



National Institutions Measure 1998

1998 No. 1

Archbishops' Council

2 Application of funds. **E**

- (1) It shall be the duty of the Church Commissioners—
 - (a) from time to time in general meeting to determine the amount of income from their assets which is to be made available to the Council for application or distribution under subsection (3) below in the course of such period as may be specified in the determination, and
 - (b) to the extent that the Church Commissioners are satisfied that it is available for application or distribution, to pay that amount to the Council in equal monthly instalments or as otherwise agreed by them and the Council.
- (2) Before determining the amount mentioned in subsection (1)(a) above the Church Commissioners shall consult the Council and in making the determination they shall have regard to any proposals made by the Council.
- (3) The Council shall consider and determine how to apply or distribute such sums as have been made available by the Church Commissioners under subsection (1) above, but those sums shall not be applied or distributed by the Council for any purpose other than one for which the balance in the Church Commissioners' general fund was available immediately before the coming into force of this section and in applying or distributing those sums the Council shall have particular regard to the requirements of section 67 of the ^{M1}Ecclesiastical Commissioners Act 1840 relating to the making of additional provision for the cure of souls in parishes where such assistance is most required.
- (4) Where a decision is taken by the Council or the Church Commissioners to the effect that a plan should be produced under this subsection, those bodies acting jointly shall after consultation with any body appearing to them to be significantly affected, produce a plan which—
 - (a) contains an estimate by the Church Commissioners, having regard to any recommendation made by the Assets Committee under section 6(3)(b) of the ^{M2}Church Commissioners Measure 1947, of the amount of income from their

Changes to legislation: National Institutions Measure 1998, Section 2 is up to date with all changes known to be in force on or before 26 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

assets available for application or distribution under subsection (3) above during a period not exceeding three years, and

- (b) identifies the purposes for which the sums mentioned in subsection (3) above are to be applied or distributed in the course of that period or part thereof and the proportion of those sums appropriate for each purpose.

Any such plan may be amended or replaced in the same manner.

- (5) Where a plan is produced under subsection (4) above—
- (a) the Church Commissioners, in complying with the requirements of subsection (2) above, shall have regard to the plan, and
- (b) the Council, in complying with the requirements of subsection (3) above, shall act in accordance with the plan,
- in so far as the plan relates to the period in question.
- (6) As soon as practicable after the end of each year the Council shall cause a certificate to be issued to the Church Commissioners to the effect that the application and distribution of the sums made available by them as aforesaid has been in accordance with subsection (3) above.

Modifications etc. (not altering text)

- C1** S. 2(3) modified (1.1.2014) by [Diocese in Europe Measure 2013 \(No. 1\)](#), **ss. 1(2)**, 3(2); 2013 No. 3, art. 2
- C2** S. 2(3) modified (retrosp.) (19.5.2014) by [Church of England \(Miscellaneous Provisions\) Measure 2014 \(No. 1\)](#), s. 21(2), **Sch. 2 para. 13(2)**; S.I. 2014/1369, art. 2
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Marginal Citations

- M1** 3 & 4 Vict. c. 113.
- M2** 10 & 11 Geo. 6 No. 2.

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Changes and effects yet to be applied to the whole Measure associated Parts and Chapters:

Whole provisions yet to be inserted into this Measure (including any effects on those provisions):

- Sch. 1 para. 4A inserted by [2010 No. 1 s. 8](#)