



# Ecclesiastical Jurisdiction Measure 1963

## CHAPTER 1

### ECCLESIASTICAL JURISDICTION MEASURE 1963

#### PART I

##### THE ECCLESIASTICAL JUDICIAL SYSTEM

###### *The Courts*

- 1 The ecclesiastical courts.

###### *The Judges of the Courts constituted by this Measure*

- 2 Judge of consistory court.
- 2A Number of chancellorships to be held by one person may be limited.
- 3 Judges of the Arches and Chancery Courts.
- 4 Appointment of deputy judges.
- 5 Judges of the Court of Ecclesiastical Causes Reserved.

###### *Jurisdiction of the Courts*

- 6 Jurisdiction of the consistory court.
- 7 Jurisdiction of Arches and Chancery Courts.
- 8 Appellate jurisdiction of Her Majesty in Council.
- 9 Jurisdiction of commissions of convocation.
- 10 Jurisdiction of Court of Ecclesiastical Causes Reserved.
- 11 Jurisdiction of Her Majesty to review findings of Court of Ecclesiastical Causes Reserved

###### *Miscellaneous Provisions relating to the Courts and the Judges*

- 12 Disciplinary tribunals to be unaffected by vacation of see
- 13 Certain judges to be ex officio officials principal.

*Status: Point in time view as at 01/09/2018.*

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## PART II

### OFFENCES COGNISABLE UNDER THE MEASURE AND PROVISIONS AS TO PERSONS CHARGEABLE THEREWITH

- 14 Offences under the Measure.
- 15 Place where offence committed.
- 16 Limitation of time for institution of proceedings under the Measure.
- 17 Persons against whom proceedings may be instituted.

## PART III

### INSTITUTION OF PROCEEDINGS IN RESPECT OF OFFENCES UNDER THE MEASURE

- 18 Mode of instituting proceedings.
- 19 Persons by whom proceedings against a priest or deacon may be instituted.
- 20 Persons by whom proceedings against an archbishop or bishop may be instituted.
- 21 Supplementary provisions in special cases.

## PART IV

### CONDUCT OF PROCEEDINGS AGAINST PRIESTS OR DEACONS FOR OFFENCES UNDER THE MEASURE NOT INVOLVING MATTER OF DOCTRINE, RITUAL OR CEREMONIAL.

#### *Scope of Part IV*

- 22 Scope of Part IV.

#### *Procedure under Part IV after Laying of Complaint*

- 23 Duty of diocesan upon the making of complaint.
- 24 Inquiry into complaint by examiner.
- 25 Appointment of person to promote complaint.
- 26 Contents of articles.
- 27 Power of chancellor to nominate trial judge in lieu of himself.
- 28 Conduct of trial under Part IV.
- 29 New Trial.

#### *Examiners and Assessors*

- 30 Constitution of panels of examiners and assessors, &c.

#### *Power of Diocesan to pronounce Sentence by Consent*

- 31 Power of diocesan to pronounce sentence by consent.

## PART V

### CONDUCT OF PROCEEDINGS AGAINST BISHOPS FOR OFFENCES UNDER THE MEASURE NOT INVOLVING MATTER OF DOCTRINE, RITUAL OR CEREMONIAL

#### *Scope of Part V*

- 32 Scope of Part V.

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*Procedure under Part V after Laying of Complaint*

- 33 Inquiry into complaint by episcopal committee.
- 34 Contents of articles.
- 35 Appointment of commission of convocation.
- 36 Conduct of trial by commission of convocation.
- 37 Proceedings in Upper House of Convocation upon finding of commission of convocation.

**PART VI**

CONDUCT OF PROCEEDINGS AGAINST DEACONS, PRIESTS OR BISHOPS FOR OFFENCES  
UNDER THE MEASURE INVOLVING MATTER OF DOCTRINE, RITUAL OR CEREMONIAL

*Scope of Part VI*

- 38 Scope of Part VI.

*Procedure under Part VI after Laying of Complaint*

- 39 Duty of diocesan upon the making of a complaint against a deacon or priest.
- 40 Duty of archbishop upon the making of a complaint against a bishop.
- 41 Complaint against an archbishop to stand referred for inquiry.
- 42 Inquiry into complaint by committee of convocation.
- 43 Appointment, of person to promote complaint.
- 44 Contents of articles.
- 45 Conduct of trial under Part VI.

