



# Cathedrals Measure 1963

1963 No. 2

## E

A Measure passed by the National Assembly of the Church of England to replace with new provisions the Cathedral Measures 1931 and 1934, and other enactments relating to cathedral churches; to repeal certain obsolete provisions relating to cathedral churches or to churches which are or have been collegiate churches; and for purposes connected therewith. [31st July 1963]

### Extent Information

E1 For extent of Measure see s. 55

### Modifications etc. (not altering text)

- C1 Measure extended by [Cathedrals Measure 1976 \(No. 1\)](#), s. 8(1) to schemes made under that Measure
- C2 Measure extended by [Dioceses Measure 1978 \(No. 1, SIF 21:3\)](#), s. 22(1)  
Measure continued (*temp.*) by 1999 No. 2, s. 38(3) (with ss. 33, 34, 37, 38(5)(6))

### Commencement Information

I1 Measure wholly in force at Royal Assent.

1—5 .....<sup>F1</sup> E

### Textual Amendments

F1 Ss. 1–5 repealed by [Cathedrals Measure 1976 \(No. 1\)](#), s. 8(2) with saving for any scheme prepared and confirmed under s. 3 and in force immediately before 25.3.1976 and repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), [Sch. 3](#) (with ss. 33, 34, 37, 38(6))

*Status: Point in time view as at 29/04/2021.*

*Changes to legislation: There are currently no known outstanding effects for the Cathedrals Measure 1963. (See end of Document for details)*

PROVISIONS REQUIRED TO BE INCLUDED IN THE  
CONSTITUTIONS AND STATUTES OF CATHEDRAL CHURCHES

F26 ..... **U.K.**

**Textual Amendments**  
F2 S. 6 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), Sch. 3 (with ss. 33, 34, 37, 38(6))

F37 ..... **U.K.**

**Textual Amendments**  
F3 S. 7 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), Sch. 3 (with s. 33, 34, 37, 38(6))

F48 ..... **U.K.**

**Textual Amendments**  
F4 S. 8 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), Sch. 3 (with ss. 33, 34, 37, 38(6))

F59 ..... **E**

**Textual Amendments**  
F5 S. 9 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), Sch. 3 (with ss. 33, 34, 37, 38(6))

F610 ..... **U.K.**

**Textual Amendments**  
F6 S. 10 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), Sch. 3 (with ss. 33, 34, 37, 38(6))

PROVISIONS WHICH MAY BE INCLUDED IN THE  
CONSTITUTIONS AND STATUTES OF CATHEDRAL CHURCHES

F711 ..... **U.K.**

*Status: Point in time view as at 29/04/2021.*

*Changes to legislation: There are currently no known outstanding effects for the Cathedrals Measure 1963. (See end of Document for details)*

**Textual Amendments**

**F7** S. 11 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), **Sch. 3** (with ss. 33, 34, 37, 38(6))

**F8** **12** ..... **U.K.**

**Textual Amendments**

**F8** S. 12 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), **Sch. 3** (with ss. 33, 34, 37, 38(6))

**F9** **13** ..... **U.K.**

**Textual Amendments**

**F9** S. 13 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), **Sch. 3** (with ss. 33, 34, 37, 38(6))

POWER FOR PARISH CHURCH CATHEDRALS TO BECOME DEAN AND CHAPTER CATHEDRALS

**F10** **14** ..... **E**

**Textual Amendments**

**F10** S. 14 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), **Sch. 3** (with ss. 33, 34, 37, 38(6))

PROVISIONS AS TO PROPERTY

**F11** **15** ..... **U.K.**

**Textual Amendments**

**F11** S. 15 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), **Sch. 3** (with ss. 33, 34, 37, 38(6))

**F12** **16** ..... **U.K.**

*Status: Point in time view as at 29/04/2021.*

*Changes to legislation: There are currently no known outstanding effects for the Cathedrals Measure 1963. (See end of Document for details)*

