A

MEASURE

PASSED BY

The National Assembly of the Church of England.

To provide for the appointment of diocesan education committees and to define their powers and duties; to provide for the consultation and co-operation of such committees with the trustees or owners and managers of church schools in regard to such schools; to make provision for the application of moneys received for war damage to church schools; and for purposes connected therewith. [11th November 1943.]

Appointment of Diocesan Education Committees.

1. Within twelve months after the passing of this Measure there shall be set up in every diocese within the provinces of Canterbury and York, except the diocese of Sodor and Man, a body of persons responsible to the diocesan conference and known as the Diocesan Education Committee, constituted in accordance with the schedule to this Measure:

Provided that in any diocese in which there exists or is set up within twelve months of the passing of this Measure a body of persons whether incorporated or not, which acts as the education authority for the Church in the diocese and is charged with the duty of supervising church schools and is recognised by the diocesan conference, the Board of Education, upon request made by resolution of the diocesan conference and with the consent of the bishop of that diocese, may by order direct that such body of persons shall be deemed to be and shall have all such rights powers duties and obligations as if it were a committee duly set up and constituted in accordance with this section and all the provisions hereinafter contained in this Measure shall apply accordingly.

Duties of committees.

2.—(1) The Diocesan Education Committee (hereinafter in this Measure called "the Committee") in each diocese shall have the duty and right from time to time:—

(i) to take such steps as may appear to the Committee to be conducive to the promotion of religious education

according to the faith and practice of the Church of England and to watch the interests of church schools.

(ii) to take such action as may appear desirable to provide new schools.

(iii) to promote and to co-operate with other religious bodies and with local education authorities in promoting religious education within the diocese.

(iv) to give advice as and when the Committee thinks fit to trustees or owners and managers of church schools and others concerned as to any matters affecting church schools within the diocese.

(v) to make plans calculated in the opinion of the Committee to further the development and organisation of religious education in the diocese and in particular of instruction in religious knowledge according to the faith and practice of the Church of England after consultation with such trustees or owners and managers of church schools within the diocese and with such other persons as in the opinion of the Committee are interested or as may be in any way affected thereby.

(2) The trustees or owners and managers of every church school in a diocese shall be bound to consult the Committee and to have regard to its representations in any negotiations for and before making any agreement or arrangement with the Board of Education, the Charity Commissioners, or the local education authority for or with respect to the restoration, rearrangement, continuance, discontinuance, closing, sale or lease of, or other dealing with such church school, or for or with respect to the amalgamation thereof with any other school.

(3) In this section references to church schools shall (unless repugnant to the context) be deemed to include the sites, properties and endowments thereof.

Application of payments for war damage in respect of church schools. 4 & 5 Geo. 6. No. 1.

3.—(1) The diocesan board of finance of a diocese shall (subject to any conditions determined by the War Damage Commissioners) hold or apply any moneys paid to them pursuant of section six of the Diocesan Reorganisation Committees Measure, 1941, in respect of war damage to a church school, and any investments representing such moneys for such purposes as the Diocesan Education Committee after consultation with the Diocesan Reorganisation Committee and the trustees or owners and managers of such schools and with the approval of the Board of Education shall direct, and in default of and subject to any such direction received by the diocesan board of finance within three years after payment of such moneys to them, shall transfer such moneys and investments to the trustees or owners of the church school in respect of which such moneys shall have been paid.

(2) Section six of the Diocesan Reorganisation Committees Measure, 1941, shall take effect subject to the provisions contained in subsection (i) of this section.

4. In this Measure the following expressions have the following meanings respectively, that is to say :— Interpretation.

" church school " means an elementary school as defined by subsection (1) of section one hundred and seventy of the Education Act, 1921, or as may be modified in definition by any subsequent Act, including the land and buildings thereof, which either under a statute or statutory scheme or any trust or by usage or repute is for the time being held on trust for purposes of elementary education together with instruction (either as part thereof or in addition thereto) in religious knowledge according to the faith and practice of the Church of England. 11 & 12 Geo. 5. c. 51.

" local education authority " has the same meaning in this Measure as in the Education Act, 1921, or as may be modified by any subsequent Act.

5. This Measure may be cited as the Diocesan Education Committees Measure, 1943. Short title.

Section 1.

SCHEDULE.

CONSTITUTION OF DIOCESAN EDUCATION COMMITTEES.

The Diocesan Education Committee of each diocese shall be constituted as follows, namely :—

1. The bishop, suffragan bishops, assistant bishops, and archdeacons shall be ex-officio members.
2. The diocesan conference shall elect not more than twenty and not fewer than twelve members of whom four members at least shall be ministers holding separate cure of souls in a parish or conventional district within the diocese; six at least shall be lay persons of whom two at least shall be women.

   Elections shall be held in such manner as the diocesan conference may direct. The first elected members shall hold office until the expiration of the conference by which they are elected or until their successors shall be elected and thereafter the elected members shall hold office for three years or until their successors shall be elected, whichever in each case shall be the later.
3. The Committee shall co-opt not more than eight additional members being persons who are for the time being trustees, foundation managers or otherwise interested in church schools in the diocese of whom not less than half shall be foundation managers of such schools.
4. The bishop shall have power to nominate not more than four additional members of whom two at least shall be teachers in church schools.
5. The Chairman of the Committee shall be the bishop or, if he shall decide not to act as chairman, some other person appointed by the Committee.
6. The Committee shall appoint its own secretary.
7. The Committee shall have power to fill any casual vacancies and may act notwithstanding any vacancy in its membership.
8. Eight members of the Committee shall form a quorum.
9. The Committee may appoint sub-committees including or not including persons not members of the Committee.
10. Subject to the foregoing provisions, and to any directions given by the diocesan conference, the Committee shall have power to regulate its own procedure.
11. Subject to any limit or restriction imposed by the diocesan conference the expenses of the Committee shall unless otherwise provided for be defrayed by the diocesan board of finance out of any moneys applicable to the expenses of that board.

Printed by NORMAN GIBB SCORGIE, C.V.O., C.B.E.,
Controller of His Majesty's Stationery Office
and
King's Printer of Acts of Parliament

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(P. 2504)