
STATUTORY INSTRUMENTS

1998 No. 1713

The Faculty Jurisdiction (Appeals) Rules 1998

PART I

PRELIMINARY

Citation, commencement and revocation

1.—(1) These Rules may be cited as the Faculty Jurisdiction (Appeals) Rules 1998 and shall come into force on the first day of August 1998.

(2) The Ecclesiastical Jurisdiction (Faculty Appeals) Rules 1965(1) are hereby revoked.

Transitional

2. Nothing in these Rules shall affect any appeal against a judgment of a consistory court given before the coming into force of these Rules or any petition in respect of a finding of the Court of Ecclesiastical Causes Reserved on such an appeal, and any such appeal or petition shall be dealt with, heard and determined as if these Rules had not been made.

Interpretation

3.—(1) In these Rules—

“appellate court” means the Arches Court of Canterbury or the Chancery Court of York, or the Court of Ecclesiastical Causes Reserved, as the case may be;

“certificate” means a certification under section 10(3) of the Measure;

“Commission” means a Commission of Review;

“the Council” means the Council for the Care of Churches;

“the Dean” means the Dean of the Arches and Auditor or his duly appointed Deputy;

“faculty proceedings” means any cause of faculty within section 6(1)(b) or any proceedings for an injunction and a restoration order within section 6(1)(bb) of the Measure;

“judgment” includes an order or decree, and any reference to the giving of judgment shall include a reference to the making or pronouncing of an order or decree;

“leave to appeal” means leave to appeal to the Arches Court of Canterbury or the Chancery Court of York required by section 7(2) of the Measure;

“the Measure” means the Ecclesiastical Jurisdiction Measure 1963(2);

“other body” includes English Heritage and any national amenity society as defined in the Faculty Jurisdiction Rules 1992(3) and the local planning authority;

(1) [SI 1965/251](#).
(2) [1963 No. 1](#).
(3) [SI 1992/2882](#).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“party to the faculty proceedings” means any person or body who is a party as a petitioner or as an interested person as defined in the Faculty Jurisdiction Rules 1992;

“registrar of the appellate court”, in relation to appeals from the consistory court of any diocese, means the registrar of the province comprising that diocese, whose duties shall accordingly include the duty of acting as a registrar of the Court of Ecclesiastical Causes Reserved in relation to any such appeals, and includes a deputy registrar or person appointed under section 3(4C) of the Ecclesiastical Judges and Legal Officers Measure 1976⁽⁴⁾;

“registrar of the diocese” includes a deputy registrar or a person appointed under section 4(5C) of the Ecclesiastical Judges and Legal Officers Measure 1976.

(2) The Interpretation Measure 1925⁽⁵⁾ and the Interpretation Act 1978⁽⁶⁾ shall apply for the interpretation of these Rules as they apply for the interpretation of Measures of the General Synod.

⁽⁴⁾ 1976 No. 2. as amended by 1991 No. 1.

⁽⁵⁾ 1925 No. 1.

⁽⁶⁾ 1978 c. 30.