**Textual Amendments**

**F12** S. 16 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), **Sch. 3** (with ss. 33, 34, 37, 38(6))

**17**<sup>F13</sup> ..... **U.K.**

**Textual Amendments**

**F13** S. 17 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), **Sch. 3** (with ss. 33, 34, 37, 38(6))

<sup>F14</sup>**18** ..... **U.K.**

**Textual Amendments**

**F14** S. 18 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), **Sch. 3** (with ss. 33, 34, 37, 38(6))

<sup>F15</sup>**19** ..... **U.K.**

**Textual Amendments**

**F15** S. 19 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), **Sch. 3** (with ss. 33, 34, 37, 38(6))

<sup>F16</sup>**20** ..... **E**

**Textual Amendments**

**F16** S. 20 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), **Sch. 3** (with ss. 33, 34, 37, 38(6))

<sup>F17</sup>**21** ..... **E**

**Textual Amendments**

**F17** S. 21 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), **Sch. 3** (with ss. 33, 34, 37, 38(6)) and s. 21 subject to an amendment (1.2.2001) by 2000 c. 29, s. 40, **Sch. 3 para. 8** (with s. 35); S.I. 2001/49, **art. 2**

*Status: Point in time view as at 29/04/2021.*

*Changes to legislation: There are currently no known outstanding effects for the Cathedrals Measure 1963. (See end of Document for details)*

F18 **22** ..... **U.K.**

**Textual Amendments**

**F18** S. 22 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), **Sch. 3** (with ss. 33, 34, 37, 38(6))

F19 **23** ..... **U.K.**

**Textual Amendments**

**F19** S. 23 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), **Sch. 3** (with ss. 33, 34, 37, 38(6))

F20 **24** ..... **U.K.**

**Textual Amendments**

**F20** S. 24 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), **Sch. 3** (with ss. 33, 34, 37, 38(6))

F21 **25** ..... **U.K.**

**Textual Amendments**

**F21** S. 25 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), **Sch. 3** (with ss. 33, 34, 37, 38(6))

F22 **26** ..... **U.K.**

**Textual Amendments**

**F22** S. 26 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), **Sch. 3** (with ss. 33, 34, 37, 38(6))

F23 **27** ..... **U.K.**

**Textual Amendments**

**F23** S. 27 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), **Sch. 3** (with s. 33, 34, 37, 38(6))

*Status: Point in time view as at 29/04/2021.*

*Changes to legislation: There are currently no known outstanding effects for the Cathedrals Measure 1963. (See end of Document for details)*

FINANCIAL PROVISIONS

F24 **28** ..... **U.K.**

**Textual Amendments**  
F24 S. 28 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), Sch. 3 (with ss. 33, 34, 37, 38(6))

F25 **29** ..... **U.K.**

**Textual Amendments**  
F25 S. 29 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), Sch. 3 (with ss. 33, 34, 37, 38(6))

F26 **30** ..... **U.K.**

**Textual Amendments**  
F26 S. 30 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), Sch. 3 (with s. 33, 34, 37, 38(6))

F27 **31** ..... **U.K.**

**Textual Amendments**  
F27 S. 31 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), Sch. 3 (with ss. 33, 34, 37, 38(6))

F28 **32** ..... **U.K.**

**Textual Amendments**  
F28 S. 32 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), Sch. 3 (with ss. 33, 34, 37, 38(6))

