



# Church Commissioners Measure 1947

1947 No. 2 10 and 11 Geo 6

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A Measure passed by the National Assembly of the Church of England. To promote the more efficient and economical administration of the resources of the Church of England by uniting the Corporation of the Governors of the Bounty of Queen Anne for the augmentation of the maintenance of the poor clergy, founded by charter under the Great Seal in the year 1704, and the Ecclesiastical Commissioners for England originally established in the year 1836 by the statute 6 and 7 William the Fourth, chapter 77. [2nd April 1947]

### Modifications etc. (not altering text)

C1 Measure extended by [Pastoral Measure 1983 \(No. 1, SIF 21:4\)](#), s. 43(2)

### Commencement Information

II Measure wholly in force at Royal Assent

## 1 Establishment of the Church Commissioners. U.K.

- (1) For the purpose of uniting Queen Anne's Bounty with the Ecclesiastical Commissioners there shall be established, by the name of the Church Commissioners for England, a body corporate having perpetual succession and a common seal . . . <sup>F1</sup>
- (2) The said body (hereafter in this Measure referred to as "the Commissioners") shall be constituted in accordance with the provisions of the First Schedule to this Measure, and may for all purposes be referred to as the "Church Commissioners."

### Textual Amendments

F1 Words repealed by [Charities Act 1960 \(c. 58\)](#), Sch. 7 Pt. II

*Status: Point in time view as at 01/01/1992.*

*Changes to legislation: There are currently no known outstanding effects for the Church Commissioners Measure 1947. (See end of Document for details)*

**2 Transfer of functions and property. U.K.**

On the appointed day Queen Anne’s Bounty and the Ecclesiastical Commissioners (hereafter in this Measure referred to as “the constituent authorities”) shall be dissolved and—

- (a) all functions, rights and privileges of either of them shall be transferred to, and become functions, rights and privileges of, the Commissioners;
- (b) all property vested in either of them shall be transferred to, and shall by virtue of this section and without any conveyance, assignment, transfer or other assurance vest in, the Commissioners: and
- (c) all property held in trust for either of them shall be held in trust for the Commissioners:

Provided that a vesting of property by virtue of paragraph (b) of this section shall not affect any previously existing trust or mortgage or other charge affecting the property, or any previously existing lease or tenancy thereof.

**3 Method of business. U.K.**

The business of the Commissioners, except the exercise of powers which, under this or any other Measure or any enactment, are required to be exercised at a general meeting of the Commissioners, shall be transacted in accordance with the provisions of this Measure by a Board of Governors (hereafter in this Measure referred to as “the Board”), [F2and the committees constituted by or under this Measure].

**Textual Amendments**

**F2** Words substituted by [Church Commissioners Measure 1964 \(No. 8\), s. 2\(1\)\(a\)](#)

**4 General meetings of the Commissioners. U.K.**

- (1) The Archbishop of Canterbury shall be the chairman of the Commissioners and, if at any general meeting thereof he is not present, such member as the members present may elect shall act as chairman.
- (2) The Commissioners shall in every financial year hold an annual general meeting for the purpose of—
  - (a) considering, and, if thought fit, passing resolutions with respect to, the annual report and accounts of the Commissioners and any other matters which may be brought before the meeting by the Board, or which the chairman, upon a request submitted to the secretary by any member, may have authorised the secretary to include in the notices of business to be considered;
  - (b) appointing, in a year when any such appointment falls to be made, persons to serve as members of the Board;
  - (c) F3 .....
  - (d) considering and, if thought fit, adopting the recommendations of the Board as to the allocation of such moneys as the Board may report to be available.
- (3) The annual general meeting shall be called by the chairman so soon as conveniently may be after the audit of the Commissioners’ accounts for the preceding financial year has been completed.

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- (4) The chairman may call such other general meetings of the Commissioners as he deems necessary and he shall, so soon as reasonably practicable, call a meeting if ten or more members give to the secretary notice in writing that they desire a meeting to be called to consider matters specified in the notice.
- (5) Not less than twenty-eight days before any general meeting, notice of the day, hour and place appointed therefor, and not less than ten days before any general meeting notice of the business to be considered thereat, shall be sent by post to every member.

