



# Church of England (Miscellaneous Provisions) Measure 2014

2014 No. 1

## 14 Amendment of Cathedrals Measure 1999

- (1) The [Cathedrals Measure 1999 \(No. 1\)](#) (“the 1999 Measure”) is amended as follows.
- (2) After section 17 there is inserted the following section—

### “17A Investment of endowment funds on total return basis

- (1) The Chapter of any cathedral may, if it is satisfied that it is in the interests of the cathedral to do so, resolve that all or any portion of the moneys forming part of the cathedral’s endowment—
  - (a) should be invested without the need to maintain a balance between capital and income returns, and
  - (b) should be freed from the restrictions on the use of the endowment contained in sections 16 and 17 above.
- (2) Any resolution passed under subsection (1) above is referred to in this Measure as a total return resolution.
- (3) The Chapter may, if it is satisfied that it is in the interests of the cathedral to do so, amend or revoke a total return resolution.
- (4) Where the Chapter is proposing to revoke a total return resolution, it must determine whether or not there is a negative total return, that is to say whether the total return represents a reduction in the value of the cathedral’s endowment, as it was immediately before the total return resolution was passed.
- (5) Where the Chapter determines under subsection (4) that there is a negative total return, it must make provision in its annual report and accounts specifying how an amount equivalent to the negative total return is to be paid into the cathedral’s endowment over such period as the Chapter thinks

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*Status: This is the original version (as it was originally enacted).*

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reasonable, not exceeding 10 years from the date when the total return resolution is revoked.

- (6) Where the Chapter does not determine under subsection (4) that there is a negative total return, the Chapter must determine what part of the unapplied total return of the assets of the cathedral should be allocated for accumulation as part of its investments.
  - (7) Where subsection (6) applies, the amount allocated must not result in the value of the cathedral's endowment immediately after the date of the revocation exceeding its value immediately before the date when the total return resolution was passed, increased by the rise in the Retail Price Index between the last mentioned date and the date of revocation.
  - (8) Where a total return resolution is in force, the Chapter must, so far as applicable, comply with the requirements of Schedule A1.
  - (9) Schedule A1 may be amended by a resolution of the General Synod.
  - (10) The [Statutory Instruments Act 1946 \(c. 36\)](#) shall apply to any resolution under subsection (9) as if it were a statutory instrument and as if this Measure were an Act providing that it should be subject to annulment in pursuance of a resolution of either House of Parliament.”.
- (3) In section 27, after subsection (2) there is inserted the following subsection—
- “(2A) Where a total return resolution is in force in relation to a cathedral's endowment, the Chapter must, so far as applicable, comply with the requirements of Schedule A1.”.
- (4) Schedule 2 contains a further amendment to the 1999 Measure.
- (5) Schedule A1 to the 1999 Measure is set out in Schedule 1.