Ecclesiastical Licences Act 1533

1533 CHAPTER 21 25 Hen 8

XI On Refusal of the Archbishop to grant Licences required, a Writ shall issue from Chancery enjoining him so to do or to shew Cause; and thereon the Chancellor may allow the Cause or enjoin the granting of such Licence; on Refusal whereof the Archbishop shall be subject to a Penalty; and Two Prelates, &c. may be commissioned to grant such Licence.

AND that yf the forseid Archebisshop of Canterbury for the tyme being or the seid Gardyan of the **[**[X1]spiritualities**]** for the tyme being, herafter refuse or denye to graunte any licences dispensacions facultyes instruments or other wrytyngs, which they be auctorised to doo by vertue and auctoritie of this acte in suche maner and forme as is afore remembred, to any person or persons that ought of a good juste and reasonable cause to have the same, by reason wherof this present acte by theire wylfulnes negligence or defaute shulde take none effecte, then the Chauncellour of Englonde or the Lord Keper of the great seale for the tyme being, uppon any compleynt therof made, shall directe the Kynges wrytte, to the seid Archebisshope or gardyan denying or refusyng to graunt suche licences dispensacions faculties or other wrytyngs, inyoynyng hym by the seid wrytte uppon a certeyne payne therin **[**[X2]to**]** lymytted by the discression of the seid Chauncelour or keper of the greate seale, that he shall in due forme graunt suche licence dispensacion facultie or other wrytyng accordyng to the requeste of the procurers of the same, or else signyfie **[**[X3]unto**]** your Highnes your Heires or Successours in the Courte of Chauncerie at a certen day for what occasion or cause he refused and denyed to graunte suche licences faculties or dispensacions; And yf it shall appere to the seid Chancellour or Lorde Keper of the greate seale uppon suche certificat that the cause of refusall or denyall of grauntyng suche licences facultie or dispensacion was resonable juste and good, that then soo being proved by due serche and examinacion of the seid Chauncellour or Lorde keper of the greate seale to be admyttyd and allowed; And yf it shall appere uppon the seid certyficat that the seid Archbisshoppe or gardiane of the Spiritualties for the tyme being, of wyfulnes in contempnyng the due execucion of this acte without a juste and resonable cause, refused or denyed to graunte suche licence facultie or dispensacion, that then your Highnes your heires and successours being therof informed, after due examinacion had that suche licences faculties or dispensacions may be graunted without offendyng the Holy Scriptures and lawes of God, shall have power and auctoritie in every suche case, for the default negligence and wylfulness of the seid

Archbishoppe or gardiane, to sende your wrytt of Injuncion under your greate seale out of your seid Courte of Chancerie commaundyng the Archebisshope or gardyane, that soo shall denye or refuse to grant such licence facultie or dispensacion, to make sufficient graunt therof accordyng to the tenour and effecte of this acte, by a certayne day and under a certen payne in the seid wrytt to be conteyned and to be lymytted by your Highnes your heires or successours Kynges of this Realme: And yf the seid Archibishope or gardiane, after the recept of the seid wrytt, refuse or denye to graunt suche licences faculties or dispensacions as shalbe inyoyned hym by vertue of the said wrytte, and shewe and prove before your Majestie your heires or successours noo juste or resonable cause whye he shuld soo doo, then the seid Archebisshopp or Gardyane that soo shall refuse to put this acte in execucion accordyng to the seid wrytte of Injuncion, shall suffer lose and forfayte to your Highnes your heires and successours suche payne and penaltie as shalbe lymytted and expressed in the seid wrytt of Injuncion; And over that it shalbe lawful to your Highnes your heires and successours for every suche defaulte and wylfulnes of the seid Archbishope or gardyane for the tyme being, to geve power and auctoritie by comission under your greate seale to suche two spirituall prelatts or persons to be named by your Highnes your heires or successours as woll do and graunt suche licences faculties and dispensacions refused or denyed to be graunted by the seid Archibishopp or gardiane in contempte of this Acte.

Editorial Information

X1 Variant readings of the text noted in *The Statutes of the Realm* as follows: Spiritualtees *O.*—Spiritualties *nu.* 28 [*O.* refers to a collection in the library of Trinity College, Cambridge and *nu.* 28 refers to the numbering of the membranes composing the Parliament Roll]

X2 Variant reading of the text noted in *The Statutes of the Realm* as follows: to be *O.* & *nu.* 28 [*O.* refers to a collection in the library of Trinity College, Cambridge and *nu.* 28 refers to the numbering of the membranes composing the Parliament Roll]

X3 Variant reading of the text noted in *The Statutes of the Realm* as follows: to *nu.* 28 [*nu.* 28 refers to the numbering of the membranes composing the Parliament Roll]

Modifications etc. (not altering text)

C1 S. 11 applied by Public Notaries Act 1843 (c. 90), **s. 5**

C2 S. 11 modified (3.4.2006) by Constitutional Reform Act 2005 (c. 4), s. 148(1), **Sch. 4 para. 1**; S.I. 2006/1014, art. 2(a), Sch. 1 para. 11(a)

Changes to legislation:
There are currently no known outstanding effects for the Ecclesiastical Licences Act 1533, Section XI.