



Cathedrals Measure 1963

1963 No. 2

PROVISIONS REQUIRED TO BE INCLUDED IN THE CONSTITUTIONS AND STATUTES OF CATHEDRAL CHURCHES

6 Relationship of bishops to their cathedral churches.

The constitution and statutes of each cathedral church shall—

- (a) provide that the bishop shall be the visitor thereof and provide for the exercise by the bishop of his functions as visitor; and
- (b) specify the occasions upon which, and the conditions subject to which, the bishop is to have the right to officiate in or use the cathedral church.

[^{F1}This section shall not be taken to require the statutes of a cathedral church to provide for periodical episcopal visitations of that church, and notwithstanding anything in any such statutes or in any rule of ecclesiastical law it shall not be obligatory for a bishop to visit the cathedral church of his diocese at regular intervals.]

Textual Amendments

F1 Para. added by [Church of England \(Miscellaneous Provisions\) Measure 1976 \(No. 3\), s. 4](#)

7 Provisions relating to the governing bodies of dean and chapter cathedrals.

The constitution and statutes of each dean and chapter cathedral shall—

- (a) provide for the continuance or establishment of a general chapter consisting of the dean and all the canons (whether residentiary or not);
- (b) provide for the performance of administrative functions in relation to the cathedral church by either:—
 - (i) an administrative chapter consisting of the dean and residentiary canons and such other members of the general chapter (if any) as may be specified in the constitution and statutes, or
 - (ii) the general chapter which shall delegate such of its functions as it thinks fit to an administrative committee consisting of such members of that chapter as may be specified as aforesaid; and

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- (c) provide for the appointment, if the dean and chapter think it desirable for the administration of the finances and property of the cathedral church, of a committee consisting of members of the general chapter and such other persons, whether clerical or lay, as may be specified as aforesaid, and for the delegation to that committee of functions in relation to the administration of the finances and property of the cathedral church.

8 Provisions relating to the governing bodies of parish church cathedrals.

The constitution and statutes of each parish church cathedral shall—

- (a) provide for the continuance of a cathedral chapter of which the provost, the canons of the cathedral church and the archdeacons of the diocese shall be members, and of which the bishop may be a member for such purposes as may be specified in the constitution and statutes;
- (b) provide for the performance of administrative functions in relation to the cathedral church by—
 - (i) a cathedral council consisting of the provost, who shall act as chairman, the residentiary canons and such other persons as the constitution and statutes may specify, being non-residentiary canons, archdeacons or other persons holding office in connection with the cathedral church, representatives of the parochial church council or the parochial church meeting of the parish in which the cathedral church is situated, persons resident in the diocese or persons whose names are entered on the church electoral roll of a parish in the diocese, or
 - (ii) an administrative chapter consisting of the provost, who shall act as chairman, the residentiary canons and such non-residentiary canons or archdeacons as may be specified in the constitution and statutes; or
 - (iii) the cathedral chapter which shall delegate such of its functions as it may determine to an administrative committee consisting of the provost, who shall act as chairman, the residentiary canons and such non-residentiary canons or archdeacons as may be specified as aforesaid;
- (c) provide, where the said administrative functions are to be performed by an administrative chapter—
 - (i) for the appointment of lay persons as additional members of the administrative chapter for the purpose of considering any question relating to the finances and property of the cathedral church, or
 - (ii) for the appointment of a committee consisting of members of the administrative chapter and such lay persons as may be specified in the constitution and statutes, and for the delegation to that committee of functions relating to the finances and property of the cathedral church;
- (d) provide, where the said administrative functions are to be performed by the cathedral chapter—
 - (i) for the appointment of lay persons as additional members of the administrative committee for the purpose of considering any question relating to the finances and property of the cathedral church, or
 - (ii) for the appointment of a committee consisting of members of the administrative committee and such lay persons as may be specified in the constitution and statutes, and for the delegation to that committee

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of functions relating to the finances and property of the cathedral church.

9 Two residentiary canons to be engaged exclusively on cathedral duties.

- (1) The constitution and statutes of each cathedral church shall provide that the holders of two residentiary canonries in the cathedral church shall be engaged exclusively on cathedral duties:

Provided that the constitution and statutes may provide that the holder of only one residentiary canonry need be engaged exclusively on cathedral duties until such time as the bishop may determine after consultation with the administrative body of the cathedral church.

