
STATUTORY INSTRUMENTS

1964 No. 1755

The Ecclesiastical Jurisdiction (Discipline) Rules 1964

Proceedings at trial

16.—(1) The judge of the consistory court may at the hearing, if he thinks that the interests of justice so require—

- (a) allow the promoter to withdraw the articles or, if two or more offences are charged, to withdraw the charge or charges in respect of one or some of those offences;
- (b) allow the promoter to amend the articles in any other way, but not so as to charge any new offence;
- (c) allow the accused, if he has not lodged an answer to the articles, to put in an answer;
- (d) allow the accused to amend his answer.

(2) If either party proposes to apply to the court to exercise any of its powers under this rule, he shall if practicable give notice in writing to the other party and the registrar, but the court may nonetheless exercise the said powers without notice.

(3) If the judge exercises his powers under this rule, he may do so on such terms, including the adjournment of the trial, as he thinks just.

(4) If the accused admits any offence charged by the articles or any act or omission alleged by the articles, the judge may treat the offence or the act or omission as proved and dispense with any evidence thereof, or may require such evidence as he thinks fit.

(5) If the accused has not lodged an answer and does not put in an answer under this rule, he shall be treated as having denied the offence or offences charged by the articles.

(6) If the answer of the accused fails to state or make clear whether he admits or denies any offence or allegation, he shall be treated as having denied it.