STATUTORY INSTRUMENTS

# 2017 No. 801

# ECCLESIASTICAL LAW, ENGLAND

## The Payments to the Churches Conservation Trust Order 2017

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| *Made (sealed by the Church Commissioners)* | *23rd May 2017* |
| *Approved by the General Synod* | *7th July 2017* |
| *Laid before Parliament* | *27th July 2017* |
| *Coming into force - -* | *1st April 2018* |

The Church Commissioners, in exercise of the power under section 65 of the Mission and Pastoral Measure 2011(**a**), make the following Order:

**Citation, commencement and interpretation**

**1.**—(1) This Order may be cited as the Payments to the Churches Conservation Trust Order 2017.

(2) This Order comes into force on 1st April 2018.

(3) In this Order, "the 2011 Measure" means the Mission and Pastoral Measure 2011.

**Funding period**

**2.** The funding period for the purposes of Part 6 of the 2011 Measure is the period which begins with 1st April 2018 and ends with 31st March 2021.

**Amount of payment**

**3.**—(1) The total amount to be paid by the Commissioners to the Churches Conservation Trust in respect of the funding period specified in article 2, by way of grants under section 57(19) of the 2011 Measure and moneys allocated under section 64(1) of that Measure, is—

(a) £4,290,000, and

(b) such additional amounts as are provided for by paragraph (2).

(2) Where the Commissioners' one-third share of the proceeds and premiums received during 2018, 2019 or 2020 exceeds £600,000, there is to be an additional amount for the purposes of paragraph (1)(b) equal to the amount of the excess.

(3) But the total of the payments under paragraph (1)(b) must not exceed £225,000; and paragraph (2) accordingly has effect subject to this paragraph.

(4) In paragraph (2)—

(**a**) 2011 No.3.

(a) the reference to the proceeds and premiums received during a calendar year is a reference to the net proceeds and net premiums referred to in section 64 of the 2011 Measure which are received during that calendar year, and

(b) the reference to the Commissioners' one-third share of those proceeds and premiums is a reference to the moneys comprised in the remaining one-third as referred to in that section.

**Payments on account**

**4.** A payment on account of the sum specified in article 3(1)(a), or of an additional amount referred to in article 3(1)(b), may be made only if the Commissioners are satisfied—

(a) that the amount of the payment is a portion of a sum of money needed by the Churches Conservation Trust, and

(b) that the balance of that sum will be paid to the Trust out of moneys provided by Parliament.

The Common Seal of the Church Commissioners was hereunto affixed on 23rd May 2017.

L.S.

*Andrew Brown*
Secretary

Church House, London SW1P 3AZ

Approved by the General Synod of the Church of England on 7th July 2017.

*Jacqui Philips*
Clerk to the Synod

Church House, London SW1P 3AZ

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order provides that, in respect of the period from 1st April 2018 to 31st March 2021, the total amount to be paid by the Church Commissioners to the Churches Conservation Trust is a fixed sum of £4,290,000 plus certain additional sums determined in the way described below. The total amount comprises grants made by the Church Commissioners and moneys allocated by them out of the net proceeds of the sale or exchange of churches closed for regular public worship or land occupied by them and the net premiums for the grant of leases of such churches or land.

The additional sums referred to above are determined as follows. If the Commissioners' share of the net proceeds and premiums referred to above exceeds £600,000 in 2018, 2019 or 2020, the amount of the excess is payable to the Trust. But that is subject to an overall cap of £225,000 on the additional payments for the whole of the three-year period.

The Order also provides for payment on account if the amount in question is a proportion of a sum needed by the Trust and if Parliament has approved the payment of the balance of that sum.

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