



Administration of Justice Act 1982

1982 CHAPTER 53

PART VI

FUNDS IN COURT

- 41 Transfer of funds in court to Official Custodian for Charities and [^{F1}appropriate authority].**
- (1) Any funds for the time being vested in the Accountant General and held by him in trust for any charity or in trust for any ecclesiastical corporation in the Church of England may, if the Accountant General on an application made in that behalf to him by the [^{F2}Charity Commission] or the [^{F1}appropriate authority] thinks fit so to direct, be transferred to the Official Custodian for Charities or the [^{F1}appropriate authority], as the case may be.
 - (2) Any funds transferred by virtue of a direction given under subsection (1) above shall be vested in and held by the Official Custodian for Charities or the [^{F1}appropriate authority] respectively in trust for the charity or ecclesiastical corporation upon the trusts upon which the funds were held before the transfer.
 - (3) In this section “ecclesiastical corporation” means a capitular body within the meaning of the ^{M1}Cathedrals Measure 1963 or the incumbent of a benefice [^{F3} and “appropriate authority” means, in the case of funds held in trust for a cathedral, the corporate body of that cathedral established under section 9(1)(a) of the Cathedrals Measure 1999 and in the case of funds held in trust for a benefice the Diocesan Board of Finance for the diocese in which that benefice is situated].
- [^{F4}(4) The preceding provisions of this section cease to apply to the case of funds held in trust for a cathedral on the commencement in relation to that cathedral of the charity provisions within the meaning of section 53(7) of the Cathedrals Measure 2021]

Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1982, Section 41. (See end of Document for details)

Textual Amendments

- F1** Words in s. 41 substituted (Provinces of Canterbury and York) (1.10.2006) by [Church of England \(Miscellaneous Provisions\) Measure 2006 \(No. 1\)](#), ss. 14, 16(2), **Sch. 5 para. 25(a)**; Instrument dated 11.9.2006 made by the Archbishops of Canterbury and York
- F2** Words in s. 41(1) substituted (27.2.2007) by [Charities Act 2006 \(c. 50\)](#), ss. 75(1), 79(2), **Sch. 8 para. 67**; S.I. 2007/309, **art. 2**, Sch.
- F3** Words in s. 41(3) added (Provinces of Canterbury and York) (1.10.2006) by [Church of England \(Miscellaneous Provisions\) Measure 2006 \(No. 1\)](#), ss. 14, 16(2), **Sch. 5 para. 25(b)**; Instrument dated 11.9.2006 made by the Archbishops of Canterbury and York
- F4** S. 41(4) inserted (coming into force in accordance with s. 53(3) of the amending Measure) by [Cathedrals Measure 2021 \(No. 2\)](#), **Sch. 4 para. 21** (with ss. 42(4), 48, 52(1))

Modifications etc. (not altering text)

- C1** S. 41(3) amended (30.6.1999) by [1999 No. 1](#), **ss. 36(2)(6)**, 38(2)(3) (with ss. 33, 34, 37, 38(2)(3)(5)(6))

Marginal Citations

- M1** [1963 No. 2](#).

Changes to legislation:

There are currently no known outstanding effects for the Administration of Justice Act 1982, Section 41.