

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Church Commissioners Measure 1947. (See end of Document for details)*

## SCHEDULE I

Section 1(2).

### CONSTITUTION OF THE COMMISSIONERS

- 1 The Commissioners shall be—
- the Archbishops of Canterbury and York and the diocesan bishops of the Provinces of Canterbury and York;
  - the three church estates commissioners;
  - five deans appointed by the Church Assembly, three from the Province of Canterbury and two from the Province of York;
  - ten other clerks in Holy Orders appointed by the [<sup>F1</sup>General Synod];
  - ten laymen appointed by the [<sup>F1</sup>General Synod];
  - four laymen nominated by His Majesty, and four persons nominated by the Archbishop of Canterbury: provided that at least [<sup>F2</sup>one]of the eight Commissioners so nominated shall be, or shall have been, of counsel to His Majesty;
  - The Lord Chancellor, The Lord President of the Council, the First Lord of the Treasury, the Chancellor of the Exchequer and the Secretary of State for the Home Department;
  - the Speaker of the House of Commons;
  - the Lord Chief Justice, the Master of the Rolls, the Attorney-General and the Solicitor-General;
  - the Lord Mayor and two aldermen of the City of London and the Lord Mayor of the City of York; and
  - one representative from each of the universities of Oxford and Cambridge, being either the Vice-Chancellor or a person nominated by him to serve during his own term of office.

#### Textual Amendments

- F1** Words substituted by virtue of [Synodical Government Measure 1969 \(No. 2\), s. 2\(2\)](#)
- F2** Word substituted by [Church of England \(Miscellaneous Provisions\) Measure 1978 \(No. 3, SIF 21:8\), s. 4\(1\)](#)

- 2 [<sup>F3</sup>Commissioners appointed by the General Synod (who need not be members thereof) shall be appointed for five years at such time and in such manner as the Synod may from time to time determine, but if the Synod alters the time at which they are to be appointed the period of office of the Commissioners so appointed who are then in office shall be extended or reduced accordingly, as the circumstances require.]

Commissioners nominated by the Archbishop of Canterbury shall be nominated for such number of years as he may from time to time determine.

The two aldermen of the City of London shall be appointed by the court of aldermen thereof either for one year or for such number of years not exceeding five as the court may from time to time determine.

In this paragraph the expression “year” means a period of twelve months commencing on the first day of April

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Any such Commissioner as is referred to in this paragraph shall be eligible for re-appointment or re-nomination.

**Textual Amendments**

**F3** Words substituted by [Church of England \(Miscellaneous Provisions\) Measure 1978 \(No. 3, SIF 21:8\)](#), s. 4(2)

3 In the event of delay in the appointment or nomination of a successor any such Commissioner as is referred to in the last preceding paragraph shall, notwithstanding the expiration of the period for which he was appointed or nominated, continue to hold office until a successor is appointed or nominated.

4 A person shall be disqualified from being a Commissioner so long as he is a salaried official of any central or diocesan body in the Church of England.

5 If an appointed Commissioner who was qualified for appointment by virtue of being a dean, a clerk in Holy Orders, or a layman appointed by the Church Assembly ceases to be so qualified, he shall thereby vacate his membership.

[<sup>F4</sup>5A (1) Without prejudice to paragraph 5 above, if an appointed Commissioner, being a Commissioner appointed by the General Synod, was at the time of his appointment a member of that Synod, then, subject to sub-paragraph (2) below, he shall on ceasing to be a member thereof thereby vacate his membership.

(2) Where a Commissioner to whom sub-paragraph (1) above applies ceases to be a member of the General Synod by reason of the dissolution of that Synod he may continue to act during the period of the dissolution as a Commissioner, but if he does not stand for re-election to the General Synod or is not re-elected, the preceding provision shall cease to apply to him with effect from the date on which the appointment of his successor is announced by the presiding officer.]

**Textual Amendments**

**F4** [Sch. I para. 5A](#) inserted by [Church of England \(Miscellaneous Provisions\) Measure 1978 \(No. 3, SIF 21:8\)](#), s. 4(3)

6 Every lay Commissioner not being a Commissioner in right of office shall, before otherwise acting in connection with the business of the Commissioners, declare in writing before an officer of the Commissioners that he is a member of the Church of England.

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## SCHEDULE II

Section 5(1).

### CONSTITUTION OF THE BOARD OF GOVERNORS

- 1 The Board shall consist of the following persons—  
the Archbishops of Canterbury and York;  
the three church estates commissioners;  
twenty-two other Commissioners appointed by the Commissioners, and  
such other Commissioners, if any, as may be co-opted in accordance with the  
provisions of this Schedule.
- 2 Of the twenty-two members to be appointed by the Commissioners six shall be  
diocesan bishops, two shall be deans, six shall be other clerks in Holy Orders and  
eight shall be laymen, of whom six shall be chosen from those appointed by the  
[<sup>F5</sup>General Synod].