**PART VII**

OTHER PROCEEDINGS

- 46 Proceedings in consistory court not falling within Part IV.
- 47 Proceedings in Arches and Chancery Courts.
- 48 Proceedings before Commissions of Review.

**PART VIII**

CENSURES

- 49 Censures.
- 50 Power of bishop to depose priest or deacon from Holy Orders.
- 51 Power to depose archbishop or bishop from Holy Orders.
- 52 Effect of deposition.
- 53 Restoration on pardon.
- 54 Disobedience to censure.

**PART IX**

DEPRIVATION CONSEQUENT UPON CERTAIN JUDGMENTS,  
ORDERS OR DECREES OF SECULAR COURTS

- 55 Deprivation of priest or deacon following certain proceedings in secular courts.
- 56 Deprivation of bishop or archbishop following certain proceedings in secular courts.
- 57 Consequences of declarations under this Part of this Measure.

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## PART X

### COSTS

- 58 Payment of costs of bishop and promoter by Commissioners.
- 59 .....
- 60 Powers of courts and commissions in regard to costs.
- 61 Recovery of costs.
- 62 Payment of expenses of courts, &c. by Central Board.
- 63 Fees payable in connection with proceedings under this Measure.

## PART XI

### RULE COMMITTEE

- 64 The Rule Committee.
- 65 Functions of the Rule Committee.

## PART XII

### MISCELLANEOUS AND GENERAL

- 66 Interpretation.
- 67 Rules for determining seniority of diocesan bishops.
- 68 Exercise of powers of diocesans during vacation of sees.
- 69 Criminal proceedings in ecclesiastical courts to be taken only in accordance with this Measure.
- 70 Nominated persons to have exclusive right to promote complaint.
- 71 Performance of ecclesiastical duties during suspension or inhibition.
- 72 Occupation of parsonage house by person appointed by bishop.
- 73 Suspension of censure pending appeal.
- 74 Restrictions during a period of suspension or inhibition.
- 75 Provisions as to lapse on avoidance of preferment.
- 76 Rights of patronage during suspension or inhibition.
- 77 Inhibition pendente lite.
- 78 Recording of declarations, resolutions and censures.
- 79 When convictions, orders or findings are to be deemed conclusive.
- 80 Place where courts, &c. are to sit.
- 81 Evidence and general powers and rights of courts and commissions.
- 82 Abolition of obsolete jurisdictions, courts, &c.
- 83 Savings.
- 84 Exclusion of Channel Islands.
- 85 Provisions as to diocese of Sodor and Man.
- 86 Amendments of other enactments.
- 87 Repeals.
- 88 Commencement.
- 89 Short title.

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## SCHEDULES

FIRST SCHEDULE — Oaths to be taken . . . . ., by Judges of Consistory, Arches and Chancery Courts

Part I — OATHS TO BE TAKEN . . . BY ALL JUDGES

“I, , do swear that I will be faithful and..

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“I, , do swear that I will, to the uttermost...  
Part

II. ....

SECOND — Examiners and Assessors  
SCHEDULE

Part I — PROVISION OF EXAMINERS UNDER PART IV OF THE MEASURE

- 1 (1) For the purpose of enabling examiners to be appointed...
- 2 The examiner to whom a complaint is referred for inquiry...
- 3 A person selected under this Part of this Schedule as...
- 4 If a member of the panel ceases to hold a...

Part II — PROVISION OF ASSESSORS TO SIT WITH CONSISTORY COURT  
UNDER PART IV OF THE MEASURE

- 5 (1) For the purpose of providing assessors to sit with...
- 6 The four assessors with whom the consistory court of a...
- 7 If either party shall object to any assessor for reasons...
- 8 If by reason of any objection or non-attendance or otherwise...
- 9 A person selected under this Part of this Schedule to...
- 10 If a member of either panel resigns or dies or...

THIRD SCHEDULE —

.....

FOURTH SCHEDULE — Amendments of Other Enactments.

...

...

...

*The Clerical Disabilities Act, 1870.*

In section four, in paragraph (3), the reference to the...

*The Benefices Act, 1898.*

In sub-section (5) of section one for the words “under...

...

...

FIFTH SCHEDULE — Enactments Repealed

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