



# Ecclesiastical Jurisdiction and Care of Churches Measure 2018

2018 No. 3

## PART 1

### THE ECCLESIASTICAL COURTS

#### *The consistory courts*

#### **7 Jurisdiction**

- (1) The consistory court of a diocese has jurisdiction to hear and determine—
- (a) proceedings for obtaining a faculty to authorise an act relating to land in the diocese, or to something on, in or otherwise appertaining to land there, for which a faculty is required;
  - (b) proceedings for an order under section 53(8) (delivery of article to place of safety);
  - (c) proceedings for obtaining a faculty under section 67 (sale of books in parochial library);
  - (d) proceedings for an injunction under section 71 or a restoration order under section 72;
  - (e) proceedings under section 68(7) or (12) of the Mission and Pastoral Measure 2011 (enforcement or interpretation of leases);
  - (f) proceedings under section 71(9) of that Measure (compensation for loss of burial rights);
  - (g) proceedings upon a jus patronatus awarded by the bishop of the diocese;
  - (h) any other proceedings which, immediately before the passing of the Ecclesiastical Jurisdiction Measure 1963 on 31 July 1963, the court had power to determine (except proceedings the jurisdiction for which was expressly abolished by that Measure).
- (2) Criminal proceedings may not be brought in the consistory court of a diocese.

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*Status: This is the original version (as it was originally enacted).*

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- (3) “Land” includes messuages, tenements and hereditaments, houses and buildings of any tenure.