#### Textual Amendments

**F5** Words substituted by virtue of [Synodical Government Measure 1969 \(No. 2\), s. 2\(2\)](#)

- 3 At the inaugural general meeting of the Commissioners twenty-two members shall  
be appointed in the proportions laid down in the preceding paragraph and of the  
members so appointed one-half shall hold office for six years and the remainder for  
three years. Thereafter, in every third year eleven members shall be appointed at the  
annual general meeting of the Commissioners to fill the places of members retiring  
in that year.
- 4 The period of office of an appointed member shall run from the day following the  
annual general meeting at which he is appointed to the close of the day on which his  
successor is appointed.  
  
A member appointed at the inaugural general meeting shall enter upon his office  
forthwith, but the date for his retirement shall be calculated as if he had been  
appointed at the first annual general meeting of the Commissioners.
- 5 The eleven original members to hold office for six years shall be three bishops, one  
dean, three other clerks, three of the laymen appointed by the [<sup>F6</sup>General Synod] and  
one of the laymen not so appointed.

#### Textual Amendments

**F6** Words substituted by virtue of [Synodical Government Measure 1969 \(No. 2\), s. 2\(2\)](#)

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- 6 As between members in any category, those to hold office for six years shall be those receiving most votes:  
 Provided that if—
  - (a) in any category there is no contest; or
  - (b) in a category where there is a contest, a selection must be made between two or more members whose votes were equal; any necessary selection shall be made by lot.

For the purposes of this paragraph, lots shall be drawn by such persons and in such manner as the Chairman may direct.

- 7 The Board may from time to time co-opt as additional members of the Board not more than three persons being Commissioners at the date of co-optation.

Such co-optation may be for any period not extending beyond the next triennial election of members of the Board.

- 8 If a member of the Board who was qualified for membership by virtue of being a diocesan bishop, a dean, a clerk in Holy Orders, or a layman appointed by the [<sup>F7</sup>General Synod], ceases to be so qualified, he shall thereby vacate his membership.

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**Textual Amendments**  
**F7** Words substituted by virtue of [Synodical Government Measure 1969 \(No. 2\), s. 2\(2\)](#)

<sup>F8F8</sup>SCHEDULE III

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**Textual Amendments**  
**F8** [Sch. 3](#) repealed by [Church Commissioners Measure 1964 \(No. 8\), s. 2\(3\)](#)

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SCHEDULE IV

Section 7(1).

GENERAL PROVISIONS RELATING TO THE COMMISSIONERS, THE BOARD AND COMMITTEES

- 1 The proceedings of the Commissioners, the Board or a committee shall not be invalidated by any vacancy in the membership thereof, or by any defect in the qualification, appointment or nomination of any member.

- 2 When an appointed or nominated Commissioner proposes to retire, his intention so to do shall be notified by him in writing to the secretary of the Commissioners, who

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shall forthwith give notice to the person or body by whom such Commissioner was appointed or nominated.

[<sup>F9</sup>3 Casual vacancies among appointed or nominated Commissioners or among appointed 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.]

**Textual Amendments**

**F9** Para. 3 substituted by [Church Commissioners Measure 1964 \(No. 8\), s. 2\(1\)\(e\)](#)

4 Any person appointed or nominated to fill a casual vacancy shall hold office for the remainder of the term (if any) for which his predecessor was appointed or nominated.

5 At any meeting of the Commissioners, the Board or a committee, every question shall be decided by a majority of the votes of members present and voting on that question and in the case of equality of votes, the member presiding shall have a second or casting vote:  
Provided that, if at the inaugural or any annual general meeting the Commissioners so decide, the Commissioners who are to serve as members of the Board, . . . . .  
<sup>F10</sup>, may be chosen at that meeting by ballot, or (notwithstanding anything contained in this Measure) within fourteen days after that meeting by means of voting papers issued and returned by post.

**Textual Amendments**

**F10** Words repealed by [Church Commissioners Measure 1964 \(No. 8\), s. 2\(1\)\(f\)](#)

6 Minutes of the proceedings of the Commissioners or of the Board signed at the same or the next meeting by a member describing himself, or appearing to be, the person presiding at the meeting at which the minutes are signed, shall be received in evidence without further proof, and, until the contrary is proved, every meeting of the Commissioners or of the Board, in respect of the proceedings whereof minutes have been so signed shall be deemed to have been duly convened and held.

7 The provisions of this Schedule relating to Committees shall in their application to the [<sup>F11</sup>General Purposes Committee and the Assets Committee] have effect subject to any special provisions with respect thereto contained in this Measure.

**Textual Amendments**

**F11** Words substituted by [Church Commissioners Measure 1964 \(No. 8\), s. 2\(1\)\(f\)](#)

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