F29 **33** ..... **U.K.**

*Status: Point in time view as at 29/04/2021.*

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**Textual Amendments**

**F29** S. 33 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), **Sch. 3** (with ss. 33, 34, 37, 38(6))

<sup>F30</sup>**34** ..... **U.K.**

**Textual Amendments**

**F30** S. 34 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), **Sch. 3** (with ss. 33, 34, 37, 38(6))

<sup>F31</sup>**35** ..... **U.K.**

**Textual Amendments**

**F31** S. 35 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), **Sch. 3** (with ss. 33, 34, 37, 38(6))

<sup>F33</sup>**37** ..... **U.K.**

**Textual Amendments**

**F33** S. 37 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), **Sch. 3** (with ss. 33, 34, 37, 38(6))

<sup>F34</sup>**38** ..... **U.K.**

**Textual Amendments**

**F34** S. 38 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), **Sch. 3** (with ss. 33, 34, 37, 38(6))

SPECIAL PROVISIONS RELATING TO CERTAIN CATHEDRAL CHURCHES

**39 Charge on capitular revenues of Birmingham cathedral. **E****

The capitular revenues of the cathedral church of Birmingham shall be charged with an annual payment of three thousand pounds to the [<sup>F35</sup>diocesan board of finance] for the benefit of the income account of the diocesan stipends fund of the diocese of Birmingham.

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#### Textual Amendments

**F35** Words in s. 39 substituted (1.1.2001) by 2000 Measure No. 1, s. 6; Instrument dated 14.12.2000 made by the Archbishops of Canterbury and York

### <sup>F36</sup> 40 Provisions as to Newcastle Chapter Endowment Fund. **U.K.**

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#### Textual Amendments

**F36** S. 40 repealed (29.4.2021) by Cathedrals Measure 2021 (No. 2), s. 53(1)(h), Sch. 4 para. 7 (with ss. 42(4), 48, 52(1))

### 41 Provisions as to canonry annexed to archdeaconry of Norfolk. **U.K.**

- (1) The canonship or prebend in the cathedral church of Norwich which by the <sup>M1</sup>St. 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 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 [<sup>F37</sup>The said sum shall be fifty pounds per annum.].

#### Textual Amendments

**F37** Words in s. 41 inserted (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No.1, s. 39(1), Sch. 2 para. 4 (with ss. 33, 34, 37, 38(5)(6))

#### Marginal Citations

**M1** 1927 c. lxii.

### 42 Provision for appointment of additional canon at Oxford. **U.K.**

- (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



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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 [<sup>F38</sup>cathedral duties within the meaning of the Cathedrals Measure 2021; and sections 14(2) to (5), 28(1) to (3) and 45(1) of that Measure][<sup>F39</sup>shall apply in relation to that canon as if that 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.
- <sup>F40</sup>(6) The bishop, the dean and canons and the Church Commissioners acting jointly may make an instrument for the purposes of this section varying or replacing any instrument previously made thereunder and for the time being in force, and the provisions of this section with any adaptations necessary to take account of the passing of the Cathedrals Measure 1999, [<sup>F41</sup>or the passing of the Cathedrals Measure 2021], shall apply under this subsection as they applied in relation to an instrument made before the passing of that Measure.]

#### Textual Amendments

- F38** Words in s. 42(4) substituted (coming into force in accordance with s. 53(3) of the amending Measure) by [Cathedrals Measure 2021 \(No. 2\)](#), [Sch. 4 para. 8\(2\)](#) (with [ss. 42\(4\), 48, 52\(1\)](#))
- F39** Words in s. 42(4) substituted (30.6.1999 with application as mentioned in s. 38(3)) by [1999 No. 1, s. 39\(1\)](#), [Sch. 2 para. 5](#) (with [ss. 33, 34, 37, 38\(5\)\(6\)](#))
- F40** S. 42(6) substituted (30.6.1999 with application as mentioned in s. 38(3)) by [1999 No. 1, s. 39\(1\)](#), [Sch. 2 para. 5](#) (with [ss. 33, 34, 37, 38\(5\)\(6\)](#))
- F41** Words in s. 42(6) inserted (coming into force in accordance with s. 53(3) of the amending Measure) by [Cathedrals Measure 2021 \(No. 2\)](#), [Sch. 4 para. 8\(3\)](#) (with [ss. 42\(4\), 48, 52\(1\)](#))