#### Textual Amendments

**F3** S. 4(2)(c) repealed by Church Commissioners Measure 1964 (No. 8), s. 2(3)

### 5 Constitution and functions of Board of Governors. **U.K.**

- (1) The Board shall be constituted in accordance with the provisions of the Second Schedule to this Measure.
- (2) The Archbishop of Canterbury shall be the chairman of the Board and, if at any meeting thereof he is not present, such member as the members present may elect shall act as chairman.
- (3) Subject to the provisions of this Measure, all the functions and business of the Commissioners shall be exercised and transacted by the Board.
- (4) The Board shall have power—
  - (a) to refer for consideration and report any matter within their jurisdiction to the [<sup>F4</sup>General Purposes Committee or the Assets Committee], or to any other committee consisting of Commissioners which the Board may appoint for the purpose;
  - (b) to authorise the [<sup>F4</sup>General Purposes Committee or the Assets Committee], or any other such committee as aforesaid, to do and complete any matter on behalf of the Board;
  - (c) to make general rules for the direction and guidance of the [<sup>F4</sup>General Purposes Committee or the Assets Committee] or any committee appointed by the Board, as to the matters and acts to be considered and done by that committee, and as to the general principles upon which that committee shall act in carrying out such functions as may from time to time be delegated to them by the Board.
- (5) The like notice of the business to be considered at a meeting of the Board as is given to members of the Board shall be given also to diocesan bishops who are not members thereof.

#### Textual Amendments

**F4** Words substituted by Church Commissioners Measure 1964 (No. 8), s. 2(1)(b)

### 6 †Church Estates Commissioners and Estates and Finance Committee. **U.K.**

- [<sup>F5</sup>(1) There shall be two Committees, one to be known as the General Purposes Committee and the other as the Assets Committee, which shall be constituted as follows:—

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- [<sup>F6</sup>(a) the General Purposes Committee shall comprise the three Church Estates Commissioners and not less than eight nor more than ten other Commissioners appointed by the Board for three years, of whom at least two shall be diocesan bishops, at least three shall be clerks in holy orders other than diocesan bishops, and at least three shall be laymen;
- (b) the Assets Committee shall comprise the First Church Estates Commissioner, one Commissioner being a clerk in holy orders appointed for three years by the Board, and not less than three nor more than five lay Commissioners appointed for three years by the Archbishop of Canterbury being persons who in his opinion are well qualified to assist in the management of the assets of the Commissioners.]
- (c) the first Church Estates Commissioner shall be the chairman of each Committee, and a deputy chairman shall be elected annually by each Committee and shall act as chairman at any meeting at which the chairman is not present;
- (d) the Board may appoint a Commissioner being a clerk in holy orders to act as alternate to the member of the Assets Committee appointed by the Board;
- (e) if any member of either of the said Committees appointed by the Board or any such alternate ceases to have the qualifications by virtue of which he was qualified for his appointment, he shall thereby vacate his appointment.
- (2) The functions of the General Purposes Committee shall, subject to any general rules made by the Board, be as follows:—
- (a) to consider and recommend to the Board how to apply or distribute such sums as the Board may have determined to be available for application or distribution;
- (b) to consider and report to the Board on any matters other than those assigned by this section or referred by the Board to any other committee;
- (c) to consider and report on any matter referred to them by the Board, and to act on behalf of the Board in any matter in which they are authorised by the Board so to act;
- (d) to act on behalf of and in the name of the Commissioners in matters relating to the appointment, terms of service, dismissal and direction of the Commissioners' officers (other than the secretary), and the Commissioners' solicitors and agents other than those employed solely in connection with the management of assets, and in matters relating to the control over the expenses of administration;
- (e) to act on behalf of and in the name of the Commissioners in any matters which in the opinion of the Committee are urgent, other than matters assigned by this section or referred by the Board to any other committee, and to report their action to the Board.
- (3) The Assets Committee shall, subject to any general rules made by the Board, have the following functions:—
- (a) an exclusive power and duty to act on behalf of and in the name of the Commissioners in all matters relating to the management of those assets of the Commissioners the income of which is carried into their general fund, including power to sell, purchase, exchange and let land and make, realise and change investments;

