

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Care of Cathedrals Measure 1990 (No. 2) (repealed), SCHEDULE 1. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 3.

THE CATHEDRALS FABRIC COMMISSION FOR ENGLAND

Membership

- 1 The Commission shall consist of a chairman, a vice-chairman and twenty-two other members.
- 2 The chairman shall be a lay person appointed by the Archbishops of Canterbury and York after consultation with the Secretary of State for the Environment, and the vice-chairman shall be appointed by the Archbishops after consultation with the Standing Committee and with such organisation as appears to the Archbishops to be representative of the deans ^{F1}... of cathedral churches.

Textual Amendments

- F1** Words in Sch. 1 para. 2 omitted (7.2.2006) by virtue of [Care of Cathedrals \(Amendment\) Measure 2005 \(No. 2\)](#), s. 20(3), [Sch. 1 para. 2](#); 2006 No. 1, Instrument made by Archbishops

Modifications etc. (not altering text)

- C1** Sch. 1 para. 2: Functions of Standing Committee transferred (1.1.1999) to Archbishops' Council by [S.I. 1998/1715](#), arts. 1(2)(4), 2, [Sch. 1](#); Instrument dated 14.10.1998 made by Archbishops of Canterbury and York

- 3 Seventeen members of the Commission shall be appointed by the Archbishops of Canterbury and York as follows—
 - (a) one member shall be appointed on the nomination of the House of Bishops from among the members of that House;
 - (b) two members shall be appointed on the nomination of such organisation as appears to the Archbishops to be representative of the deans ^{F2}... of cathedral churches and at least one of those two members shall be a dean ^{F2}... of a cathedral church;
 - ^{F3}(c) three members shall be appointed on the nomination of the Council for the Care of Churches, of whom two shall be selected from among the members of the Council or a committee thereof;]
 - (d) two members shall be persons holding office [^{F4}as cathedral architects or surveyors of the fabric one of whom shall be appointed after consultation with the President of the Royal Institute of British Architects and the other shall be appointed after consultation with that President and the President of the Royal Institution of Chartered Surveyors];
 - ^{F5}(e) one member shall be an architect or chartered building surveyor appointed after consultation with the President of the Ecclesiastical Architects and Surveyors Association and one member shall be a chartered engineer

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appointed after consultation with the President of the Institution of Structural Engineers and the President of the Institution of Civil Engineers, being persons with experience of the care of historic buildings;]

- (f) one member shall be a painter, sculptor or other artist, with experience of work for cathedral or other churches, who shall be appointed after consultation with the President of the Royal Academy of Art;
- [^{F6}(g) six members shall be appointed as follows—
- (i) one shall be appointed after consultation with the Secretary of State;
 - (ii) one shall be appointed after consultation with the Chairman of English Heritage;
 - (iii) one shall be appointed after consultation with the President of the Council for British Archaeology and the President of the Society of Antiquaries of London;
 - (iv) two shall be appointed after consultation with the Chairman of the Liturgical Commission; and
 - (v) one shall be appointed after consultation with the Director of the Royal School of Church Music.]

Textual Amendments

- F2** Words in Sch. 1 para. 3(b) omitted (7.2.2006) by virtue of [Care of Cathedrals \(Amendment\) Measure 2005 \(No. 2\), s. 20\(3\), Sch. 1 para. 3\(a\)](#); 2006 No. 1, Instrument made by Archbishops
- F3** Sch. 1 para. 3(c) substituted (7.2.2006) by [Care of Cathedrals \(Amendment\) Measure 2005 \(No. 2\), s. 20\(3\), Sch. 1 para. 3\(b\)](#); 2006 No. 1, Instrument made by Archbishops
- F4** Words in Sch. 1 para. 3(d) substituted (7.2.2006) by [Care of Cathedrals \(Amendment\) Measure 2005 \(No. 2\), s. 20\(3\), Sch. 1 para. 3\(c\)](#); 2006 No. 1, Instrument made by Archbishops
- F5** Sch. 1 para. 3(e) substituted (7.2.2006) by [Care of Cathedrals \(Amendment\) Measure 2005 \(No. 2\), s. 20\(3\), Sch. 1 para. 3\(d\)](#); 2006 No. 1, Instrument made by Archbishops
- F6** Sch. 1 para. 3(g) substituted (7.2.2006) by [Care of Cathedrals \(Amendment\) Measure 2005 \(No. 2\), s. 20\(3\), Sch. 1 para. 3\(e\)](#); 2006 No. 1, Instrument made by Archbishops

