***Changes to legislation:*** *There are outstanding changes not yet made by the legislation.gov.uk editorial team to Inspection of Churches Measure 1955. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)*

DISCLAIMER: As Member States provide national legislations, hyperlinks and explanatory notes (if any), UNESCO does not guarantee their accuracy, nor their up-dating on this web site, and is not liable for any incorrect information. COPYRIGHT: All rights reserved.This information may be used only for research, educational, legal and non-commercial purposes, with acknowledgement of UNESCO Cultural Heritage Laws Database as the source (© UNESCO).

# Inspection of Churches Measure 1955

**1955 CHAPTER 1 3 and 4 Eliz 2**

A Measure passed by the National Assembly of the Church of England. To Provide for the establishment of schemes for the inspection of churches by architects at least once in every five years; and for purposes connected therewith. [29th March 1955]

Whereas by the Constitutions and Canons Ecclesiastical of the Church of England it was provided that the churchwardens should take care to provide that churches be well and sufficiently repaired, kept and maintained, and that every archdeacon should survey the churches of his jurisdiction once in every three years in his own person or cause the same to be done:

And whereas all powers, duties and liabilities of the churchwardens relating to the care, maintenance, preservation and insurance of the fabric of the church have been transferred to and are vested in the parochial church council:

And whereas it is expedient that every church should by inspected by an architect at least once in every five years.

**Annotations:**

**Modifications etc. (not altering text)**

**C1** Act applied (1. 8. 1991) by Diocesan Boards of Education Measure 1991 (No. 2), **s. 7(3)**;Archbishops' Instrument made 26.7.1991
Act (except ss. 1A, 2(2)(3), 3, 4, 5) extended (with modifications) (1.7.2001) by 1999 No. 2, **s. 3(4)**; Instrument dated 21.6.2001 made by the archbishops of Canterbury and York

**C2** Power to extend Measure conferred by Church of England (Miscellaneous Provisions) Measure 1978 (No. 3, SIF 21:8), **s. 9(1)**

**C3** Measure excluded by Pastoral Measure 1983 (No. 1, SIF 21:4), **s. 49(3)**

**Commencement Information**

**I1** Measure not in force at Royal Assent. Act wholly in force at 1.3.1993.

**Changes to legislation:** *There are outstanding changes not yet made by the legislation.gov.uk editorial team to Inspection of Churches Measure 1955. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)*

DISCLAIMER: As Member States provide national legislations, hyperlinks and explanatory notes (if any), UNESCO does not guarantee their accuracy, nor their up-dating on this web site, and is not liable for any incorrect information. COPYRIGHT: All rights reserved. This information may be used only for research, educational, legal and non-commercial purposes, with acknowledgement of UNESCO Cultural Heritage Laws Database as the source (© UNESCO).

## 1 [F1Diocesan synods] to establish schemes for inspection of churches.

(1) As soon as may be after the passing of this Measure and in any case not later than three years thereafter the [F1diocesan synod] of every diocese to which this Measure applies shall establish a scheme to provide for the inspection of every church in the diocese at least once in every five years.

(2) Every scheme:—

(a) shall provide for the establishment of a fund by means of contributions from parochial, diocesan or other sources;

(b) shall provide for the payment out of such fund or otherwise of the cost of the inspection of churches in the diocese;

(c) shall provide for the appointment of [F2a qualified person or persons] approved by the advisory committee to inspect the churches in the diocese and to make a report on every church inspected;

(d) shall provide in the case of every church inspected for a copy of the report so made to be sent to the archdeacon of the archdeaconry [F2, to the parochial church council of the parish in which the church is situate and to the incumbent of the benefice comprising that parish and to the secretary of the advisory committee of the diocese], in which the church is situate; and

(e) may contain such other provisions not inconsistent with this Measure as the [F1diocesan synod] shall think fit.

(3) The [F1diocesan synod] shall have power at any time or times to establish a further scheme taking the place of any prior scheme but so that every such further scheme shall be for the purpose specified in subsection (1) of this section and shall comply with the provisions of subsection (2) thereof.

