



Clergy Discipline Measure 2003

2003 No. 3

Miscellaneous

40 When convictions etc. are to be deemed conclusive

- (1) Proceedings under this Measure and a conviction by a secular court shall become conclusive for the purposes of this Measure—
 - (a) where there has been an appeal, upon the date on which the appeal is dismissed or abandoned or the proceedings on appeal are finally concluded, but, if varied on appeal, shall be conclusive only as so varied, and so far as it is reversed on appeal shall cease to have effect;
 - (b) if there is no such appeal, upon the expiration of the time limited for such appeal, or in the case of a conviction where no time is so limited, of two months from the date of the conviction; and
 - (c) in the case of a conviction against which there is no right of appeal from the date of the conviction.
- (2) After the conviction of a clerk in Holy Orders by a secular court becomes conclusive a certificate of such conviction shall, for the purposes of this Measure be conclusive proof that he has committed the act therein specified.
- (3) In the event of any such conviction by a secular court as makes a clerk in Holy Orders subject to removal from any preferment, or renders him liable to proceedings under this Measure the court shall cause the prescribed certificate of the conviction to be sent to the bishop of the diocese in which the court sits, and such certificate shall be preserved in the registry of the diocese, or of any other diocese to which it may be sent by the direction of the bishop.

Commencement Information

II S. 40 in force at 1.1.2006 by [S.I. 2005/6](#), Instrument made by Archbishops

Changes to legislation:

There are currently no known outstanding effects for the Clergy Discipline Measure 2003, Section 40.