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- (b) a duty to recommend to the Board from time to time what sums are available for application or distribution by the Commissioners, and what sums should be appropriated to reserve and for reinvestment;
  - (c) a duty to consider and report on any matter referred to them by the Board, and to act on behalf of the Board in any matter in which they are authorised by the Board so to act.
- (4) The Standing Orders regulating the procedure of the General Purposes Committee or of the Assets Committee or of any committee appointed by the Board may provide for authorising the chairman, deputy chairman, or appropriate officer to act on behalf of the committee in urgent matters.
- (5) The Second Church Estates Commissioner shall be entitled to attend and speak at the meetings of every committee constituted by or under this Measure of which he is not a member, and every Church Estates Commissioner shall be entitled to receive the papers of every such committee of which he is not a member.]
- (6) The provisions of any enactment or Measure relating to the payment of salaries and pensions to Church Estates Commissioners shall continue to have effect with the substitution of reference to the Board and to the general fund of the Commissioners for references to the Ecclesiastical Commissioners and to their common fund.

#### Textual Amendments

**F5** S. 6(1)–(5) substituted by Church Commissioners Measure 1964 (No. 8), s. 1

**F6** S. 6(1)(a)(b) substituted by Church Commissioners Measure 1970 (No. 3), s. 1

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

**C2** Unreliable marginal note.

**C3** S. 6(2)(d) amended (E.W.) (01.01.1992) by S.I. 1991/2684, arts. 2, 4, Sch.1.

## 7 Procedure. **U.K.**

- (1) The provision of the Fourth Schedule to this Measure shall have effect with regard to the meetings and procedure of the Commissioners and of the Board and of any committee constituted by or under this Measure.
- (2) Subject as aforesaid and to any other provisions of this Measure—
- (a) the Commissioners may regulate their own procedure and may from time to time at any general meeting make, vary and revoke Standing Orders for the purpose;
  - (b) the Board may from time to time make, vary and revoke Standing Orders for regulating the procedure of the Board or of any Committee of the Board and subject to any such Standing Orders the Board and any such committee may regulate their own procedure;
  - (c) the [<sup>F7</sup>General Purposes Committee and the Assets Committee] may regulate their own procedure and may from time to time make, vary and revoke Standing Orders for the purpose.

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**Textual Amendments**

F7 Words substituted by Church Commissioners Measure 1964 (No. 8), s. 2(1)(c)

**8 †Secretary, agents and other officers. U.K.**

- (1) The Commissioners shall from time to time at any general meeting appoint a secretary upon such terms as they may think fit.
- (2) ..... F8
- (3) ..... F9

**Textual Amendments**

F8 S. 8(2) repealed by Church Commissioners Measure 1964 (No. 8), s. 2(3)  
 F9 S. 8(3) repealed by Charities Act 1960 (c. 58), s. 48(2), Sch. 7 Pt. I

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

C4 Unreliable marginal note.

**9 Seal of the Commissioners. U.K.**

- (1) The common seal of the Commissioners shall be judicially noticed and shall be authenticated by the signature of the secretary, or of some other officer of the Commissioners authorised by the Board to act in that behalf.
- (2) Every document purporting to be sealed with the said seal and to be authenticated by the signature of the secretary, or of a person so authorised to act in that behalf, shall be received in evidence and be deemed to be such an instrument without further proof, unless evidence to the contrary is given.

**10 Finance. U.K.**

- (1) The financial year of the Commissioners shall commence on the first day of <sup>F10</sup>January].
- (2) The accounts of the constituent authorities current on the first day of October preceding the appointed day shall not be required to be closed on the days on which, but for this Measure, they would have been closed, but shall be kept open (or, if necessary, reopened) and continued until the day preceding the appointed day and at the end of that preceding day shall be closed and made up.
- (3) The said accounts shall be audited by the persons and in the manner by whom and in which annual accounts of the authority in question were required to be audited, but shall be laid by the Board before the Commissioners at their first annual general meeting (which shall be held as soon as conveniently may be after the audit has been completed) and section twelve of this Measure shall, with any necessary adaptations, apply in relation to those accounts (including the auditors' reports thereon).
- (4) As from the appointed day, the Commissioners shall keep a general fund to which shall be transferred on the appointed day any balances on income account from the

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common fund of the Ecclesiastical Commissioners and from the corporate fund of Queen Anne's Bounty.