(4) Any scheme made in pursuance of this section and passed at a meeting of the [F1diocesan synod] shall be signed by the Chairman of that meeting and shall come into operation as from the date on which it is so signed.

**Annotations:**

**Amendments (Textual)**

**F1** Words substituted by virtue of Synodical Government Measure 1969 (No. 2), **s. 4(7)**

**F2** Words in s. 1(2)(c) inserted for the words "an architect or architects" (1.3.1993) by Care of Churches and Ecclesiastical Jurisdiction Measure 1991 (No. 1, SIF 21:8), s. 3, **Sch. 3 para. 2(a)** (with s. 31(6)); Archbishops' Instrument made16.2.1993
Words in s. 1(2)(d) substituted (1.3.1993) by Care of Churches and Ecclesiastical Jurisdiction Measure 1991 (No. 1, SIF 21:8), s. 3, **Sch. 3 para. 2(b)** (with s. 31(6)); Archbishops' Instrument dated16.2.1993

## [1A F3Inspections to extend to certain valuable articles, etc.

Where, in accordance with a scheme established under section 1 of this Measure, a person inspects a church the inspection shall extend to—

(a) any movable article in the church which he is directed by the archdeacon concerned, after consultation with the advisory committee, to treat as being, and such other articles as the person inspecting the church considers to be,—

(i) of outstanding architectural, artistic, historical or archaeological value; or

(ii) of significant monetary value; or

***Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to Inspection of Churches Measure 1955. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)*

DISCLAIMER: As Member States provide national legislations, hyperlinks and explanatory notes (if any), UNESCO does not guarantee their accuracy, nor their up-dating on this web site, and is not liable for any incorrect information. COPYRIGHT: All rights reserved. This information may be used only for research, educational, legal and non-commercial purposes, with acknowledgement of UNESCO Cultural Heritage Laws Database as the source (© UNESCO).

(iii) at special risk of being stolen or damaged;

(b) any ruin in the churchyard (open or closed) which is for the time being designated by the Council for British Archaeology and the Royal Commission on the Historical Monuments of England acting jointly as being of outstanding architectural, artistic, historical or archaeological value;

(c) any tree in the churchyard (open or closed) belonging to the church in respect of which a tree preservation order under the Town and Country Planning Act 1990 is for the time being in force,

and references in this Measure to the inspection of a church shall be construed accordingly.**]**

**Annotations:**

**Amendments (Textual)**

**F3** S. 1A inserted (1.1.1993) by Care of Churches and Ecclesiastical Jurisdiction Measure 1991 (No. 1, SIF 21:8), s. 3, **Sch. 3 para.3** (with s. 31(6)); Archbishops' Instruments dated16.2.1993

### [F4]1B Duty of bishops to establish schemes.

(1) Where, for any diocese to which this Measure applies, a scheme has not been made in pursuance of section 1 of this Measure it shall be the duty of the bishop of the diocese to establish a scheme for the purpose specified in subsection (1) of that section complying with the provisions of subsection (2)(a) to (d) thereof and containing such other provisions not inconsistent with this Measure as the bishop shall think fit.

(2) Any scheme made in pursuance of this section shall, for the purposes of this Measure (except section 1(4)), be deemed to have been made in pursuance of section 1 of this Measure.

**Annotations:**

**Amendments (Textual)**

**F4** S. 1B inserted (1.3.1993) by Care of Churches and Ecclesiastical Jurisdiction Measure 1991 (No. 1, SIF 21:8), s. 3, **Sch. 3 para.3** (with s. 31(6)); Archbishops' Instrument dated16.2.1993

### 2 Power for archdeacon to ensure inspection of churches once in five years.

(1) Where the archdeacon of any archdeaconry finds at a survey of the churches of his jurisdiction or at any other time that a church in his archdeaconry has not been inspected to his satisfaction by **[**[F5]a qualified person**]** for a period of at least five years, he may serve upon the parochial church council of the parish in which the church is situate a notice in writing requiring the council to cause the church to be inspected in accordance with the scheme made in pursuance of section one of this Measure for the diocese in which the church is situate.

