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# MEASURE

PASSED BY

**The National Assembly of the Church of England.**

To give Queen Anne's Bounty power during a period of emergency to postpone the repayment of principal moneys of loans made by them under certain Acts and Measures and for purposes connected therewith.

[6th August 1942.]

Definition.

**1.** In this Measure the expression "period of emergency" means a period during which a state of war may exist between His Majesty and any foreign power and a period of two years thereafter.

Postponement of repayment of principal moneys of loans to incumbents.

**2.**—(1) During the present period of emergency Queen Anne's Bounty may, by resolution passed at a board meeting and on the application of the incumbent of a benefice to whom, or to whose predecessor, a loan has been or shall be made by Queen Anne's Bounty under the provisions of the Acts and Measures specified in the Schedule hereto, or any one or more of them, postpone from time to time the repayment of annual instalments of principal money for a period (hereinafter called a "period of postponement") not exceeding in the whole five years if in their opinion such postponement is desirable and equitable having regard to all the circumstances, and in particular to the income and liabilities of the incumbent in respect of his benefice and to the condition, at the time of the application, of the buildings or improvements for which the loan was made, and this power shall apply notwithstanding any extension of the original mortgage term under statutory powers.

(2) A period of postponement shall run from the last or from such earlier date on which an instalment of principal money became due as Queen Anne's Bounty may decide, and the postponement shall not affect the payment or recovery of arrears of principal or interest which became due before that date.

(3) During the continuance of a period of postponement the incumbent for the time being shall remain liable for interest on the full amount of principal money outstanding.

(4) If an incumbent to whom a period of postponement has been granted vacates his benefice before the last year of that period has begun to run, that period of postponement shall cease on the date for repayment of an instalment of principal money occurring next after the date of vacation, unless Queen Anne's Bounty, on the application of the new incumbent, shall decide that the period of postponement shall continue.

(5) At the expiration or sooner determination of a period of postponement, the amount of principal money then outstanding shall become repayable, with interest, as if a loan of that amount had then been made to the incumbent for the time being for a term of years equal to the original term or, if an extension shall have been granted under statutory powers, to the extended term, less the number of years which had expired when a period of postponement began to run; and the mortgage deed shall be read and construed accordingly.

Application to quarterly payments.
1 Edw. 8 & 1 Geo. 6. No. 1.

**3.** Where under section two of this Measure a period of postponement has been granted to an incumbent to whose benefice the Queen Anne's Bounty (Powers) Measure, 1937, applies, Queen Anne's Bounty shall make such revision and adjustment of subsequent quarterly payments in accordance with section six of that Measure as may be necessary to give due effect to the period of postponement.

Application to certain other loans.
6 & 7 Will. 4. c. 77.
5 & 6 Vict. c. 26.
3 & 4 Vict. c. 113.
8 & 9 Geo. 5. c. 42.
24 & 25 Geo. 5. No. 3.

**4.** The provisions of section two of this Measure shall apply mutatis mutandis to loans made by Queen Anne's Bounty to:—

(*a*) a bishop under the provisions of the Ecclesiastical Commissioners Act, 1836, and the Ecclesiastical Houses of Residence Act, 1842;

(*b*) a dean or canon under the provisions of section fifty-nine of the Ecclesiastical Commissioners Act, 1840, and the Loans (Incumbents of Benefices) Amendment Act, 1918; and

(*c*) a Cathedral Chapter under the provisions of section five of the Cathedrals (Amendment) Measure, 1934, and the Acts therein mentioned.

Duration.

**5.** This Measure shall expire at the termination of the present period of emergency but without prejudice to anything already done or provided for hereunder.

Short title.

**6.** This Measure may be cited as the Loans (Postponement of Repayment) Measure, 1942.

# SCHEDULE.

Section 2.

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| The Clergy Residences Repair Act, 1776. | 17 Geo. 3. c. 53. |
| The Clergy Residences Repair Act, 1780. | 21 Geo. 3. c. 66. |
| The Clergy Residence Act, 1826. | 7 Geo. 4. c. 66. |
| The Parsonages Act, 1838. | 1 & 2 Vict. c. 23. |
| The Parsonages Act, 1865. | 28 & 29 Vict. c 69. |
| The Loans (Incumbents of Benefices) Amendment Act, 1918. | 8 & 9 Geo. 5. c. 42. |
| The Parsonages Measure, 1930. | 20 Geo. 5. No. 1. |
| The Parsonages Measure, 1938. | 6. No. 3 |

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