- (5) Any trust or other fund previously maintained by either of the constituent authorities as a separate fund shall be continued and maintained as a separate fund by the Commissioners: provided that funds maintained by the two constituent authorities for the same objects or purposes may be amalgamated.
- (6) Subject to the last preceding subsection, the Commissioners shall carry all income received in respect of property and funds held by them into their general fund, and shall discharge thereout all trusts and commitments to which that income or any part thereof is subject and all expenses and obligations falling upon the Commissioners in the due discharge of their functions, and the balance from time to time thereafter remaining in the said fund shall be available for any purpose for which, but for this Measure, any surplus of the common fund of the Ecclesiastical Commissioners or of the corporate fund of Queen Anne's Bounty would have been available.

#### Textual Amendments

**F10** Word substituted by [Church of England \(Miscellaneous Provisions\) Measure 1978 \(No. 3, SIF 21:8\)](#), s. 3(1)

### 11 Accounts and audit. **U.K.**

- (1) The Commissioners shall cause such accounts to be kept as may be required for the due performance and discharge of their functions.
- (2) The accounts of the Commissioners shall in every year be audited in such manner and by such person as the Treasury may direct, and the auditor's report thereon shall for the purposes of the next succeeding section be deemed to form part of the accounts.

### 12 Annual report and accounts to be laid before Parliament and Church Assembly. **U.K.**

- (1) So soon as may be after the close of every financial year the Board shall prepare a report of the work and proceedings of the Commissioners during that year, and shall present the report and accounts for that year to the Commissioners at their annual general meeting.
- (2) Within thirty days after such meeting the secretary shall transmit the report and accounts, together with a copy of any resolution passed by the Commissioners with reference thereto, to the Secretary of State for the Home Department, who shall lay copies of the report, accounts and resolution, if any, before both Houses of Parliament.
- (3) Within the same period the secretary shall also send copies of the said documents to the secretary of the Church Assembly, who shall lay them before the Assembly.

### 13 Pending and existing proceedings and contracts, etc. **U.K.**

- (1) No proceedings or cause of action pending or existing immediately before the appointed day by or against either of the constituent authorities shall abate, be discontinued or in any way prejudicially affected by this Measure, but any such proceedings may be continued and enforced by or against the Commissioners.

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- (2) All contracts, bonds, agreements and other instruments subsisting immediately before the appointed day and affecting either of the constituent authorities shall be of as full force and effect against, or in favour of, the Commissioners and may be enforced as fully and effectually as if the Commissioners had been a party thereto instead of the constituent authority.

**14 Transfer of stock. U.K.**

- (1) Where any stock is standing in the books of a company in the name of either of the constituent authorities, a request by the secretary of the Commissioners and production of a copy of this Measure printed by or for the King’s Printer of Acts of Parliament shall be a sufficient authority to the company to transfer the stock into the name of and to pay dividends on the stock to, the Commissioners.
- (2) In this section the expression—
  - “company” includes the Bank of England and any company or person keeping books in which any stock is registered or inscribed; and
  - “stock” includes any share, annuity or other security.

**15 Transfer of Officers. U.K.**

- (1) On the appointed day every officer of either of the constituent authorities shall be transferred to, and become an officer of the Commissioners.
- (2) The Commissioners may assign to any such officer (hereafter in this Measure referred to as a “transferred officer”) such duties as they think fit; but he shall not be in any worse position as respects tenure of office, conditions of service or salary than he would have been if this Measure had not been passed.
- (3) ..... <sup>F11</sup>

.....

**Textual Amendments**  
 F11 Ss. 15(3), 16 repealed by Statute Law Revision Act 1966 (c. 5)

**16** ..... <sup>F12</sup> **U.K.**

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**Textual Amendments**  
 F12 Ss. 15(3), 16 repealed by Statute Law Revision Act 1966 (c. 5)

**17 Provisions as to superannuation. E**

- (1) The [<sup>F13</sup>General Purpose Committee] shall make rules regulating the grant of superannuation benefits to the officers of the Commissioners, and the allocation of superannuation benefits to their spouses or dependants, and the provisions of the <sup>M1</sup>Ecclesiastical Commissioners (Superannuation) Act 1865, the <sup>M2</sup>Queen Anne’s Bounty (Superannuation) Act 1870, the <sup>M3</sup>Superannuation (Ecclesiastical Commissioners and Queen Anne’s Bounty) Acts 1914 and <sup>M4</sup> 1933, and the



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<sup>M5</sup>Superannuation (Various Services) Act 1938 shall not apply to the Commissioners or their officers:

