



Cathedrals Measure 1963

1963 No. 2

MISCELLANEOUS AND GENERAL

F145

Textual Amendments

F1 S. 45 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), **Sch. 3** (with ss. 33, 34, 37, 38(6))

F246

Textual Amendments

F2 S. 46 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), **Sch. 3** (with ss. 33, 34, 37, 38(6))

F347

Textual Amendments

F3 S. 47 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), **Sch. 3** (with ss. 33, 34, 37, 38(6))

F448

Changes to legislation: There are currently no known outstanding effects for the Cathedrals Measure 1963, Miscellaneous and general. (See end of Document for details)

Textual Amendments
F4 S. 48 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), Sch. 3 (with ss. 33, 34, 37, 38(6))

F5 49 Transfer of property by schemes.

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Textual Amendments
F5 S. 49 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), Sch. 3 (with ss. 33, 34, 37, 38(6))

F6 50

Textual Amendments
F6 S. 50 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), Sch. 3 (with ss. 33, 34, 37, 38(6))

F7 51

Textual Amendments
F7 S. 51 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), Sch. 3 (with ss. 33, 34, 37, 38(6))

52 Interpretation.

- (1) In this Measure, except where the context otherwise requires, the following expressions have the meaning thereby assigned to them respectively, that is to say—
 - “administrative body” means, in the case of a dean and chapter cathedral, the body by which administrative functions in relation to the cathedral church are performed by virtue of paragraph (b) of section seven of this Measure, and, in the case of a parish church cathedral, the body by which administrative functions in relation to the cathedral church are performed by virtue of paragraph (b) of section eight of this Measure;
 - “architect” means a person registered under the [F8 Architects Act 1997];
 - “bishop” when used in relation to a cathedral church, means the bishop of the diocese in which the cathedral church is situated;
 - “canon” includes a non-residentiary canon or prebendary but not a minor canon or any person not in Holy Orders;
 - “capitular body” means, in the case of a dean and chapter cathedral, the dean and chapter, and, in the case of a parish church cathedral, the cathedral chapter;

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“cathedral church” means any cathedral church in England existing at the passing of this Measure except the cathedral church of Christ in Oxford;

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“churchyard” includes a closed churchyard;

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“company” includes the Bank of England and any company or person keeping books in which any stock is registered or inscribed;

“dean and chapter cathedral” means any cathedral church in respect of which there is a corporate body known as the dean and chapter;

“diocesan authority” means the diocesan board of finance or any existing or future body appointed by the diocesan conference to act as trustees of diocesan trust property;

“diocesan stipends fund” means the diocesan stipends fund established under the ^{M1}Reorganisation Areas Measure 1944 or the ^{M2}Pastoral Reorganisation Measure 1949;

“functions” includes powers and duties;

“house of residence” includes all buildings, gardens and other land held therewith;

“land” includes any corporeal or incorporeal hereditaments of any tenure;

“lease” includes a tenancy;

“moneys” includes any stock, share, or other security;

“parish church cathedral” means any cathedral church other than a dean and chapter cathedral;

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

“residentiary canon” includes a stipendiary canon;

“stock” includes any share, annuity or other security.

^{F11}(2)

^{F12}(3)

(4) References in this Measure to any Act or Measure shall be construed as references to that Act or Measure as amended by any subsequent Act or Measure.

Textual Amendments

- F8** S. 52(1): Words in definition of “architect” substituted (21.7.1997) by 1997 c. 22, s. 26 (with Sch. 2); S.I. 1997/1672, art. 2
- F9** Words in s. 52(1) omitted (coming into force in accordance with s. 53(3) of the amending Measure) by virtue of Cathedrals Measure 2021 (No. 2), Sch. 4 para. 10 (with ss. 42(4), 48, 52(1))
- F10** Definition of “the Commission” repealed by Cathedrals Measure 1976 (No. 1), s. 8(2)
- F11** S. 52(2) repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), Sch. 3 (with ss. 33, 34, 37, 38(6))
- F12** S. 52(3) repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), Sch. 3 (with ss. 33, 34, 37, 38(6))

Marginal Citations

- M1** 1944 No. 1.
- M2** 1949 No. 3.

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53 Certain enactments to cease to apply to cathedral corporations.

The enactments specified in the First Schedule to this Measure, being enactments relating to the sale, purchase, exchange, leasing and other dealings with ecclesiastical property, shall, to the extent specified in the third column of that Schedule, cease to apply to any body corporate, whether aggregate or sole, in any cathedral church.

54 Repeals and transitional provisions.

- (1) F13
- (2) The repeal by this Measure of any enactment shall not affect any scheme confirmed under that enactment which is in force immediately before the passing of this Measure, and any such scheme shall, except so far as it is varied or revoked by or under this Measure, continue in force as if this Measure had not been passed.
- (3) Any functions which are at the passing of this Measure exercisable in relation to property by the capitular body of a cathedral church shall, until a scheme is in force for that cathedral church under this Measure, be exercisable by the body by which administrative functions in relation to the cathedral church are exercisable under the constitution and statutes then in force for that cathedral church.
- (4) The repeal by this Measure of the ^{M3}Parish of Manchester Division Act 1850 (Amendment) Measure 1926 shall not affect the power of the bishop of Manchester under section two of that Measure to assign additional duties to a canon of Manchester cathedral, other than a canon whose stipend is paid by the Church Commissioners under section twenty-eight of this Measure.

Textual Amendments

F13 S. 54(1) and Sch. 2 repealed by [Statute Law \(Repeals\) Act 1977 \(c. 18\)](#), [Sch. 1 Pt. V](#)

Marginal Citations

M3 [1926 No. 3.](#)

55 Extent of Measure.

This Measure shall apply to every cathedral church in England existing at the passing of this Measure except the cathedral church of Christ in Oxford:

Provided that—

- (a) sections forty-two, forty-three, fifty-two and fifty-four of this Measure shall apply to the cathedral church of Christ in Oxford, and
- (b) the provisions of this Measure specified in subsection (4) of section forty-two of this Measure shall apply as provided in that section in relation to a canon appointed thereunder for the said cathedral church.

56 Short title.

This Measure may be cited as the Cathedrals Measure 1963.

Changes to legislation:

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