(2) At any time after the expiration of three months from the date when the said notice was served, the archdeacon, with the consent of the bishop, may, if the church has not been so inspected in the meantime, himself make arrangements for the required inspection and report.

**Changes to legislation:** *There are outstanding changes not yet made by the legislation.gov.uk editorial team to Inspection of Churches Measure 1955. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)*

DISCLAIMER: As Member States provide national legislations, hyperlinks and explanatory notes (if any), UNESCO does not guarantee their accuracy, nor their up-dating on this web site, and is not liable for any incorrect information. COPYRIGHT: All rights reserved. This information may be used only for research, educational, legal and non-commercial purposes, with acknowledgement of UNESCO Cultural Heritage Laws Database as the source (© UNESCO).

**[**F6(3) For the purposes of this section any reference to a church shall be construed as including a reference to any movable article in a church which the archdeacon concerned, after consultation with the advisory committee, considers to be—

(a) of outstanding architectural, artistic, historic or archaeological value; or

(b) of significant monetary value; or

(c) at special risk of being stolen or damaged.**]**

**Annotations:**

**Amendments (Textual)**

**F5** Words in s. 2(1) substituted (1.3.1993) by Care of Churches and Ecclesiastical Jurisdiction Measure 1991 (No. 1, SIF 21:8), s. 3, **Sch. 3 para. 4(a)** (with s. 31(6)); Archbishops' Instrument dated16.2.1993

**F6** S. 2(3) inserted (1.3.1993) by Care of Churches and Ecclesiastical Jurisdiction Measure 1991 (No. 1, SIF 21:8), s. 3, **Sch. 3 para. 4(b)** (with s. 31(6)); Archbishops' Instrument dated16.2.1993

## 3 Cost of inspection arranged by archdeacon.

In any case where a church has been inspected pursuant to a notice served, or to arrangements made by the archdeacon under section two of this Measure, the cost of such inspection as certified by the archdeacon shall be paid out of the fund established by the scheme mentioned in that section.

## 4 Parishes without parochial church councils.

(1) Where at any material time a parish has no parochial church council, the provisions of this Measure (and of any scheme made under section one thereof) with respect to notices to be sent to, and other acts and things to be done to or by, a parochial church council shall, as regards that parish, if there are churchwardens thereof, have effect as if the churchwardens were the parochial church council.

(2) For the purpose of this section a certificate by the bishop of a diocese stating that at any time specified in the certificate a particular parish in the diocese had no parochial church council shall be conclusive.

## 5 Service of notices.

Any notice required or authorised by this Measure to be served on a parochial church council or churchwardens may be served:—

(a) in the case of a parochial church council, by sending it by post in a registered letter addressed to the secretary of the council by his name at his usual, or last known, residence, or, if his name or residence is unknown, then in such a letter addressed to him by the title of secretary of the council in question at the usual, or last known, residence of the incumbent of the parish;

(b) in the case of the churchwardens of a parish, by sending it by post in registered letters addressed to any two of them at their usual, or last known, residences, or, if there is only one churchwarden, by sending it by post in such a letter addressed to him at his usual, or last known, residence.

***Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to Inspection of Churches Measure 1955. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)*
DISCLAIMER: As Member States provide national legislations, hyperlinks and explanatory notes (if any), UNESCO does not guarantee their accuracy, nor their up-dating on this web site, and is not liable for any incorrect information. COPYRIGHT: All rights reserved. This information may be used only for research, educational, legal and non-commercial purposes, with acknowledgement of UNESCO Cultural Heritage Laws Database as the source (© UNESCO).

