



# National Institutions Measure 1998

1998 No. 1

## *Archbishops' Council*

### **1 Establishment of the Archbishops' Council.**

- (1) There shall be a body to be known as “the Archbishops' Council” whose objects shall be to co-ordinate, promote, aid and further the work and mission of the Church of England.
- (2) It is hereby declared that the Council is established for charitable purposes.
- (3) The provisions of Schedule 1 to this Measure shall have effect with respect to the Council and its members, to the appointment of its staff and to its proceedings and incidental powers.
- (4) Part I of Schedule 1 to this Measure may at any time be amended by resolution of the General Synod.
- (5) The <sup>M1</sup>Statutory Instruments Act 1946 shall apply to any resolution of the General Synod under subsection (4) above as if it were a statutory instrument and as if this Measure were an Act providing that any such resolution shall be subject to annulment in pursuance of a resolution of either House of Parliament.

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#### **Marginal Citations**

**M1** 1946 c. 36.

### **2 Application of funds.**

- (1) It shall be the duty of the Church Commissioners—
  - (a) from time to time in general meeting to determine the amount of income from their assets which is to be made available to the Council for application or distribution under subsection (3) below in the course of such period as may be specified in the determination, and

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- (b) to the extent that the Church Commissioners are satisfied that it is available for application or distribution, to pay that amount to the Council in equal monthly instalments or as otherwise agreed by them and the Council.
- (2) Before determining the amount mentioned in subsection (1)(a) above the Church Commissioners shall consult the Council and in making the determination they shall have regard to any proposals made by the Council.
- (3) The Council shall consider and determine how to apply or distribute such sums as have been made available by the Church Commissioners under subsection (1) above, but those sums shall not be applied or distributed by the Council for any purpose other than one for which the balance in the Church Commissioners' general fund was available immediately before the coming into force of this section and in applying or distributing those sums the Council shall have particular regard to the requirements of section 67 of the <sup>M2</sup>Ecclesiastical Commissioners Act 1840 relating to the making of additional provision for the cure of souls in parishes where such assistance is most required.
- (4) Where a decision is taken by the Council or the Church Commissioners to the effect that a plan should be produced under this subsection, those bodies acting jointly shall after consultation with any body appearing to them to be significantly affected, produce a plan which—
- (a) contains an estimate by the Church Commissioners, having regard to any recommendation made by the Assets Committee under section 6(3)(b) of the <sup>M3</sup>Church Commissioners Measure 1947, of the amount of income from their assets available for application or distribution under subsection (3) above during a period not exceeding three years, and
  - (b) identifies the purposes for which the sums mentioned in subsection (3) above are to be applied or distributed in the course of that period or part thereof and the proportion of those sums appropriate for each purpose.
- Any such plan may be amended or replaced in the same manner.
- (5) Where a plan is produced under subsection (4) above—
- (a) the Church Commissioners, in complying with the requirements of subsection (2) above, shall have regard to the plan, and
  - (b) the Council, in complying with the requirements of subsection (3) above, shall act in accordance with the plan,
- in so far as the plan relates to the period in question.
- (6) As soon as practicable after the end of each year the Council shall cause a certificate to be issued to the Church Commissioners to the effect that the application and distribution of the sums made available by them as aforesaid has been in accordance with subsection (3) above.

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**Modifications etc. (not altering text)**

- C1** S. 2(3) modified (1.1.2014) by [Diocese in Europe Measure 2013 \(No. 1\)](#), ss. **1(2)**, 3(2); 2013 No. 3, art. 2
- C2** S. 2(3) modified (retrosp.) (19.5.2014) by [Church of England \(Miscellaneous Provisions\) Measure 2014 \(No. 1\)](#), s. 21(2), **Sch. 2 para. 13(2)**; S.I. 2014/1369, art. 2
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**Marginal Citations**

- M2** 3 & 4 Vict. c. 113.

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**M3** 10 & 11 Geo. 6 No. 2.

### 3 Accounts and audit.

- (1) The following provisions of this section shall have effect without prejudice to the provisions of [<sup>F1</sup>Part 8 of the Charities Act 2011].
- (2) The accounts of the Council for each year shall be audited by a person appointed by the Council with the approval of the General Synod, being a person eligible [<sup>F2</sup>under subsection (2) of section 144 of that Act to carry out an audit under that subsection].
- (3) The person so appointed shall be deemed, for the purposes of the said [<sup>F3</sup>Part 8, to have been appointed in pursuance of the said section 144].
- (4) The auditor's report for any year, together with the accounts for that year, shall be laid before the General Synod before the end of June in the following year.

#### Textual Amendments

- F1** Words in s. 3(1) substituted (14.3.2012) by Charities Act 2011 (c. 25), s. 355, Sch. 7 para. 80(1) (with s. 20(2), Sch. 8)
- F2** Words in s. 3(2) substituted (14.3.2012) by Charities Act 2011 (c. 25), s. 355, Sch. 7 para. 80(2) (with s. 20(2), Sch. 8)
- F3** Words in s. 3(3) substituted (14.3.2012) by Charities Act 2011 (c. 25), s. 355, Sch. 7 para. 80(3) (with s. 20(2), Sch. 8)

### 4 Reports and budgets.

- (1) The Council shall cause a report of its work and proceedings during the year in question, including any decisions taken as to its future work, to be laid before the General Synod before the end of June in the following year.
- (2) The Council shall also, at each group of sessions of the General Synod, cause an account of the matters discussed and the decisions taken by it at its meetings held since the previous group of sessions to be laid before the General Synod.
- (3) In each year the Council shall prepare a budget indicating its expected income and expenditure for the following year and, before the end of June, cause it to be laid before the General Synod for its approval.
- (4) In considering the annual budget it shall not be open to the General Synod to alter the amount of the sums to be made available to the Council by the Church Commissioners under section 2 above or the proposed application or distribution of those sums.
- (5) The General Synod may request reports from the Council on any matter relating to the functions of the Council.

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Measure associated Parts and Chapters:**

Whole provisions yet to be inserted into this Measure (including any effects on those provisions):

- Sch. 1 para. 4A inserted by [2010 No. 1 s. 8](#)