
STATUTORY INSTRUMENTS

2023 No. 865

The Ecclesiastical Judges, Legal Officers and Others (Fees) Order 2023

Fees payable to person appointed under section 4(4) of the Clergy Discipline Measure 2003

13.—(1) This article applies in the case of an appointment of a person by the President of Tribunals under section 4(4) of the Clergy Discipline Measure 2003 (“the 2003 Measure”) (appointment of person as chair of disciplinary tribunals to act when President unable or unwilling to act).

(2) In the case of each of the following matters, the fee of £208 is payable to the person appointed—

- (a) deciding whether to give permission under section 9 of the 2003 Measure (institution of proceedings out of time);
- (b) determining an application under section 31(3A) of the 2003 Measure⁽¹⁾ (criminal or matrimonial matters: extension of two-year period for imposition of penalty);
- (c) determining a request under section 38(2) or (3) of the 2003 Measure (review of inclusion in Archbishops’ list);
- (d) determining an application under rule 56 of the Clergy Discipline Rules 2005⁽²⁾ (substitution of party);
- (e) determining an application under rule 101B of those Rules⁽³⁾ (word or page limits);
- (f) deciding whether to extend a time limit under Rule 102 of those Rules (time limits);
- (g) determining a request under paragraph 2(5) of Canon C 30⁽⁴⁾ (request to review direction that priest or deacon undergo safeguarding risk assessment);
- (h) doing anything else in place of the President of Tribunals for the purposes of the appointment which does not come within the preceding provisions of this paragraph or within paragraph (3).

(3) In the case of each of the following matters, the fee of £400 is payable to the person appointed—

- (a) conducting a review under section 11(4) of the 2003 Measure (review of dismissal);
- (b) considering a referral under section 13 of the 2003 Measure (decision to take no further action);
- (c) making a decision under section 17 of the 2003 Measure (whether respondent has case to answer);

(1) Subsection (3A) was inserted by section 5(4) of the Clergy Discipline (Amendment) Measure 2013 (No. 2).

(2) S.I. 2005/2022.

(3) Rule 101B was inserted by rule 10 of S.I. 2021/557.

(4) Canon C 30 was inserted in the Canons of the Church of England by Amending Canon No. 34, which was promulgated on 15th February 2016.

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- (d) determining an appeal against suspension under section 36, 36A, 37 or 37A of the 2003 Measure⁽⁵⁾;
 - (e) making a determination under Rule 14A of the Clergy Discipline Rules 2005⁽⁶⁾ (sexual misconduct towards vulnerable adult).
- (4) A fee under this article is, by virtue of section 35 of the 2003 Measure, payable by the Archbishops' Council under section 62 of the Ecclesiastical Jurisdiction Measure 1963.

⁽⁵⁾ Sections 36 and 37 were amended by section 1 of the Safeguarding and Clergy Discipline Measure 2016 (No. 1) and sections 36A and 37A were inserted by section 8 of that Measure.

⁽⁶⁾ Rule 14A was inserted by rule 2 of [S.I. 2016/848](#).