- [^{F7}3A All the members of the Commission appointed in pursuance of paragraph 3(b) to (g) above shall be persons who between them have special knowledge of archaeology, architecture, archives, art, the care and conservation of books, manuscripts and other historic objects, history (including history of art and architecture) and liturgy (including church music).]

Textual Amendments

- F7** Sch. 1 para. 3A inserted (7.2.2006) by [Care of Cathedrals \(Amendment\) Measure 2005 \(No. 2\), s. 20\(3\), Sch. 1 para. 4](#); 2006 No. 1, Instrument made by Archbishops

- 4 Five members of the Commission, of whom at least one shall be a member of the [^{F8}Chapter of a cathedral], shall be elected by the General Synod from among its members, each person so elected having knowledge of the ways in which cathedral churches are currently used and of their contribution to the work of the Church of England.

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Textual Amendments

- F8** Words in Measure substituted by 1999 No. 1, s. 36(1A) (as inserted (1.1.2008) by [Care of Cathedrals \(Amendment\) Measure 2005 \(No. 2\)](#), s. 20(3), [Sch. 3 para. 10](#)); 2007 No. 2, Instrument made by Archbishops

- 5 No person who is a member of the [^{F8}Chapter] or fabric advisory committee of any cathedral church or a member or officer of a relevant committee of any designated organisation shall be eligible for appointment as the chairman or vice-chairman of the Commission.

Textual Amendments

- F8** Words in Measure substituted by 1999 No. 1, s. 36(1A) (as inserted (1.1.2008) by [Care of Cathedrals \(Amendment\) Measure 2005 \(No. 2\)](#), s. 20(3), [Sch. 3 para. 10](#)); 2007 No. 2, Instrument made by Archbishops

- 6 The chairman and other members of the Commission shall hold office for five years beginning on [^{F9}the first day of May] in the year next following the year in which the General Synod is dissolved and a new Synod comes into being.

Textual Amendments

- F9** Words in Sch. 1 para. 6 substituted (7.2.2006) by [Care of Cathedrals \(Amendment\) Measure 2005 \(No. 2\)](#), s. 20(3), [Sch. 1 para. 5](#); 2006 No. 1, Instrument made by Archbishops

- 7 Any member of the Commission shall on ceasing to hold office be eligible for re-appointment [^{F10}or re-election] unless he became such a member by virtue of re-appointment [^{F10}or re-election] under this paragraph [^{F10}or appointment under paragraph 7A below following re-election under this paragraph]:
^{F11}
...

Textual Amendments

- F10** Words in Sch. 1 para. 7 inserted (7.2.2006) by [Care of Cathedrals \(Amendment\) Measure 2005 \(No. 2\)](#), s. 20(3), [Sch. 1 para. 6](#); 2006 No. 1, Instrument made by Archbishops
- F11** Words in Sch. 1 para. 7 omitted (7.2.2006) by virtue of [Care of Cathedrals \(Amendment\) Measure 2005 \(No. 2\)](#), s. 20(3), [Sch. 1 para. 6](#); 2006 No. 1, Instrument made by Archbishops

- [^{F12}7A Where a member of the Commission elected by the General Synod under paragraph 4 above has, following the dissolution of the Synod, not been re-elected to the new Synod, that person may be appointed by the Appointments Committee of the Church of England as a member and shall hold office until the thirtieth day of April following the year in which the new Synod comes into being.]