#### <sup>F42</sup>43 Further provisions as to Oxford **E**

- (1) The bishop shall have power after consulting, first, the dean and then the dean and chapter, to appoint non-residentiary canons in the cathedral church of Christ in Oxford as follows—
  - (a) not more than 35 who are clerks in holy orders either of the Church of England or of a Church in communion with the Church of England,
  - (b) not more than 10 lay canons, being lay persons who are actual communicants within the meaning of the Church Representation Rules contained in

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Schedule 3 to the Synodical Government Measure 1969 and who, in the opinion of the bishop, have given distinguished service to the diocese of Oxford or to the cathedral church and who have an active commitment to and concern for the life of the cathedral church and its mission and service, and

- (c) not more than 5 persons who shall be known as “ecumenical canons”, being persons who are baptised and members in good standing of a Church (not in communion with the Church of England) which subscribes to the doctrine of the Holy Trinity.
- (2) A non-residentiary canon appointed under subsection (1)(a) or under subsection (1) as originally enacted 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 70 years,
 whichever event first occurs.
  - (3) A non-residentiary canon appointed under subsection (1)(b) or (c) shall hold that office in accordance with the terms of his or her appointment, which shall be specified by the bishop and agreed by him with the dean and chapter of the cathedral church and the terms of appointment shall specify the duration of the appointment, the circumstances in which it can be terminated and such other conditions as the bishop thinks fit.
  - (4) The bishop may confer the title of canon emeritus in the cathedral church on any non-residentiary canon who vacates that office under subsection (2) or in accordance with subsection (3).
  - (5) The dean and chapter of the cathedral church may, after consulting the bishop, confer the title of canon emeritus on—
    - (a) any former residentiary canon of the cathedral church,
    - (b) any former canon who filled the additional canonry created under section 42, and
    - (c) any former lay canon appointed in accordance with section 2 of the Church of England (Miscellaneous Provisions) Measure 1995 (1995 No. 2).
  - (6) Subsection (5) applies whether the former canon held office before or after the coming into force of section 10 of the Church of England (Miscellaneous Provisions) Measure 2010 (2010 No. 1).
  - (7) There shall be a college of canons of the cathedral church, the membership of which shall consist of—
    - (a) the dean,
    - (b) every suffragan bishop of the diocese of Oxford,
    - (c) every full-time stipendiary assistant bishop of the diocese,
    - (d) every canon (including any lay canon), and
    - (e) every archdeacon of the diocese.
  - (8) The College of Canons shall—
    - (a) receive and consider any report of the dean and chapter relating to the management and activities of the cathedral church, including any financial statement, and
    - (b) discuss such matters concerning the cathedral church as may be raised by any of the members.

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- (9) Without prejudice to subsection (8), the rights and duties of non-residentiary canons and of canons emeriti in the cathedral church shall be determined from time to time by the dean and chapter of the cathedral church with the agreement of the bishop.
- (10) If a question arises whether a Church is in communion with the Church of England for the purposes of subsection (1) that question shall be determined in like manner as it is determined for the purposes of the Overseas and Other Clergy (Ministry and Ordination) Measure 1967 (1967 No. 3).
- (11) In this section “the dean and chapter” means the body consisting of the dean and all the residentiary canons, including the canon who fills the additional canonry created under section 42.]

#### Textual Amendments

- F42** S. 43 substituted (1.9.2010) by [Church of England \(Miscellaneous Provisions\) Measure 2010 \(No. 1\)](#), [ss. 10\(2\)](#), [13\(2\)](#); S.I. 2010/2, art. 3, Sch. 2

#### 44 Provisions as to Southwark. **U.K.**

- (1) [<sup>F43</sup>[<sup>F44</sup>The constitution or statutes made in pursuance of paragraph 1 of Schedule 1 to the Cathedrals Measure 1999 and any revision thereof under Part II of that 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 [<sup>F45</sup>sections 21 and 22 of the Cathedrals Measure 2021 (acquisition and disposal of land) on the Chapter of the cathedral church of Southwark] 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 <sup>M2</sup>Southwark Cathedral Measure 1937.

