

Status: Point in time view as at 01/01/2006.

Changes to legislation: Clergy Discipline Measure 2003 is up to date with all changes known to be in force on or before 07 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 44(2).

AMENDMENT OF ECCLESIASTICAL JURISDICTION MEASURE 1963

- 1 The Ecclesiastical Jurisdiction Measure 1963 (1963 No. 1) shall be amended as follows.

Commencement Information

I1 Sch. 1 para. 1 in force at 1.1.2006 by S.I. 2005/6, Instrument made by Archbishops

- 2 In section 1(1) after the words “original jurisdiction” there shall be inserted the words “ in non-disciplinary matters ”.

Commencement Information

I2 Sch. 1 para. 2 in force at 1.1.2006 by S.I. 2005/6, Instrument made by Archbishops

- 3 In section 3—
- (a) in subsection (2)(b) for the words “prolocutor of the Lower House of the Convocation” there shall be substituted the words “ president of tribunals from among the persons serving on the provincial panel ”;
 - (b) in subsection (2)(c) for the words from “Chairman” to “appropriate” there shall be substituted the words “ president of tribunals from among the persons serving on the provincial panel of the relevant province ”;
 - (c) in subsection (4) for the words from “Chairman” to “Courts” there shall be substituted the words “ president of tribunals appoints a person to be a judge of either of the said Courts under paragraph (c) of subsection (2) of this section ”;
 - (d) in subsection (5)(b)(ii) for the words from “Upper” to “resolves” there shall be substituted the words “ president of tribunals determines ”.

Commencement Information

I3 Sch. 1 para. 3 in force at 1.1.2006 by S.I. 2005/6, Instrument made by Archbishops

- 4 In section 7—
- (a) in subsection (1A) after the word “York” there shall be inserted the words “ (including that Court as constituted in accordance with the Clergy Discipline Measure 2003)”;
 - (b) after subsection (1A) there shall be inserted the following subsection—

“(1B) Each of the said Courts shall also have jurisdiction to hear and determine appeals from judgments, orders or decrees of

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disciplinary tribunals within the provinces for which they are constituted respectively.”.

- (c) in subsection (2) for the words from “(a) in a civil suit” to the end there shall be substituted the words—
- “(a) in a disciplinary case, at the instance of any party to the proceedings on a question of law and the defendant on a question of fact;
- (b) in any other case, at the instance of any party to the proceedings but only with the leave of the consistory court or the Vicar-General’s Court as the case may be or, if leave is refused by that court, of the Dean of the Arches and Auditor.”

Commencement Information

I4 Sch. 1 para. 4 in force at 1.1.2006 by S.I. 2005/6, Instrument made by Archbishops

- 5 In section 12—
- (a) after the words “consistory court” there shall be inserted the words “, Vicar-General’s court or disciplinary tribunal ”;
- (b) for the words “or officers of any such court” there shall be substituted the words “, members or officers of any such court or tribunal ”.

Commencement Information

I5 Sch. 1 para. 5 in force at 1.1.2006 by S.I. 2005/6, Instrument made by Archbishops

- 6 In section 47—
- (a) in subsection (1) for the words from “shall” to “in any other case,” there shall be substituted the words “ under this Measure shall be heard and disposed of ”;
- (b) in subsection (2) for the words from the beginning to “proceedings” there shall be substituted the words “ Proceedings under this Measure ”.

Commencement Information

I6 Sch. 1 para. 6 in force at 1.1.2006 by S.I. 2005/6, Instrument made by Archbishops

- 7 In section 49(3) for the words from the beginning to “ceremonial” there shall be substituted the words “ In proceedings under this Measure ”.

Commencement Information

I7 Sch. 1 para. 7 in force at 1.1.2006 by S.I. 2005/6, Instrument made by Archbishops

- 8 In section 50 after the word “pronounced” there shall be inserted the words “ in pursuance of proceedings under this Measure ”.

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I8 Sch. 1 para. 8 in force at 1.1.2006 by S.I. 2005/6, Instrument made by Archbishops

- 9 In section 52 after the word “deposed” there shall be inserted the words “ under this Measure ”.

Commencement Information

I9 Sch. 1 para. 9 in force at 1.1.2006 by S.I. 2005/6, Instrument made by Archbishops

- 10 In section 66(1) at the end there shall be inserted the words—
““disciplinary tribunal”, “president of tribunals” and “provincial panel” have the same meanings as in the Clergy Discipline Measure 2003.”

Commencement Information

I10 Sch. 1 para. 10 in force at 1.1.2006 by S.I. 2005/6, Instrument made by Archbishops

- 11 In section 67 the words from “shall be determined in accordance” to “between each other” shall be omitted.

Commencement Information

I11 Sch. 1 para. 11 in force at 1.1.2006 by S.I. 2005/6, Instrument made by Archbishops

- 12 In section 69 for the words “Parts IV, V and VI” there shall be substituted the words “ Part VI ”.

Commencement Information

I12 Sch. 1 para. 12 in force at 1.1.2006 by S.I. 2005/6, Instrument made by Archbishops

- 13 In section 74(1) after the words “this Measure” there shall be inserted the words “ for a specified time ”.

Commencement Information

I13 Sch. 1 para. 13 in force at 1.1.2006 by S.I. 2005/6, Instrument made by Archbishops

- 14 In section 76(1) after the words “this Measure” there shall be inserted the words “ for a specified time ”.

Commencement Information

I14 Sch. 1 para. 14 in force at 1.1.2006 by S.I. 2005/6, Instrument made by Archbishops

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SCHEDULE 2

Section 46.

REPEALS

Commencement Information

I15 Sch. 2 in force at 1.1.2006 by S.I. 2005/6, Instrument made by Archbishops

<i>Measure</i>	<i>Extent of repeal</i>
1963 No. 1, Ecclesiastical Jurisdiction Measure 1963	<p>In section 1, in subsection (2) paragraph (b), and in subsection (3), paragraph (a) and in paragraph (c) the words from “of any commission” to “also”.</p> <p>In section 6, in subsection (1) paragraph (a).</p> <p>In section 7, in subsection (1)(a) the letter “(a),”.</p> <p>Section 9.</p> <p>In section 11, subsection (1).</p> <p>In section 14, in subsection (1) the words from “(b) any other offence” to the end of the subsection.</p> <p>In section 15, the words from “but this limitation” to the end”.</p> <p>In section 16, the words from “Provided that” to the end.”</p> <p>Part IV.</p> <p>Part V.</p> <p>In section 46, in subsection (1) the words from “other than” to “this Measure” and in subsection (2) the words from the beginning to “section sixty-nine of this Measure”.</p> <p>Section 54.</p> <p>Part IX.</p> <p>Section 68.</p> <p>In section 69 the words from “Provided that” to the end.</p> <p>In section 70 the words “IV, V or”.</p> <p>Section 77.</p> <p>Section 79.</p> <p>Schedule 2.</p>

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