Provided that in the case of any transferred officer—

- (a) service under either of the constituent authorities and service under the Commissioners shall be aggregated and treated as continuous service under the Commissioners; and
- [<sup>F14</sup>(b) the superannuation benefits to be granted to or in respect of him on his retirement or death shall not be less than those which might have been awarded had the provisions of the principal civil service pension scheme within the meaning of section 2 of the <sup>M6</sup>Superannuation Act 1972 and then in force applied to him, and the Commissioners shall have the like power to permit the allocation of such benefits to the spouse or dependants of such an officer as they would have had by virtue of section 1 of the <sup>M7</sup>Superannuation (Various Services) Act 1938 had that section not been repealed.]

- (2) As from the appointed day the liability of either of the constituent authorities to make payments in respect of superannuation benefits to a person who had been employed by them, but had before the appointed day ceased to be so employed, or to his spouse or dependants, shall be transferred to, and become a liability of, the Commissioners and be a charge on their general fund.

#### Textual Amendments

**F13** Words substituted by [Church Commissioners Measure 1964 \(No. 8\), s. 2\(1\)\(d\)](#)

**F14** [S. 17\(1\) proviso para. \(b\)](#) substituted by [Superannuation Act 1972 \(c. 11\), Sch. 6 para. 21](#)

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

**C5** [S. 17](#) explained by [Church Property \(Miscellaneous Provisions\) Measure 1960 \(No. 1\), s. 18](#)

#### Marginal Citations

**M1** 1865 c. 68.

**M2** 1870 c. 89.

**M3** 1914 c. 5.

**M4** 1933 c. 47.

**M5** 1938 c. 13.

**M6** 1972 c. 11.

**M7** 1938 c. 13.

## 18 Interpretation. **U.K.**

- (1) In this Measure, unless the context otherwise requires—

“the appointed day” means the first day of April in such year as the Archbishop of Canterbury may appoint by a notice published in the London Gazette not later than the first day of December in the preceding year;

“dean” includes the dean or provost of any cathedral church in England, and the deans of Westminster and Windsor;

“functions” includes powers and duties;

“officer” includes servant;

“procedure” includes the fixing of a quorum;

“property” includes a thing in action and any interest in real or personal property;

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“superannuation benefits” has the same meaning as it has in the <sup>M8</sup>Superannuation (Various Services) Act, 1938.

- (2) References in any Act or Measure (other than this Measure) or in any other document (including any testamentary document) to either of the constituent authorities, or to the common or corporate fund of either of them, shall be construed as references to the Commissioners or, as the case may be, to their general fund.

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

**C6** 1.4.1948 appointed under s. 18(1)

**Marginal Citations**

**M8** 1938 c. 13.

**19 Short title.** **U.K.**

This Measure may be cited as the Church Commissioners Measure, 1947.

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## SCHEDULE I **U.K.**

Section 1(2).

### CONSTITUTION OF THE COMMISSIONERS

- 1 The Commissioners shall be—
- the Archbishops of Canterbury and York and the diocesan bishops of the Provinces of Canterbury and York;
  - the three church estates commissioners;
  - five deans appointed by the Church Assembly, three from the Province of Canterbury and two from the Province of York;
  - ten other clerks in Holy Orders appointed by the [<sup>F15</sup>General Synod];
  - ten laymen appointed by the [<sup>F15</sup>General Synod];
  - four laymen nominated by His Majesty, and four persons nominated by the Archbishop of Canterbury: provided that at least [<sup>F16</sup>one]of the eight Commissioners so nominated shall be, or shall have been, of counsel to His Majesty;
  - The Lord Chancellor, The Lord President of the Council, the First Lord of the Treasury, the Chancellor of the Exchequer and the Secretary of State for the Home Department;
  - the Speaker of the House of Commons;
  - the Lord Chief Justice, the Master of the Rolls, the Attorney-General and the Solicitor-General;
  - the Lord Mayor and two aldermen of the City of London and the Lord Mayor of the City of York; and
  - one representative from each of the universities of Oxford and Cambridge, being either the Vice-Chancellor or a person nominated by him to serve during his own term of office.