#### Textual Amendments

- F43** S. 44(1) ceases to have effect (29.4.2021) by virtue of [Cathedrals Measure 2021 \(No. 2\)](#), s. 53(1)(h), [Sch. 4 para. 9\(2\)](#) (with [ss. 42\(4\)](#), [48](#), [52\(1\)](#), [Sch. 4 para. 9\(4\)](#))
- F44** Words in s. 44(1) substituted (30.6.1999 with application as mentioned in s. 38(3)) by [1999 No. 1](#), s. [39\(1\)](#), [Sch. 2 para. 6](#) (with [ss. 33](#), [34](#), [37](#), [38\(5\)\(6\)](#))
- F45** Words in s. 44(2) substituted (coming into force in accordance with s. 53(3) of the amending Measure) by [Cathedrals Measure 2021 \(No. 2\)](#), [Sch. 4 para. 9\(3\)](#) (with [ss. 42\(4\)](#), [48](#), [52\(1\)](#))

#### Marginal Citations

- M2** [1937 No. 3](#).

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MISCELLANEOUS AND GENERAL

F46 **45** ..... **U.K.**

**Textual Amendments**  
F46 S. 45 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), Sch. 3 (with ss. 33, 34, 37, 38(6))

F47 **46** ..... **U.K.**

**Textual Amendments**  
F47 S. 46 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), Sch. 3 (with ss. 33, 34, 37, 38(6))

F48 **47** ..... **U.K.**

**Textual Amendments**  
F48 S. 47 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), Sch. 3 (with ss. 33, 34, 37, 38(6))

F49 **48** ..... **U.K.**

**Textual Amendments**  
F49 S. 48 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), Sch. 3 (with ss. 33, 34, 37, 38(6))

F50 **49** **Transfer of property by schemes.** **U.K.**

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**Textual Amendments**  
F50 S. 49 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), Sch. 3 (with ss. 33, 34, 37, 38(6))

F51 **50** ..... **U.K.**

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**Textual Amendments**

**F51** S. 50 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), **Sch. 3** (with ss. 33, 34, 37, 38(6))

<sup>F52</sup>**51** ..... **E**

**Textual Amendments**

**F52** S. 51 repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), **Sch. 3** (with ss. 33, 34, 37, 38(6))

**52 Interpretation. **E****

(1) In this Measure, except where the context otherwise requires, the following expressions have the meaning thereby assigned to them respectively, that is to say—

“administrative body” means, in the case of a dean and chapter cathedral, the body by which administrative functions in relation to the cathedral church are performed by virtue of paragraph (b) of section seven of this Measure, and, in the case of a parish church cathedral, the body by which administrative functions in relation to the cathedral church are performed by virtue of paragraph (b) of section eight of this Measure;

“architect” means a person registered under the [<sup>F53</sup>Architects Act 1997];

“bishop” when used in relation to a cathedral church, means the bishop of the diocese in which the cathedral church is situated;

“canon” includes a non-residentiary canon or prebendary but not a minor canon or any person not in Holy Orders;

“capitular body” means, in the case of a dean and chapter cathedral, the dean and chapter, and, in the case of a parish church cathedral, the cathedral chapter;

“cathedral church” means any cathedral church in England existing at the passing of this Measure except the cathedral church of Christ in Oxford;

<sup>F54</sup> .....

“churchyard” includes a closed churchyard;

<sup>F55</sup> .....

