



Church Commissioners Measure 1964

1964 No. 8

A Measure passed by the National Assembly of the Church of England to amend the Church Commissioners Measure 1947 and certain other provisions relating to the Estates and Finance Committee and the Church Estates Commissioners
[31st July 1964]

1 Amendment of section 6 of Church Commissioners Measure 1947.

For subsections (1) to (5) of section 6 of the ^{MI} Church Commissioners Measure 1947 (which relates to the functions of the Church Estates Commissioners and the Estates and Finance Committee) there shall be substituted the following subsections :—

“(1) There shall be two Committees, one to be known as the Purposes Committee and the other as the Assets Committee, which shall be constituted as follows :—

- (a) the General Purposes Committee shall consist of the three Church Estates Commissioners and eight other Commissioners appointed by the Board for three years, of whom two shall be clerks in holy orders other than diocesan bishops, and three shall be laymen ;
- (b) the Assets Committee shall consist of the First Church Estates Commissioner, one Commissioner being a clerk in holy orders appointed for three years by the Board, and three 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

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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 to 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 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 ;
 - (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 consulted 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.”

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Annotations:

Modifications etc. (not altering text)

- C1** The text of ss. 1, 2(1)(a)–(f)(3) and 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M1** 10 & 11 Geo. 6.No. 2.

2 Consequential amendments and repeals.

- (1) The Church Commissioners Measure 1947 shall be amended as follows:—
- (a) in section 3, for the words from “the Church Estates Commissioners” to the end of the section, there shall be substituted the words “and the committees constituted by or under this Measure”;
 - (b) in subsection (4) of section 5, for the words “Estates and Finance Committee”, wherever they occur, there shall be substituted the words “General Purposes Committee or the Assets Committee” ;
 - (c) in subsection (2) of section 7, for the words “Estates and Finance Committee”, there shall be substituted the words “General Purposes Committee and the Assets Committee” ;
 - (d) in subsection (1) of section 17, for the words “Estates and Finance Committee”, there shall be substituted the words “General Purposes Committee” ;
 - (e) the following paragraph shall be substituted for paragraph 3 of Schedule IV—

“3 Casual vacancies among appointed or nominated 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.”
 - (f) in paragraph 5 of Schedule IV the words “or of the Estates and Finance Committee” shall be omitted, and in paragraph 7 thereof, for the words “Estates and Finance Committee”, there shall be substituted the words “General Purposes Committee and the Assets Committee”.
- (2) Rules made by the Estates and Finance Committee under subsection (1) of section 17 of the said Measure shall continue in force and shall have effect as if they had been made by the General Purposes Committee.
- (3) Paragraph (c) of subsection (2) of section 4 and subsection (2) of section 8 of the said Measure, and Schedule III to the said Measure and the enactments set out therein, are hereby repealed.
- (4) References in any Act or Measure other than the said Measure to the Estates and Finance Committee shall be construed as references to the Assets Committee.

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Annotations:

Modifications etc. (not altering text)

- C2** The text of ss. 1, 2(1)(a)–(f)(3) and 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.
- C3** The “said measure” means the [Church Commissioners Measure 1947 \(No. 2\)](#)

3 Pension for widow of Church Estates Commissioner dying in service.

Section 20 of the Church Property (Miscellaneous Provisions) Measure 1960 (which makes provision as to the pension of Church Estates Commissioners and, among other things, permits a Church Estates Commissioner to allocate on retirement not more than one-third of his pension to his spouse or dependents) shall be amended by the addition, after subsection (2), of the following subsection :—

“(2A) Where a First Church Estates Commissioner or a Third Church Estates Commissioner dies before retirement after having performed not less than five years pensionable service, and leaves a widow, the Church Commissioners may, subject to such conditions as they may determine, grant to his widow a pension for the remainder of her life not exceeding one-third of the maximum pension for which the deceased Church Estates Commissioner would have been eligible if he had retired on the date of his death by reason of permanent disability for the performance of the duties of his office. This subsection shall apply in the case of a death occurring after the fifth day of February, 1964.”

Annotations:

Modifications etc. (not altering text)

- C4** The text of ss. 1, 2(1)(a)–(f)(3) and 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

4 Short Title.

This Measure may be cited as the Church Commissioners Measure 1964.

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