## 6 Interpretation.

In this Measure the following expressions have the meanings hereby respectively assigned to them:—

"advisory committee" means the advisory committee for the care of churches of the diocese in question appointed under the **[**F7M1Faculty Jurisdiction Measure 1964**]**;

"the bishop" when used with reference to a church means the bishop of the diocese in which the church is situate (including during a vacancy in the see the guardian of the spiritualities thereof);

**[**F8 "church" means—

(a) any parish church other than one to which the Care of Cathedrals Measure 1990 applies;

(b) any other church or chapel (not being a cathedral church to which the Care of Cathedrals Measure 1990 applies or a church or chapel which is not subject to the jurisdiction of the bishop of a diocese or the Cathedral Church of Christ in Oxford) which has been consecrated for the purpose of public worship according to the rites and ceremonies of the Church of England; and

(c) any building licensed for public worship according to the rites and ceremonies of the Church of England other than—

(i) a building which is in a university, college, school, hospital or public or charitable institution but which has not been designated under section 29(2) of the 1983 Measure as a parish centre of worship;

(ii) a building which has been excluded from the provisions of this Measure by direction of the bishop with the approval of the advisory committee; and

(iii) a building used solely for the purpose of religious services relating to burial or cremation;**]**

"diocese" in the case of the diocese of Winchester does not include the Channel Islands.

**[**F9"qualified person" means a person registered under the Architects Registration Acts 1931 to 1969 or a member of the Royal Institution of Chartered Surveyors qualified as a chartered building surveyor;

"ruin" means any site comprising the remains of any building above the surface of the land, not being—

(a) a monument (within the meaning of section 3 of the Faculty Jurisdiction Measure 1964); or

(b) a site which is for the time being used for the purpose of public worship according to the rites and ceremonies of the Church of England**]**

**Annotations:**

**Amendments (Textual)**

**F7** Words substituted by virtue of Interpretation Measure 1925 (No. 1), **s. 1**

**F8** The definition of "church" in s. 6 inserted (1.3.1993) by Care of Churches and Ecclesiastical Jurisdiction Measure 1991 (No. 1, SIF 21:8), s. 3, **Sch. 3 para. 5(a)** (with s. 31(6)); Archbishops' Instrument dated16.2.1993

**Changes to legislation:** *There are outstanding changes not yet made by the legislation.gov.uk editorial team to Inspection of Churches Measure 1955. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)*

DISCLAIMER: As Member States provide national legislations, hyperlinks and explanatory notes (if any), UNESCO does not guarantee their accuracy, nor their up-dating on this web site, and is not liable for any incorrect information. COPYRIGHT: All rights reserved. This information may be used only for research, educational, legal and non-commercial purposes, with acknowledgement of UNESCO Cultural Heritage Laws Database as the source (© UNESCO).

**F9** The definitions of "qualified person" and "ruin" in s. 6 inserted (1.3.1993) by Care of Churches and Ecclesiastical Jurisdiction Measure 1991 (No. 1, SIF 21:8), s. 3, **Sch. 3 para. 5(b)** (with s. 31(6)); Archbishops' Instrument dated16.2.1993

**Marginal Citations**

**M1** 1964 No. 5.

## 7 Extent and short title.

(1) This Measure shall extend to the whole of the Provinces of Canterbury and York, except the Channel Islands and the Isle of Man.

(2) This Measure may be cited as the Inspection of Churches Measure 1955.

UNESCO Cultural Heritage Laws Database (Copyright and Disclaimer apply)

DISCLAIMER: As Member States provide national legislations, hyperlinks and explanatory notes (if any), UNESCO does not guarantee their accuracy, nor their up-dating on this web site, and is not liable for any incorrect information. COPYRIGHT: All rights reserved.This information may be used only for research, educational, legal and non-commercial purposes, with acknowledgement of UNESCO Cultural Heritage Laws Database as the source (© UNESCO).

**Changes to legislation:**
There are outstanding changes not yet made by the legislation.gov.uk editorial team to Inspection of Churches Measure 1955. Any changes that have already been made by the team appear in the content and are referenced with annotations.

**Changes and effects yet to be applied to the whole Measure, associated Parts and Chapters:**

– Measure excluded by 2011 No. 3 s. 61(3)

UNESCO Cultural Heritage Laws Database (Copyright and Disclaimer apply)