

*Changes to legislation: There are currently no known outstanding effects for the Church Commissioners Measure 1947, SCHEDULE IV. (See end of Document for details)*

## SCHEDULE IV

Section 7(1).

### GENERAL PROVISIONS RELATING TO THE COMMISSIONERS, THE BOARD AND COMMITTEES

- 1 The proceedings of the Commissioners, the Board or a committee shall not be invalidated by any vacancy in the membership thereof, or by any defect in the qualification, [<sup>F1</sup>election or nomination of any member or, in relation to a committee, in the appointment of any member].

#### Textual Amendments

- F1** Words in Sch. IV para. 1 substituted (1.1.1999) by 1998 No. 1, s. 7(1), **Sch. 4 para. 9(a)**; Instrument dated 14.10.1998 made by Archbishops of Canterbury and York

- 2 When [<sup>F2</sup>an elected] or nominated Commissioner proposes to retire, his intention so to do shall be notified by him in writing to the secretary of the Commissioners, who shall forthwith give notice to the person or body by whom such Commissioner was [<sup>F3</sup>electd] or nominated.

#### Textual Amendments

- F2** Words in Sch. IV para. 2 substituted (1.1.1999) by 1998 No. 1, s. 7(1), **Sch. 4 para. 9(b)(i)**; Instrument dated 14.10.1998 made by Archbishops of Canterbury and York
- F3** Word in Sch. IV para. 2 substituted (1.1.1999) by 1998 No. 1, s. 7(1), **Sch. 4 para. 9(b)(ii)**; Instrument dated 14.10.1998 made by Archbishops of Canterbury and York

- [<sup>F4</sup>3 Casual vacancies among elected or nominated Commissioners may be filled by the person or body by whom the Commissioner vacating office was elected or nominated. Casual vacancies among appointed members of a committee may be filled by the person or body by whom the member vacating office was appointed.]

#### Textual Amendments

- F4** Sch. IV para. 3 substituted (1.1.1999) by 1998 No. 1, s. 7(1), **Sch. 4 para. 9(c)**; Instrument dated 14.10.1998 made by Archbishops of Canterbury and York

- [<sup>F5</sup>4 (1) A person elected to fill a casual vacancy among the elected Commissioners is to hold office for a period of five years.
- (2) A person nominated to fill a casual vacancy among the nominated Commissioners is to hold office for such period not exceeding five years as the person or persons making the nomination determine.
- [<sup>F6</sup>(3) A person appointed to fill a casual vacancy among the appointed members of the Assets Committee or of the Audit and Risk Committee is to hold office for such period not exceeding five years as the person or body making the appointment determines.]]

#### Textual Amendments

- F5** Sch. 4 para. 4 substituted (28.7.2021) by The Legislative Reform (Church Commissioners) Order 2021 (S.I. 2021/842), arts. 1(2), **2(2)** (with art. 2(3))

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**F6** Sch. 4 para. 4(3) inserted (28.7.2021) by [The Legislative Reform \(Church Commissioners\) Order 2021 \(S.I. 2021/842\)](#), arts. 1(2), **3(4)** (with art. 3(5))

5 At any meeting of the Commissioners, the Board or a committee, every question shall be decided by a majority of the votes of members present and voting on that question and in the case of equality of votes, the member presiding shall have a second or casting vote:

**F7**  
 . . .

#### Textual Amendments

**F7** Words in Sch. IV para. 5 omitted (1.1.1999) by virtue of [1998 No. 1, s. 7\(1\)](#), **Sch. 4 para. 9(e)**; Instrument dated 14.10.1998 made by [Archbishops of Canterbury and York](#)

[<sup>F8</sup>5A (1) The chairman of [<sup>F9</sup>the Commissioners,] the Board or of any committee may, if he considers that any business can properly be conducted by correspondence, instruct the secretary of [<sup>F9</sup>the Commissioners,] the Board or of the committee to circulate to [<sup>F9</sup>the Commissioners,] the Board or the committee in writing or by electronic transmission proposals requiring the approval of [<sup>F10</sup>the Commissioners or (as the case may be) the members of the Board or committee].

(2) Unless objections to the proposals are received from any members in such numbers and within such period from the date of their posting or transmission (as the case may be), as may be specified in Standing Orders, the proposals shall be deemed, at the expiry of that period, to be approved by the Board or the committee with the same effect as if they had been approved at a duly convened meeting.]

#### Textual Amendments

**F8** Sch. 4 para. 5A inserted (19.5.2014) by [Church of England \(Miscellaneous Provisions\) Measure 2014 \(No. 1\), s. 21\(2\)](#), **Sch. 2 para. 3(9)**; S.I. 2014/1369, art. 2

**F9** Words in Sch. 4 para. 5A(1) inserted (28.7.2021) by [The Legislative Reform \(Church Commissioners\) Order 2021 \(S.I. 2021/842\)](#), arts. 1(2), **6(2)(a)**

**F10** Words in Sch. 4 para. 5A(1) substituted (28.7.2021) by [The Legislative Reform \(Church Commissioners\) Order 2021 \(S.I. 2021/842\)](#), arts. 1(2), **6(2)(b)**

6 Minutes of the proceedings of the Commissioners or of the Board signed at the same or the next meeting by a member describing himself, or appearing to be, the person presiding at the meeting at which the minutes are signed, shall be received in evidence without further proof, and, until the contrary is proved, every meeting of the Commissioners or of the Board, in respect of the proceedings whereof minutes have been so signed shall be deemed to have been duly convened and held.

7 The provisions of this Schedule relating to Committees shall in their application to the [<sup>F11</sup>Assets Committee and the [<sup>F12</sup>Audit and Risk Committee]] have effect subject to any special provisions with respect thereto contained in this Measure.

#### Textual Amendments

**F11** Words in [Sch. 4 para. 7](#) substituted (1.1.1999) by virtue of [1998 No. 1, s. 7\(1\)](#), **Sch. 4 para. 9(f)**; Instrument dated 14.10.1998 made by [Archbishops of Canterbury and York](#)

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**F12** Words in Sch. 4 para. 7 substituted (25.1.2024) by Church of England (Miscellaneous Provisions) Measure 2024 (No. 1), ss. 18(6), 22(2)(h)

- [<sup>F13</sup>8. (1) A reference in this Measure to a meeting of the Commissioners, the Board or a committee includes a reference to a meeting which persons may attend, speak at, vote in or otherwise participate in without all of the persons, or without any of the persons, being together in the same place.
- (2) A reference in this Measure to a place where a meeting of the Commissioners, the Board or a committee is held, or is to be held, includes a reference to more than one place, including electronic, digital or virtual locations, web addresses or conference call telephone numbers.
- (3) A person is to be regarded as present at a meeting of the Commissioners, the Board or a committee at any given time if the person is at that time able to hear and be heard, and where practicable see and be seen, by the other persons present.
- (4) A reference in this Measure to being present at a meeting of the Commissioners, the Board or a committee includes a reference to being present by electronic means, including by telephone conference, video conference, live webcast or live interactive streaming.
- (5) In this paragraph, “committee” means a committee constituted by or under this Measure.]

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**Textual Amendments**

**F13** Sch. 4 para. 8 inserted (28.7.2021) by The Legislative Reform (Church Commissioners) Order 2021 (S.I. 2021/842), arts. 1(2), 6(1)

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