“company” includes the Bank of England and any company or person keeping books in which any stock is registered or inscribed;

“dean and chapter cathedral” means any cathedral church in respect of which there is a corporate body known as the dean and chapter;

“diocesan authority” means the diocesan board of finance or any existing or future body appointed by the diocesan conference to act as trustees of diocesan trust property;

“diocesan stipends fund” means the diocesan stipends fund established under the <sup>M3</sup>Reorganisation Areas Measure 1944 or the <sup>M4</sup>Pastoral Reorganisation Measure 1949;

“functions” includes powers and duties;

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“house of residence” includes all buildings, gardens and other land held therewith;

“land” includes any corporeal or incorporeal hereditaments of any tenure;

“lease” includes a tenancy;

“moneys” includes any stock, share, or other security;

“parish church cathedral” means any cathedral church other than a dean and chapter cathedral;

“property” includes a thing in action and any interest in real or personal property;

“residentiary canon” includes a stipendiary canon;

“stock” includes any share, annuity or other security.

<sup>F56</sup>(2) . . . . .

<sup>F57</sup>(3) . . . . .

(4) References in this Measure to any Act or Measure shall be construed as references to that Act or Measure as amended by any subsequent Act or Measure.

#### Textual Amendments

**F53** S. 52(1): Words in definition of “architect” substituted (21.7.1997) by 1997 c. 22, s. 26 (with Sch. 2); S.I. 1997/1672, art. 2

**F54** Words in s. 52(1) omitted (coming into force in accordance with s. 53(3) of the amending Measure) by virtue of Cathedrals Measure 2021 (No. 2), Sch. 4 para. 10 (with ss. 42(4), 48, 52(1))

**F55** Definition of “the Commission” repealed by Cathedrals Measure 1976 (No. 1), s. 8(2)

**F56** S. 52(2) repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), Sch. 3 (with ss. 33, 34, 37, 38(6))

**F57** S. 52(3) repealed (30.6.1999 with application as mentioned in s. 38(3)) by 1999 No. 1, s. 39(2), Sch. 3 (with ss. 33, 34, 37, 38(6))

#### Marginal Citations

**M3** 1944 No. 1.

**M4** 1949 No. 3.

### 53 Certain enactments to cease to apply to cathedral corporations. **E**

The enactments specified in the First Schedule to this Measure, being enactments relating to the sale, purchase, exchange, leasing and other dealings with ecclesiastical property, shall, to the extent specified in the third column of that Schedule, cease to apply to any body corporate, whether aggregate or sole, in any cathedral church.

### 54 Repeals and transitional provisions. **E**

(1) . . . . . <sup>F58</sup>

(2) The repeal by this Measure of any enactment shall not affect any scheme confirmed under that enactment which is in force immediately before the passing of this Measure, and any such scheme shall, except so far as it is varied or revoked by or under this Measure, continue in force as if this Measure had not been passed.

*Status: Point in time view as at 29/04/2021.*

*Changes to legislation: There are currently no known outstanding effects for the Cathedrals Measure 1963. (See end of Document for details)*

- (3) Any functions which are at the passing of this Measure exercisable in relation to property by the capitular body of a cathedral church shall, until a scheme is in force for that cathedral church under this Measure, be exercisable by the body by which administrative functions in relation to the cathedral church are exercisable under the constitution and statutes then in force for that cathedral church.
- (4) The repeal by this Measure of the <sup>M5</sup>Parish of Manchester Division Act 1850 (Amendment) Measure 1926 shall not affect the power of the bishop of Manchester under section two of that Measure to assign additional duties to a canon of Manchester cathedral, other than a canon whose stipend is paid by the Church Commissioners under section twenty-eight of this Measure.

**Textual Amendments**

**F58** S. 54(1) and Sch. 2 repealed by Statute Law (Repeals) Act 1977 (c. 18), Sch. 1 Pt. V

**Marginal Citations**

**M5** 1926 No. 3.

**55** **Extent of Measure.** **E**

This Measure shall apply to every cathedral church in England existing at the passing of this Measure except the cathedral church of Christ in Oxford:

Provided that—

- (a) sections forty-two, forty-three, fifty-two and fifty-four of this Measure shall apply to the cathedral church of Christ in Oxford, and
- (b) the provisions of this Measure specified in subsection (4) of section forty-two of this Measure shall apply as provided in that section in relation to a canon appointed thereunder for the said cathedral church.