- (2) In this Measure the expression “cathedral duties” means duties in connection with the cathedral church or pastoral duties in the diocese which should, in the opinion of the administrative body of the cathedral church, be discharged from the cathedral church as the mother church of the diocese, and does not include duties performed by any person—
- (a) as a suffragan bishop,
 - (b) as an assistant bishop,
 - (c) as an archdeacon,
 - (d) as a director or officer of a diocesan board of education or as an officer of a diocesan board of finance or diocesan dilapidations board, or
 - (e) as the holder of any office to which he was appointed by a person or body other than the administrative body of the cathedral church and for which a salary or stipend is normally paid.

and the expression “engaged exclusively on cathedral duties” shall be construed accordingly:

Provided that—

- (i) the the administrative body of the cathedral church, the visitor and the Church Commissioners acting jointly may direct that the holder of a residentiary canonry shall be treated for the purposes of this Measure as engaged exclusively on cathedral duties notwithstanding that he is also an assistant bishop or the holder of any such office as is mentioned in paragraph (e) of this subsection; and
 - (ii) the archbishop of the province and the Church Commissioners acting jointly may in special circumstances direct that the holder of a residentiary canonry who is normally engaged exclusively on cathedral duties shall, for such period as they may specify, be treated as so engaged for the purposes of this Measure notwithstanding that he is performing duties other than cathedral duties.
- (3) Nothing in this section shall be regarded as limiting the number of residentiary canons engaged exclusively on cathedral duties in any cathedral church.

10 Further provisions required to be included in constitutions and statutes of cathedral churches.

- (1) The constitution and statutes of each cathedral church shall—
- (a) provide for the appointment of any dean by Her Majesty;
 - (b) provide in the case of a parish church cathedral for the appointment as provost of the incumbent of the benefice of which the cathedral is the parish church;

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- (c) provide for the appointment of canons in such manner as may be specified in the constitution and statutes;
 - (d) confer power to pay stipends or other emoluments to the dean or provost and to the residentiary canons out of the capitular revenues of the cathedral church, so, however, that the amounts fixed from time to time of those stipends or other emoluments shall be subject to the consent of the Church Commissioners;
 - (e) provide that in determining the amount of a stipend to be paid to any residentiary canon as aforesaid, regard may be had to any emoluments payable to him in respect of any other office or appointment held by him and to any time ordinarily spent by him in performing the duties of any other office or appointment which materially affects the time available for the performance of his cathedral duties;
 - (f) specify the maximum number of residentiary canons and non-residentiary canons of the cathedral church;
 - (g) provide that any presentations or nominations to benefices in the patronage of the capitular body shall be exercised—
 - (i) in the case of a dean and chapter cathedral, by the dean and chapter or a patronage committee thereof;
 - (ii) in the case of a parish church cathedral, by the cathedral chapter or the administrative chapter or by a patronage committee of the cathedral chapter;
 - (h) provide that all functions of the capitular body in relation to property shall be delegated to the administrative body;
 - (i) provide that the capitular body shall have a common seal which shall be in the custody of the administrative body;
 - (j) confer on the administrative body power to affix the common seal of the capitular body to any document; and
 - (k) provide for the appointment of an architect to the cathedral church.
- (2) The constitution and statutes of each parish church cathedral shall also—
- (a) provide for the abolition of the jurisdiction of the archdeacon and rural dean over the parish of the cathedral church, and for the exercise by the administrative body of any of the functions theretofore exercisable by the archdeacon or rural dean;
 - (b) provide, where the consistory court has jurisdiction over the cathedral church or any part thereof. for the abolition of that jurisdiction; and
 - (c) provide for conferring on such body as may be specified in the constitution and statutes, subject to any limitations or conditions as may be so specified, powers similar to those exercisable with respect to the fabric, monuments and ornaments of a cathedral church, and with respect to the churchyard thereof, by the dean and chapter in a dean and chapter cathedral.

Modifications etc. (not altering text)

C1 S. 10(2)(b) excluded by Care of Cathedrals Measure 1990 (No. 2, SIF 21:8), ss. 17, 18(4)

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