Textual Amendments

- F12** Sch. 1 para. 7A inserted (7.2.2006) by [Care of Cathedrals \(Amendment\) Measure 2005 \(No. 2\)](#), s. 20(3), [Sch. 1 para. 7](#); 2006 No. 1, Instrument made by Archbishops

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Casual Vacancies

- 8 Where a casual vacancy occurs among the members of the Commission appointed by the Archbishops of Canterbury and York, the Archbishops, after such consultation as appears to them to be appropriate having regard to the knowledge or experience of the person whose place is to be filled, may appoint a person to fill the vacancy.
- 9 Where a casual vacancy occurs among the members of the Commission elected by the General Synod, the General Synod may elect one of its members to fill the vacancy, the person so elected having knowledge of the matters mentioned in paragraph 4 above.
- 10 Any person appointed or elected to fill a casual vacancy shall hold office only for the unexpired portion of the term of office of the person in whose place he is appointed or elected [^{F13}, but shall be eligible for re-appointment or re-election for one further term of office in accordance with paragraph 7 above, and if the Archbishops of Canterbury and York so direct, shall be eligible for re-appointment or re-election for a second further term].

Textual Amendments

- F13** Words in Sch. 1 para. 10 added (7.2.2006) by [Care of Cathedrals \(Amendment\) Measure 2005 \(No. 2\)](#), s. 20(3), [Sch. 1 para. 8](#); 2006 No. 1, Instrument made by Archbishops

Secretary

- 11 The Commission shall appoint a secretary to the Commission but no person shall be appointed who is a member or officer of the [^{F8}Chapter] or fabric advisory committee of any cathedral church or a member of a relevant committee of any designated organisation.

Textual Amendments

- F8** Words in Measure substituted by 1999 No. 1, s. 36(1A) (as inserted (1.1.2008) by [Care of Cathedrals \(Amendment\) Measure 2005 \(No. 2\)](#), s. 20(3), [Sch. 3 para. 10](#)); 2007 No. 2, Instrument made by Archbishops

Committees

- 12 The Commission shall have power to appoint such committees as it considers expedient.
- 13 Persons who are not members of the Commission may be appointed to any committee thereof, but the number of such persons appointed to a committee shall be less than half the total number of members of the committee.

Proceedings

- 14 The quorum of the Commission shall be eight members.

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[^{F14}14A The business of the Commission shall be decided by a majority of the members present and voting thereon and, in the event of an equal division of votes, the Chairman shall have a second or casting vote.]

Textual Amendments

F14 Sch. 1 para. 14A inserted (1.1.2008) by [Care of Cathedrals \(Amendment\) Measure 2005 \(No. 2\)](#), s. 20(3), [Sch. 1 para. 9](#); 2007 No. 2, Instrument made by Archbishops

15 Subject to paragraph 14 above, the Commission may act notwithstanding any vacancy in its membership.

16 The Commission shall have power to hold public hearings in connection with any matter to be considered by it for the purpose of receiving oral representations from members of the public [^{F15} and may appoint a panel of not less than three members for the purpose of holding a public hearing on any matter specified by the Commission and reporting thereon to the Commission].

Textual Amendments

F15 Words in Sch. 1 para. 16 added (1.1.2008) by [Care of Cathedrals \(Amendment\) Measure 2005 \(No. 2\)](#), s. 20(3), [Sch. 1 para. 10](#); 2007 No. 2, Instrument made by Archbishops

[^{F16}16A Where the Commission is considering an appeal under section 9 or 10C above no member of the Commission who is also a member of the fabric advisory committee against whose decision the appeal is brought shall participate in the proceedings.]

Textual Amendments

F16 Sch. 1 para. 16A inserted (1.1.2008) by [Care of Cathedrals \(Amendment\) Measure 2005 \(No. 2\)](#), s. 20(3), [Sch. 1 para. 11](#); 2007 No. 2, Instrument made by Archbishops

17 Subject to the preceding provision of this Schedule and to any directions as to procedure given by the General Synod, the Commission shall have power to regulate its own procedure.

Designated organisations

18 The Archbishops of Canterbury and York acting jointly may designate the organisations which are to be “designated organisations” for the purposes of paragraphs 5 and 11 above and may specify the committees of those organisations which are to be “relevant committees” for the purposes of those paragraphs.

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