#### Textual Amendments

**F15** Words substituted by virtue of [Synodical Government Measure 1969 \(No. 2\), s. 2\(2\)](#)

**F16** Word substituted by [Church of England \(Miscellaneous Provisions\) Measure 1978 \(No. 3, SIF 21:8\), s. 4\(1\)](#)

- 2 [<sup>F17</sup>Commissioners appointed by the General Synod (who need not be members thereof) shall be appointed for five years at such time and in such manner as the Synod may from time to time determine, but if the Synod alters the time at which they are to be appointed the period of office of the Commissioners so appointed who are then in office shall be extended or reduced accordingly, as the circumstances require.]

Commissioners nominated by the Archbishop of Canterbury shall be nominated for such number of years as he may from time to time determine.

The two aldermen of the City of London shall be appointed by the court of aldermen thereof either for one year or for such number of years not exceeding five as the court may from time to time determine.

In this paragraph the expression “year” means a period of twelve months commencing on the first day of April

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Any such Commissioner as is referred to in this paragraph shall be eligible for re-appointment or re-nomination.

#### Textual Amendments

**F17** Words substituted by [Church of England \(Miscellaneous Provisions\) Measure 1978 \(No. 3, SIF 21:8\)](#), s. 4(2)

3 In the event of delay in the appointment or nomination of a successor any such Commissioner as is referred to in the last preceding paragraph shall, notwithstanding the expiration of the period for which he was appointed or nominated, continue to hold office until a successor is appointed or nominated.

4 A person shall be disqualified from being a Commissioner so long as he is a salaried official of any central or diocesan body in the Church of England.

5 If an appointed Commissioner who was qualified for appointment by virtue of being a dean, a clerk in Holy Orders, or a layman appointed by the Church Assembly ceases to be so qualified, he shall thereby vacate his membership.

[<sup>F18</sup>5A (1) Without prejudice to paragraph 5 above, if an appointed Commissioner, being a Commissioner appointed by the General Synod, was at the time of his appointment a member of that Synod, then, subject to sub-paragraph (2) below, he shall on ceasing to be a member thereof thereby vacate his membership.

(2) Where a Commissioner to whom sub-paragraph (1) above applies ceases to be a member of the General Synod by reason of the dissolution of that Synod he may continue to act during the period of the dissolution as a Commissioner, but if he does not stand for re-election to the General Synod or is not re-elected, the preceding provision shall cease to apply to him with effect from the date on which the appointment of his successor is announced by the presiding officer.]

#### Textual Amendments

**F18** [Sch. I para. 5A](#) inserted by [Church of England \(Miscellaneous Provisions\) Measure 1978 \(No. 3, SIF 21:8\)](#), s. 4(3)

6 Every lay Commissioner not being a Commissioner in right of office shall, before otherwise acting in connection with the business of the Commissioners, declare in writing before an officer of the Commissioners that he is a member of the Church of England.

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## SCHEDULE II U.K.

Section 5(1).

### CONSTITUTION OF THE BOARD OF GOVERNORS

- 1 The Board shall consist of the following persons—  
the Archbishops of Canterbury and York;  
the three church estates commissioners;  
twenty-two other Commissioners appointed by the Commissioners, and  
such other Commissioners, if any, as may be co-opted in accordance with the  
provisions of this Schedule.
- 2 Of the twenty-two members to be appointed by the Commissioners six shall be  
diocesan bishops, two shall be deans, six shall be other clerks in Holy Orders and  
eight shall be laymen, of whom six shall be chosen from those appointed by the  
[<sup>F19</sup>General Synod].

#### Textual Amendments

**F19** Words substituted by virtue of [Synodical Government Measure 1969 \(No. 2\), s. 2\(2\)](#)

- 3 At the inaugural general meeting of the Commissioners twenty-two members shall  
be appointed in the proportions laid down in the preceding paragraph and of the  
members so appointed one-half shall hold office for six years and the remainder for  
three years. Thereafter, in every third year eleven members shall be appointed at the  
annual general meeting of the Commissioners to fill the places of members retiring  
in that year.
- 4 The period of office of an appointed member shall run from the day following the  
annual general meeting at which he is appointed to the close of the day on which his  
successor is appointed.  
  
A member appointed at the inaugural general meeting shall enter upon his office  
forthwith, but the date for his retirement shall be calculated as if he had been  
appointed at the first annual general meeting of the Commissioners.
- 5 The eleven original members to hold office for six years shall be three bishops, one  
dean, three other clerks, three of the laymen appointed by the [<sup>F20</sup>General Synod] and  
one of the laymen not so appointed.

