



Ecclesiastical Jurisdiction Measure 1963

1963 No. 1

PART VII

OTHER PROCEEDINGS

^{F1}46 Proceedings in consistory court not falling within Part IV.

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Textual Amendments

F1 S. 46 repealed (1.9.2018) by [Ecclesiastical Jurisdiction and Care of Churches Measure 2018 \(No. 3\)](#), s. 99(2), Sch. 1 para. 16, [Sch. 5](#) (with Sch. 4 Pt. 1); S.I. 2018/720, art. 2

47 Proceedings in Arches and Chancery Courts.

[^{F2}(1) Proceedings in the Arches Court of Canterbury or the Chancery Court of York [^{F3}under this Measure shall be heard and disposed of] by the Dean of the Arches and Auditor and two diocesan chancellors designated by him for the purposes of the case.]

[^{F4}(1A) The Dean of the Arches and Auditor sitting alone in either of the said Courts has jurisdiction to make interlocutory orders^{F5}... .]

(2) [^{F6}Proceedings under this Measure] in the said Court shall be instituted and conducted in such manner as may be prescribed.

Textual Amendments

F2 S. 47(1) substituted (1.3.1993) by [Care of Churches and Ecclesiastical Jurisdiction Measure 1991 \(No. 1, SIF 21:8\)](#), s. 8(1), [Sch. 4](#), para. 8(1) (with s. 31(6)); Instrument dated 16.2.1993 made by the [Archbishops of Canterbury and York](#)

F3 Words in s. 47(1) substituted (1.1.2006) by [Clergy Discipline Measure 2003 \(No. 3\)](#), s. 48(2), [Sch. 1 para. 6\(a\)](#) (with s. 47); S.I. 2005/6, Instrument made by [Archbishops](#)

Changes to legislation: There are currently no known outstanding effects for the Ecclesiastical Jurisdiction Measure 1963, Part VII. (See end of Document for details)

- F4** S. 47(1A) inserted (1.4.2015) by [Care of Churches and Ecclesiastical Jurisdiction \(Amendment\) Measure 2015 \(No. 1\)](#), **ss. 10, 11(2)**; S.I. 2015/593, art. 2
- F5** Words in s. 47(1A) repealed (1.9.2018) by [Ecclesiastical Jurisdiction and Care of Churches Measure 2018 \(No. 3\)](#), s. 99(2), **Sch. 1 para. 17, Sch. 5** (with Sch. 4 Pt. 1); S.I. 2018/720, art. 2
- F6** Words in s. 47(2) substituted (1.1.2006) by [Clergy Discipline Measure 2003 \(No. 3\)](#), s. 48(2), **Sch. 1 para. 6(b)** (with s. 47); S.I. 2005/6, Instrument made by Archbishops

48 Proceedings before Commissions of Review.

- (1) Subject to the following provisions of this section all proceedings before a Commission of Review [^{F7}exercising jurisdiction under this Measure] shall be instituted and conducted in such manner as may be prescribed.
- (2) In order to give assistance to any Commission of Review in reviewing [^{F8}under this Measure] any decision of the Court of Ecclesiastical Causes Reserved involving a question of doctrine the Upper Houses of the Convocations of the Provinces of Canterbury and of York shall jointly appoint a panel of persons consisting of members of either of the Upper Houses and also if thought fit of theologians who are not members of either of the Upper Houses in such numbers as the Upper Houses may jointly determine.
- (3) When any review by a Commission of Review [^{F9}under this Measure] involves a question of doctrine the Commission shall request five persons selected by it from the panel appointed under subsection (2) of this section to sit with it as advisers and to give such assistance on the matters of doctrine involved in the review as the Commission may require.
- (4) The judgment of the Commission shall be according to the opinion of the majority of the members thereof and each member of the Commission shall state his own opinion on the question under review.
- (5) In the exercise of its jurisdiction under this Measure a Commission of Review shall not be bound by any decision of the Judicial Committee of the Privy Council in relation to matter of doctrine, ritual or ceremonial.
- (6) A decision of a previous Commission of Review [^{F10}under this Measure or the Ecclesiastical Jurisdiction and Care of Churches Measure 2018] shall be binding on a Commission subsequently appointed [^{F11}under this Measure] in any matter which shall, by virtue of this Measure, be within the jurisdiction of such Commission except in regard to a matter on which new information or evidence is adduced which was not before the Commission on the previous occasion.

Textual Amendments

- F7** Words in s. 48(1) inserted (1.9.2018) by [Ecclesiastical Jurisdiction and Care of Churches Measure 2018 \(No. 3\)](#), s. 99(2), **Sch. 1 para. 18(2)** (with Sch. 4 Pt. 1); S.I. 2018/720, art. 2
- F8** Words in s. 48(2) inserted (1.9.2018) by [Ecclesiastical Jurisdiction and Care of Churches Measure 2018 \(No. 3\)](#), s. 99(2), **Sch. 1 para. 18(3)** (with Sch. 4 Pt. 1); S.I. 2018/720, art. 2
- F9** Words in s. 48(3) inserted (1.9.2018) by [Ecclesiastical Jurisdiction and Care of Churches Measure 2018 \(No. 3\)](#), s. 99(2), **Sch. 1 para. 18(4)** (with Sch. 4 Pt. 1); S.I. 2018/720, art. 2
- F10** Words in s. 48(6) inserted (1.9.2018) by [Ecclesiastical Jurisdiction and Care of Churches Measure 2018 \(No. 3\)](#), s. 99(2), **Sch. 1 para. 18(5)(a)** (with Sch. 4 Pt. 1); S.I. 2018/720, art. 2

Changes to legislation: *There are currently no known outstanding effects for the Ecclesiastical Jurisdiction Measure 1963, Part VII. (See end of Document for details)*

F11 Words in s. 48(6) inserted (1.9.2018) by Ecclesiastical Jurisdiction and Care of Churches Measure 2018 (No. 3), s. 99(2), **Sch. 1 para. 18(5)(b)** (with Sch. 4 Pt. 1); S.I. 2018/720, art. 2

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There are currently no known outstanding effects for the Ecclesiastical Jurisdiction Measure 1963, Part VII.