



Ancient Monuments and Archaeological Areas Act 1979

1979 CHAPTER 46

PART III

MISCELLANEOUS AND SUPPLEMENTAL

Application to special cases

51 Ecclesiastical property

- (1) Without prejudice to the provisions of the Acquisition of Land (Authorisation Procedure) Act 1946 with respect to notices served under that Act, where under any of the provisions of this Act a notice is required to be served on an owner of land, and the land is ecclesiastical property, a like notice shall be served on the Church Commissioners.
- (2) Where the fee simple of any ecclesiastical property is in abeyance, the fee simple shall for the purposes of this Act be treated as being vested in the Church Commissioners.
- (3) Any sum which under section 7, 9 or 46 of this Act is payable in relation to land which is ecclesiastical property, and apart from this subsection would be payable to an incumbent, shall be paid to the Church Commissioners, to be applied for the purposes for which the proceeds of a sale by agreement of the land would be applicable under any enactment or Measure authorising, or disposing of the proceeds of, such a sale.
- (4) Where any sum is recoverable under section 8 of this Act in respect of land which is ecclesiastical property the Church Commissioners may apply any money or securities held by them in the payment of that sum.
- (5) In this section "ecclesiastical property" means land belonging to an ecclesiastical benefice of the Church of England, or being or forming part of a church subject to the jurisdiction of a bishop of any diocese of the Church of England or the site of such a church, or being or forming part of a burial ground subject to such jurisdiction.