**56** **Short title.** **E**

This Measure may be cited as the Cathedrals Measure 1963.

*Status: Point in time view as at 29/04/2021.*

*Changes to legislation: There are currently no known outstanding effects  
for the Cathedrals Measure 1963. (See end of Document for details)*

FIRST SCHEDULE **E**

Section 53.

ENACTMENTS WHICH CEASE TO APPLY TO CATHEDRAL CORPORATIONS

ACTS OF PARLIAMENT

| Session and chapter    | Short title   | How far to cease to apply to cathedral corporations |
|------------------------|---|---|
| 13 Eliz. c. 10         |   | The whole Act.                                      |
| 14 Eliz. c. 11         |   | The whole Act.                                      |
| 18 Eliz. c. 11         |   | The whole Act.                                      |
| .....<br>F59           | .....<br>F59  | .....<br>F59  |
| 39 & 40 Geo. 3. c. 41. | The Ecclesiastical Leases Act 1800.                     | The whole Act.                                      |
| 2 & 3 Will. 4. c. 80.  | The Ecclesiastical Corporations Act 1832.               | The whole Act.                                      |
| 6 & 7 Will. 4. c. 20.  | The Ecclesiastical Leases Act 1836.                     | The Whole Act.                                      |
| 6 & 7 Will. 4. c. 64.  | The Ecclesiastical Leases (Amendment) Act 1836.         | The whole Act.                                      |
| 3 & 4 Vict. c. 113.    | The Ecclesiastical Commissioners Act 1840.              | Section sixty-eight.                                |
| 4 & 5 Vict. c. 39.     | The Ecclesiastical Commissioners Act 1841.              | Section twenty-one.                                 |
| 5 & 6 Vict. c. 108.    | The Ecclesiastical Leasing Act 1842.                    | The whole Act.                                      |
| ...<br>F60             | ...<br>F60  | ...<br>F60  |
| 21 & 22 Vict. c. 57.   | The Ecclesiastical Leasing Act 1858.                    | The whole Act.                                      |
| 23 & 24 Vict. c. 124.  | The Ecclesiastical Commissioners Act 1860.              | Sections sixteen to nineteen.                       |
| ...<br>F60             | ...<br>F60  | ...<br>F60  |
| 8 & 9 Geo. 5. c. 42.   | The Loans (Incumbents of Benefices) Amendment Act 1918. | The whole Act.                                      |

**Textual Amendments**

**F59** Entry repealed by [Statute Law \(Repeals\) Act 1971 \(c. 52\)](#), [Sch. Pt. II](#)

**F60** Entries repealed by [Statute Law \(Repeals\) Act 1977 \(c. 18\)](#), [Sch. 1 Pt. V](#)



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*Status: Point in time view as at 29/04/2021.*

*Changes to legislation: There are currently no known outstanding effects for the Cathedrals Measure 1963. (See end of Document for details)*

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CHURCH ASSEMBLY MEASURE

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| <b>Session and Number</b>         | <b>Short title</b>  | <b>How far to cease to apply to cathedral corporations</b> |
|-----------------------------------|---|--|
| 26 Geo. 5 and 1 Edw. 8.<br>No. 5. | The Ecclesiastical<br>Commissioners (Powers)<br>Measure 1936. | Section six.   |

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F61F61  
SECOND  
SCHEDULE **E**

**Textual Amendments**

**F61** S. 54(1) and Sch. 2 repealed by [Statute Law \(Repeals\) Act 1977 \(c. 18\)](#), [Sch. 1 Pt. V](#)

.....  
F61

**Status:**

Point in time view as at 29/04/2021.

**Changes to legislation:**

There are currently no known outstanding effects for the Cathedrals Measure 1963.