T01: Trust Withdrawal Request

Your church may have one or more trust funds that are looked after jointly with the Diocese. These trusts can arise from money left in a will, the sale of a building, or some other reason.

The **Parochial Church Councils (Powers) Measure 1956** sets out that if a PCC has funds which are to be kept on a permanent basis, then the funds must be held by the Diocese. In the case of most trusts, responsibility for the funds is as follows:

- The Diocesan Trustees (Oxford) Limited/ODBF is the **custodian trustee** of the funds and is responsible for holding the assets and ensuring their safekeeping.
- The PCC (or the incumbent and churchwardens) are **managing trustees** of the fund and are responsible for managing and maintaining the funds, including making decisions about where the funds are invested, and distributing assets to beneficiaries.

The role of the Diocese is to act on the PCC's (or vicar and churchwardens') lawful instructions.

Withdrawing money from a financial trust

1. Ensure that the withdrawal is permitted

Each trust will have a **governing document,** which might be a will, a Charity Commission Scheme or some other document. This will set out the purpose for which the money is permitted to be spent and any restrictions. The Diocese must ensure that the PCC's intention for spending the money complies with this governing document.

2. Additional checks on spending the capital of a fund

The governing document sets out which part of the fund can be spent. In most cases:

- the "capital" (i.e. the amount to be held permanently and usually represented by shares) should not be spent; but
- The "income" (dividends or interest paid out periodically) should be spent, by the PCC (or the vicar and churchwardens), for the purpose set out in the governing document.

In some cases, the governing document sets out that both the income and the capital can be spent.

(If the governing document does not give permission for the capital to be spent, the managing trustees may be able to apply for permission - see **T3: Spending Permanent Endowment for Smaller Funds**.)

3. Complete the form

The managing trustees should complete the form **T1a Trust Withdrawal Request form** and send it to trustadmin@oxford.anglican.org:

Please be aware it usually takes two weeks for funds to reach the payee account, but, particularly for non-CCLA holdings, it can take longer.