

THE METHODIST CHURCH ACT 1976 and its application to property

The following guidance, originally produced by the Property Office, appears in Section 01/03 of the Methodist Church Property Handbook, as amended in September 2016. While every effort has been made to set out the current guidance please check the Property Handbook for the most up-to-date version:

<http://www.methodist.org.uk/ministers-and-office-holders/property/handbook/overview>.

1. Introduction

This Act came into operation on 16th April 1977. It transferred ownership of most Methodist Church Property and declared new Model Trusts upon which such property would in future be held. No Title Deeds or other documents exist in respect of such transfer; it was achieved by the operation of this Act alone.

2. Property to which the Act applies

The Act applies to all property held upon the Trusts of any of the Model Deeds listed in the Schedule below and also to property (District Chairs' Houses and International Houses) held subject to one or other of the two Charity Commission Orders both dated 2nd September 1971.

“**Property**” includes stocks, shares, unit trust investments and all other securities as well as land, buildings and chattels.

3. Effect of the Act

The ownership of the vast majority of Methodist property in England, Wales and Scotland referred to in para 2 was on 16th April 1977 **automatically** transferred to the Trustees for Methodist Church Purposes (“**the Board**”) — a Trust Corporation constituted by the Methodist Church Act 1939.

The Board holds such property as Custodian Trustees by Section 9(2) but its management is vested in the relevant Managing Trustees who must act in accordance with the Model Trusts and the Standing Orders made under them. (There are different custodian trustees for property outside England, Wales and Scotland, but the system operates in the same way.)

Section 9(3) provides that the Managing Trustees of such property shall be as specified in Part II of Schedule 2 to the Act. The result is that for:

- (1) **Local Property** (eg a Methodist Chapel) the Managing Trustees will be the adult members of the appropriate **Church Council**.
- (2) **Circuit Property** (eg a Manse) the Managing Trustees will be the adult members of the appropriate **Circuit Meeting**.
- (3) **District Property** (eg Chair's Manse) the Managing Trustees will be the appropriate District Trustees.

THE SCHEDULE

The Wesleyan Chapel Model Deed dated 3rd July 1832 and made between John Sutcliffe and others

The United Methodist Free Churches (formerly Wesleyan Methodist Association) Model Deed dated 27th January 1842 and made between Robert Eckett and others

The Methodist New Connexion Model Deed dated 29th December 1846 and made between Thomas W. Scarf and others

The Bible Christian Model Deed dated 31st December 1863 and made between James Hinks and others

The Model Chapel Trust Deed of the Primitive Methodist Connexion dated 24th March 1864 and made between the Reverend Richard Davies and others

The United Methodist Free Churches Reference Deed dated 1st November 1865 and made between Matthew Baxter and others

The Model Deed of the United Methodist Church dated 22nd April 1908 and made between Henry Arthur Clowes and others

The Model Deed of the Methodist Church dated 15th December 1932 and made between His late Majesty King George V and others