



Cathedrals Measure 1963

1963 No. 2

SPECIAL PROVISIONS RELATING TO CERTAIN CATHEDRAL CHURCHES

39 Charge on capitular revenues of Birmingham cathedral.

The capitular revenues of the cathedral church of Birmingham shall be charged with an annual payment of three thousand pounds to the Church Commissioners for the benefit of the income account of the diocesan stipends fund of the diocese of Birmingham.

40 Provisions as to Newcastle Chapter Endowment Fund.

Any scheme made by the Cathedrals Commission under paragraph (a) of subsection (1) of section one of this Measure with respect to the cathedral church of Newcastle shall make provision as to the purposes for which the Newcastle Chapter Endowment Fund may be applied, and until that scheme is made that Fund shall be applied for the purposes for which it is applied at the passing of this Measure.

41 Provisions as to canonry annexed to archdeaconry of Norfolk.

- (1) The canonship or prebend in the cathedral church of Norwich which by the ^MSt. Catharine's College Cambridge (Canonship of Norwich) Act 1927 was annexed to the archdeaconry of Norfolk is hereby severed from that archdeaconry:

Provided that if at the passing of this Measure any person is holding both the said canonship or prebend and also the said archdeaconry, this subsection shall not come into force until both those offices are next vacant or until the holder of both those offices agrees to their severance, whichever shall first occur.

- (2) After the said canonship or prebend is severed from the said archdeaconry under the last foregoing subsection the bishop shall be entitled to appoint persons to fill the said canonship or prebend.
- (3) The sum which the dean and chapter of the cathedral church of Norwich are required under section three of the said Act to pay annually to the master or warden of St. Catharine's College in the University of Cambridge shall, as from the date on which the said canonship or prebend is severed from the said archdeaconry under the foregoing

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provisions of this section, cease to be a charge upon and paid out of the income of that canonship or prebend and shall be a charge upon and paid out of the moneys held by the diocesan board of finance of the diocese of Norwich.

Marginal Citations

M1 1927 c. lxii.

42 Provision for appointment of additional canon at Oxford.

- (1) Subject to the provisions of this section, the Cathedrals Commission may, with the consent of the bishop, the dean and canons of the cathedral church of Christ in Oxford and the Church Commissioners, make and seal an instrument providing for the creation of an additional canonry for that cathedral church:

Provided that the creation of an additional canonry under this section shall not involve any charge direct or indirect upon the revenues of the House of Christ Church.

- (2) The bishop shall be entitled to appoint persons to fill the said canonry.
- (3) A person appointed to fill the said canonry shall not be entitled to be a member of the governing body of the House of Christ Church.
- (4) Any instrument made under this section shall regulate the rights and duties of the canon appointed thereunder and those rights and duties shall be such as to secure that the canon will be engaged exclusively on cathedral duties; and subsection (2) of section nine, section twenty-eight, section thirty, section forty-seven and section fifty-two of this Measure shall apply in relation to that canon as if section seven of this Measure provided that administrative functions in relation to the cathedral church were to be performed by the dean and canons.
- (5) The Cathedrals Commission shall not seal any instrument under this section unless it is satisfied that a house of residence is available for allocation for the use of the canon to be appointed thereunder and the bishop shall not appoint a canon under this section unless he is satisfied that a house of residence is available and will be allocated for the use of that canon.
- [^{F1}(6) Where an application in that behalf is made by the bishop and the dean and canons of the cathedral church of Christ in Oxford to the Cathedral Statutes Commission appointed under the ^{M2}Cathedrals Measure 1976, the said Commission shall consider the revision of any instrument for the time being in force under this section and may, with the consent of the bishop, the dean and canons of the said cathedral church and the Church Commissioners, make an instrument under this section which may vary or revoke any instrument previously made thereunder and for the time being in force.]

Textual Amendments

F1 S. 42(6) substituted by [Cathedrals Measure 1976 \(No. 1\), s. 7](#)

Marginal Citations

M2 1976 No. 1.

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43 Power of bishop of Oxford to appoint non-residentiary canons.

- (1) The bishop shall have power to appoint not more than twenty-four non-residentiary canons in the cathedral church of Christ in Oxford, . . . ^{F2}
- [^{F3}(2) Subject to subsection (3) of this section, a non-residentiary canon in the said cathedral church shall, unless the bishop otherwise determines, vacate that office—
 - (a) on ceasing to be beneficed, or licensed to serve, in the diocese of Oxford, or
 - (b) on attaining the age of seventy years,whichever event first occurs.
- (3) Subsection (2) of this section shall not apply to any person who held the office of non-residentiary canon in the said cathedral church at the commencement of the Church of England (Miscellaneous Provisions) Measure 1978, but, unless the bishop otherwise determines, that person shall vacate that office on ceasing to reside in the diocese of Oxford.
- (4) The bishop may confer the title of canon emeritus in the said cathedral church on any person who vacates the office of non-residentiary canon in that church in accordance with subsection (2) or (3) of this section or in accordance with subsection (1) thereof, as originally enacted.]
- [^{F4}(5) The rights and duties of non-residentiary canons [^{F5}and of canons emeriti] in the said cathedral church shall be such as may from time to time be determined by the dean and canons of the cathedral church with the agreement of the bishop.

Textual Amendments

- F2** Words repealed by [Church of England \(Miscellaneous Provisions\) Measure 1978 \(No. 3, SIF 21:8\)](#), s. **10(1)**
- F3** S. 43(2)–(4) inserted by [Church of England \(Miscellaneous Provisions\) Measure 1978 \(No. 3, SIF 21:8\)](#), s. **10(1)(2)**
- F4** S. 43(2) renumbered s. 43(5) by [Church of England \(Miscellaneous Provisions\) Measure 1978 \(No. 3, SIF 21:8\)](#), s. **10(1)(2)**
- F5** Words inserted by [Church of England \(Miscellaneous Provisions\) Measure 1978 \(No. 3, SIF 21:8\)](#), s. **10(2)**

44 Provisions as to Southwark.

- (1) A scheme made under this Measure with respect to the cathedral church of Southwark may, with the consent of the trustees of the Rectory of St. Saviour, Southwark, provide that the said cathedral church shall vest in the capitular body of that cathedral church and that any rights of those trustees in relation to the approval of, or consultation upon, alterations to the fabric or monuments of the cathedral church or to its curtilage shall cease; and the said trustees are hereby authorised to give their consent to any such provisions as aforesaid.
- (2) The powers conferred by section twenty of this Measure on the capitular body of the said cathedral church in relation to a house of residence shall be exercisable in like manner in relation to the Chapter House of Southwark.

In this subsection the expression “the Chapter House” has the same meaning as in the ^{M3}Southwark Cathedral Measure 1937.

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Marginal Citations

M3 [1937 No. 3.](#)

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

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