by the appropriate authority of that Church;

and shall also include, in the case of an existing building, the person (if not otherwise a party) in whom the building is vested and any managing trustees thereof, and may also include, in the case of a proposed building, any person in whom it is to be vested or who is to be a managing trustee thereof.

Changes to legislation: There are currently no known outstanding effects for the Sharing of Church Buildings Act 1969, Section 1. (See end of Document for details)

- (4) A sharing agreement shall not be made on behalf of the Church of England without the consent of the bishop and the Pastoral Committee of the diocese concerned, and the appropriate authority of any other Church to which this Act applies may require the consent of any body or person specified by the authority to be given to sharing agreements made on behalf of that Church.
- (5) Where a church building is held on trust for educational purposes which include instruction in religious knowledge according to the faith and practice of the Church of England, the consent of the Diocesan Education Committee of the diocese concerned to a sharing agreement in respect of that building shall be required in lieu of the consent of the Pastoral Committee thereof, and the agreement shall be subject to the approval of the Secretary of State.
- (6) Where a benefice is vacant and a suspension period is current under section 67 of the ^{M1}Pastoral Measure 1968, subsection (3)(a) of this section shall have effect with the substitution for the reference to the incumbent of a reference to the minister in charge of the parish, but otherwise a sharing agreement shall not be made on behalf of the Church of England during a vacancy in the benefice concerned.
- (7) Where a see is vacant, or the bishop of the diocese is unable because of illness or absence to give his consent under subsection (4) of this section, the archbishop of the province may appoint by an instrument under his hand a suffragan or assistant bishop or an archdeacon of the diocese to act in place of the bishop under the said subsection for a period specified in the instrument; and in the event of a vacancy in the see of an archbishop or his illness or absence, an appointment under this subsection, either in respect of the see of the archbishop or another see in the province, may be made by the other archbishop.
- (8) A sharing agreement shall be under seal and shall be registered, in the case of the Church of England, in the registries of the province and diocese, and, in the case of other Churches, in the registry or office of the appropriate authority, and the consents required as aforesaid shall be signified in writing by the secretary or clerk of the body concerned or by the person concerned and shall be registered with the deed.
- (9) A sharing agreement shall be binding on the successors to the parties thereto, that is to say, on the persons who would at any subsequent time be required to be parties if the agreement were then being made, and any reference in this Act to the parties to a sharing agreement shall be construed, as respects anything done at a subsequent time, as referring to the said persons.
- (10) A sharing agreement may be amended by agreement of the parties thereto and with the consents that would then be required to a new sharing agreement.

Textual Amendments

F1 [S. 1\(3\)\(i\)\(ii\)](#) and preceding words inserted (1.5.1996) by [1995 No. 1; Instrument dated 12.1.1996 made by Archbishops of Canterbury and York](#)

Marginal Citations

M1 [1968 No. 1.](#)

Changes to legislation:

There are currently no known outstanding effects for the Sharing of Church Buildings Act 1969, Section 1.