#### Textual Amendments

**F20** Words substituted by virtue of [Synodical Government Measure 1969 \(No. 2\), s. 2\(2\)](#)

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- 6 As between members in any category, those to hold office for six years shall be those receiving most votes:  
Provided that if—
- (a) in any category there is no contest; or
  - (b) in a category where there is a contest, a selection must be made between two or more members whose votes were equal; any necessary selection shall be made by lot.

For the purposes of this paragraph, lots shall be drawn by such persons and in such manner as the Chairman may direct.

- 7 The Board may from time to time co-opt as additional members of the Board not more than three persons being Commissioners at the date of co-optation.

Such co-optation may be for any period not extending beyond the next triennial election of members of the Board.

- 8 If a member of the Board who was qualified for membership by virtue of being a diocesan bishop, a dean, a clerk in Holy Orders, or a layman appointed by the [<sup>F21</sup>General Synod], ceases to be so qualified, he shall thereby vacate his membership.

#### Textual Amendments

**F21** Words substituted by virtue of [Synodical Government Measure 1969 \(No. 2\), s. 2\(2\)](#)

### <sup>F22F22</sup>SCHEDULE III **U.K.**

#### Textual Amendments

**F22** [Sch. 3](#) repealed by [Church Commissioners Measure 1964 \(No. 8\), s. 2\(3\)](#)

F22

### SCHEDULE IV **U.K.**

Section 7(1).

#### GENERAL PROVISIONS RELATING TO THE COMMISSIONERS, THE BOARD AND COMMITTEES

- 1 The proceedings of the Commissioners, the Board or a committee shall not be invalidated by any vacancy in the membership thereof, or by any defect in the qualification, appointment or nomination of any member.
- 2 When an appointed or nominated Commissioner proposes to retire, his intention so to do shall be notified by him in writing to the secretary of the Commissioners, who

*Status: Point in time view as at 01/01/1992.*

*Changes to legislation: There are currently no known outstanding effects for the Church Commissioners Measure 1947. (See end of Document for details)*

shall forthwith give notice to the person or body by whom such Commissioner was appointed or nominated.

[<sup>F23</sup> Casual vacancies among appointed or nominated Commissioners or among appointed members of the General Purposes Committee or the Assets Committee may be filled by the person or body by whom the Commissioner or member vacating office was appointed or nominated. Casual vacancies among members of the Board or a committee appointed by the Board may be filled by the Board.]

**Textual Amendments**

**F23** Para. 3 substituted by [Church Commissioners Measure 1964 \(No. 8\), s. 2\(1\)\(e\)](#)

4 Any person appointed or nominated to fill a casual vacancy shall hold office for the remainder of the term (if any) for which his predecessor was appointed or nominated.

5 At any meeting of the Commissioners, the Board or a committee, every question shall be decided by a majority of the votes of members present and voting on that question and in the case of equality of votes, the member presiding shall have a second or casting vote:  
Provided that, if at the inaugural or any annual general meeting the Commissioners so decide, the Commissioners who are to serve as members of the Board, . . . . .  
<sup>F24</sup>, may be chosen at that meeting by ballot, or (notwithstanding anything contained in this Measure) within fourteen days after that meeting by means of voting papers issued and returned by post.

**Textual Amendments**

**F24** Words repealed by [Church Commissioners Measure 1964 \(No. 8\), s. 2\(1\)\(f\)](#)

6 Minutes of the proceedings of the Commissioners or of the Board signed at the same or the next meeting by a member describing himself, or appearing to be, the person presiding at the meeting at which the minutes are signed, shall be received in evidence without further proof, and, until the contrary is proved, every meeting of the Commissioners or of the Board, in respect of the proceedings whereof minutes have been so signed shall be deemed to have been duly convened and held.

7 The provisions of this Schedule relating to Committees shall in their application to the [<sup>F25</sup>General Purposes Committee and the Assets Committee] have effect subject to any special provisions with respect thereto contained in this Measure.

**Textual Amendments**

**F25** Words substituted by [Church Commissioners Measure 1964 \(No. 8\), s. 2\(1\)\(f\)](#)

**Status:**

Point in time view as at 01/01/1992.

**Changes to legislation:**

There are currently no known outstanding effects for the Church Commissioners Measure 1947.