



Clergy Discipline Measure 2003

2003 No. 3

Miscellaneous

37 [F¹Suspension of bishop or archbishop]

(1) Where—

- (a) a complaint in writing is made under section 10(1) above against a bishop or archbishop, or
- (b) a bishop or archbishop is arrested [F²(whether in England or elsewhere)] on suspicion of committing a criminal offence, [F³ or
- (c) a bishop or archbishop is convicted of any offence mentioned in section 30(1) (a) above, or
- (d) a bishop or archbishop is included in a barred list,][F⁴or
- (e) the archbishop of the province in which a bishop holds office or, in the case of an archbishop, the other archbishop, is satisfied, on the basis of information provided by a local authority or the police, that the bishop or archbishop presents a significant risk of harm,]

the archbishop of the province in which the bishop holds office or, in the case of an archbishop, the other archbishop, may with the consent of the two most senior diocesan bishops in that province or the province of the other archbishop, as the case may be, by notice in writing suspend him from exercising any right or duty of or incidental to his office:

Provided that, in the case of a complaint made as aforesaid, the bishop or archbishop shall not be suspended under this subsection unless and until the complaint falls to be considered under section 12(1) above.

- (2) The archbishop may at any time, by notice in writing served on the bishop or archbishop concerned, revoke a notice of suspension served under subsection (1) above.

[F⁵(2A) The reference in subsection (1)(e) to presenting a significant risk of harm is to be construed in accordance with section 36(2A).]

Changes to legislation: There are currently no known outstanding effects for the Clergy Discipline Measure 2003, Section 37. (See end of Document for details)

- (3) Where a notice of suspension is served under subsection (1) above the archbishop may, after consultation with the two most senior diocesan bishops of his province, make such arrangements as he thinks fit for the ministrations of the diocese or province concerned while the suspension remains in force.
- (4) While a notice of suspension under subsection (1) above remains in force in relation to a bishop or archbishop he shall not interfere with any person performing functions in pursuance of arrangements made under subsection (3) above.
- (5) In this section “bishop” means any diocesan bishop, any suffragan bishop or any other bishop.
- [^{F6}(6) Subsections [^{F7}(2A) to (3B)] and (6) of section 36 above shall apply for the purposes of this section as they apply for the purposes of that section, but as if for any reference to a priest or deacon there were substituted a reference to the bishop or, as the case may be, the archbishop and as if, in subsection (3A), the references to sections 30(1) and 30(2) were references, respectively, to sections 31(1) and 31(2).]

Textual Amendments

- F1** S. 37 heading substituted (1.1.2017) by [Safeguarding and Clergy Discipline Measure 2016 \(No. 1\)](#), **ss. 1(5)**, 12(3); [S.I. 2016/1213](#), art. 2
- F2** Words in s. 37(1)(b) inserted (1.2.2014) by [Clergy Discipline \(Amendment\) Measure 2013 \(No. 2\)](#), s. 10(2), **Sch. para. 9**; 2014 No. 1, art. 2
- F3** S. 37(1)(c)(d) and word added (1.2.2014) by [Clergy Discipline \(Amendment\) Measure 2013 \(No. 2\)](#), **ss. 7(2)**, 10(2); 2014 No. 1, art. 2
- F4** S. 37(1)(e) and word inserted (1.1.2017) by [Safeguarding and Clergy Discipline Measure 2016 \(No. 1\)](#), **ss. 1(5)**, 12(3); [S.I. 2016/1213](#), art. 2
- F5** S. 37(2A) inserted (1.1.2017) by [Safeguarding and Clergy Discipline Measure 2016 \(No. 1\)](#), **ss. 1(6)**, 12(3); [S.I. 2016/1213](#), art. 2
- F6** S. 37(6) substituted (1.2.2014) by [Clergy Discipline \(Amendment\) Measure 2013 \(No. 2\)](#), **ss. 7(3)**, 10(2); 2014 No. 1, art. 2
- F7** Words in s. 37(6) substituted (1.1.2017) by [Safeguarding and Clergy Discipline Measure 2016 \(No. 1\)](#), **ss. 1(7)**, 12(3); [S.I. 2016/1213](#), art. 2

Commencement Information

- I1** S. 37 in force at 1.1.2006 by [S.I. 2005/6](#), Instrument made by Archbishops

Changes to legislation:

There are currently no known outstanding effects for the Clergy Discipline Measure 2003, Section 37.