



# Ecclesiastical Commissioners (Powers) Measure 1938

1938 No. 4 1 and 2 Geo 6

A Measure passed by the National Assembly of the Church of England. To confer upon the Ecclesiastical Commissioners power to establish and fix parochial tables of fees for the performance of church offices and matters incidental thereto: to amend the <sup>M1</sup>

Glebe Lands Act 1888 and to make applicable to future sales under that Act the provisions of the Ecclesiastical Leasing Acts as to improvement of annual value: to give additional powers to the Ecclesiastical Commissioners as to the application of money arising from the sale of property of a benefice under the Ecclesiastical Leasing Acts or the Glebe Lands Act, 1888, and to enable them to rearrange charges on endowment of a benefice in favour of another benefice: to remove a doubt arising under the <sup>M2</sup>

Union of Benefices Act 1860: to enable the Ecclesiastical Commissioners to withdraw certain curate grants: to make provision for payment to the incumbents of benefices by regular quarterly instalments of such part of the income of their respective benefices as is received by them from the Ecclesiastical Commissioners: to give additional powers to the Ecclesiastical Commissioners in relation to funds available for the endowment of benefices and in relation to curate funds: and to amend section two of the <sup>M3</sup>

Ecclesiastical Commissioners Act 1850 as to the salaries payable to Church Estates Commissioners. [23rd June 1938]

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#### Marginal Citations

- M1** 1888 c. 20.  
**M2** 1860 c. 142.  
**M3** 1850 c. 94.

*Changes to legislation: There are currently no known outstanding effects for the Ecclesiastical Commissioners (Powers) Measure 1938. (See end of Document for details)*

1 ..... F1

**Textual Amendments**  
F1 S. 1 repealed by Ecclesiastical Fees Measure 1962 (No. 1), Sch. Pt. II

**2 Amendment of the Glebe Lands Act, 1888. c. 20.**

(1) Notwithstanding anything contained in sub-section (4) of section four of the Glebe Lands Act 1888 all securities at any time hereafter bought out of purchase money arising under that Act and held by the [F2Church Commissioners] and all securities at any time hereafter bought or acquired by the [F2Church Commissioners] in or for effecting any variation of the investment of any such purchase money as aforesaid shall be entered in the books kept by any company in relation to those securities in the name of the [F2Church Commissioners] alone and stand in those books to their general account without any designation of a separate account or other reference to the benefice from which such purchase money shall have arisen.

(2) Any company in whose books there is standing in the name of the [F2Church Commissioners] on a separate account *exparte* any benefice any security bought out of or representing the purchase money under the M4Glebe Lands Act 1888 of the glebe of such benefice shall if and when so required by notice in writing under the seal of the Commissioners and upon production to the company of a copy of this Measure transfer such security from such separate account to the general account of the [F2Church Commissioners] and such notice together with the production of such copy as aforesaid shall be a sufficient authority for the company to make any such alterations in their books and in any stock certificate or other certificate relating to such account as may be necessary or proper for giving effect to the provisions of this subsection.

(3) ..... F3

(4) In this section “company” includes the Bank of England and any body corporate, company or person keeping books in which any stock or other security is registered or inscribed.

**Textual Amendments**  
F2 Words substituted by virtue of Church Commissioners Measure 1947 (No. 2), s. 18(2)  
F3 S. 2(3) repealed by Endowments and Glebe Measure 1976 (No. 4), Sch. 8  
**Marginal Citations**  
M4 1888 c. 20.

3 ..... F4

**Textual Amendments**  
F4 S. 3 repealed by Endowments and Glebe Measure 1976 (No. 4), Sch. 8

*Changes to legislation: There are currently no known outstanding effects for the Ecclesiastical Commissioners (Powers) Measure 1938. (See end of Document for details)*

4 ..... F5

**Textual Amendments**

F5 S. 4 repealed by Endowments and Glebe Measure 1976 (No. 4), Sch. 8

5 ..... F6

**Textual Amendments**

F6 Ss. 5, 8(1) repealed by Pastoral Measure 1968 (No. 1), Sch. 9

6 ..... F7

**Textual Amendments**

F7 S. 6 repealed by Endowments and Glebe Measure 1976 (No. 4), Sch. 8

7 ..... F8

**Textual Amendments**

F8 S. 7 repealed by Endowments and Glebe Measure 1976 (No. 4), Sch. 8

**8 Powers in relation to appropriations of endowments of benefices.**

(1) ..... F9

(2) ..... F10

**Textual Amendments**

F9 Ss. 5, 8(1) repealed by Pastoral Measure 1968 (No. 1), Sch. 9

F10 S. 8(2)(3) repealed by Endowments and Glebe Measure 1976 (No. 4), Sch. 8

**9 Salaries of Church Estates Commissioners.**

Notwithstanding anything contained in section two of the <sup>M5</sup>Ecclesiastical Commissioners Act 1850 the salaries to be paid to the First Church Estates Commissioner and to the Church Estates Commissioner appointed by the Archbishop of Canterbury shall be such amounts as may be from time to time fixed by the [<sup>F11</sup>Board of Governors of the Church Commissioners] with the approval of the Treasury.

*Changes to legislation: There are currently no known outstanding effects for the Ecclesiastical Commissioners (Powers) Measure 1938. (See end of Document for details)*

**Textual Amendments**

**F11** Words substituted by virtue of [Church Commissioners Measure 1947 \(No. 2\), s. 6\(6\)](#)

**Marginal Citations**

**M5** [1850 c. 94.](#)

**10** ..... **F12**

**Textual Amendments**

**F12** [S. 10](#) repealed by [Endowments and Glebe Measure 1976 \(No. 4\), Sch. 8](#)

**11** ..... **F13**

**Textual Amendments**

**F13** [S. 11](#) repealed by [Endowments and Glebe Measure 1976 \(No. 4\), Sch. 8](#)

**12** ..... **F14**

**Textual Amendments**

**F14** [S. 12](#) repealed by [Endowments and Glebe Measure 1976 \(No. 4\), Sch. 8](#)

**13 Short title.**

This Measure may be cited as the Ecclesiastical Commissioners (Powers) Measure 1938.

**Changes to legislation:**

There are currently no known outstanding effects for the Ecclesiastical Commissioners (Powers) Measure 1938.