
STATUTORY INSTRUMENTS

1964 No. 1755

The Ecclesiastical Jurisdiction (Discipline) Rules 1964

Proceedings before committee of convocation

30.—(1) The registrar shall, as soon as he knows the composition of the committee constituted under section 42(3) of the Measure to enquire into the complaint, give notice in writing of the names of the committee to the complainant and the accused.

(2) Within 14 days after receiving the said notice, the complainant shall lodge with the registrar the original and a sufficient number of copies for the registrar and the members of the committee of the affidavits containing the evidence which he proposes to lay before the committee under section 42(5) of the Measure, and the same number of copies of a notice in writing stating the name or names of the person or persons, if any, whom he is proposing to call to give oral evidence at the inquiry by virtue of the proviso to the said section 42(5), and shall serve one copy of the affidavits and notice (if any) on the accused within the said period or as soon as possible thereafter.

(3) The service on the accused must be personal service, and rule 58(1) shall apply thereto.

(4) Within 14 days after the service by the complainant of the copies of affidavits and the notice aforesaid, the accused shall lodge with the registrar the original and a sufficient number of copies as aforesaid of the affidavits containing the evidence which he proposes to lay before the committee under the said section 33(6) and the same number of copies of a notice in writing stating the name or names of the person or persons, if any, whom he is proposing to call to give oral evidence at the inquiry by virtue of the proviso to the said section 42(5), and shall serve one copy of the affidavits and notice (if any) on the complainant within the said period.

(5) No further affidavits shall be laid before the committee, except with the leave of the registrar.

31.—(1) The said committee shall as soon as possible fix the time and place at which the inquiry will be held, and it shall be not less than 28 days after the notification of the names of the committee under the last foregoing rule, and the registrar shall give not less than 14 days' notice in writing of the time and place so fixed to the complainant and the accused.

(2) If it is necessary for the inquiry to be adjourned, the committee shall fix the time and place at which the inquiry will be resumed.

(3) Either the complainant or the accused may apply to the registrar for a postponement of the inquiry or, as the case may be, of the adjourned hearing and, if the application is granted, the inquiry or hearing shall be postponed to such later time as the committee may fix, and the registrar shall give not less than 7 days' notice in writing to the parties of the time so fixed.

(4) The committee may at any time of their own motion postpone the inquiry or, as the case may be, the adjourned hearing to such later time as they may fix and the registrar shall give not less than 7 days' notice in writing thereof to the parties.

32.—(1) Any application to the committee under section 42(5) of the Measure to request the attendance at the inquiry of a person making an affidavit shall be lodged with the registrar not less than 10 days before the day fixed for the inquiry, and any request by the committee for the attendance of any such person shall be made in writing not less than 4 days before his attendance is required.

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(2) If the committee of its own motion requests the attendance of any such person, the registrar shall give notice in writing of the request to each party.

33. The committee shall send copies of their decision or decisions to the complainant and to the registrar, as well as to the body and persons to whom they are required to send copies thereof by section 42(9) of the Measure, and the registrar shall file his copy in the registry.