



# Church of Scotland Courts Act 1863

1863 CHAPTER 47 26 and 27 Vict

**1 When a libel is found relevant against a minister, Presbytery may require and enjoin him to abstain from the discharge of his functions.**

Whenever any Presbytery or other court of the Church of Scotland shall have found a libel relevant, charging the minister of any parish with immoral conduct or with error in doctrine, and shall have resolved to proceed to a proof of the said libel, it is hereby declared and enacted that it is and shall be held to be the right of the said Presbytery to pronounce a deliverance requiring and enjoining such minister to abstain from the exercise and discharge of all ministerial functions of his office as minister of the parish until the libel shall have been fully investigated and finally disposed of; and in the event of an appeal against such deliverance the same shall continue in force until the same shall have been recalled by the Court of Appeal; and the ordinances of religion in the said parish shall, so long as such deliverance is unrecalled, be administered in the same way as if the parish were vacant by the decease of the minister thereof: Provided always, that nothing herein contained shall affect the right of such minister to his stipend.

**Changes to legislation:**

There are currently no known outstanding effects for the Church of Scotland Courts Act 1863, Section 1.