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STATUTORY INSTRUMENTS

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**1964 No. 1755**

**The Ecclesiastical Jurisdiction (Discipline) Rules 1964**

*PROCEDURE ON APPEALS TO ARCHES AND CHANCERY  
COURTS (SECTIONS 7 AND 47 OF MEASURE)*

**Powers of determination of Appellate Court**

**43.**—(1) On any appeal the appellate court shall determine the question or questions raised by the appeal, and may thereupon confirm, reverse or vary any finding of the consistory court against which the appeal is brought, or may remit the case with their determination to the consistory court to take such further proceedings therein as they may direct.

(2) The powers of the appellate court shall include power to vary the censure or impose a censure for any offence in respect of which they confirm, vary or make a finding of guilt, but without prejudice to their power to remit the decision as to the censure to the consistory court.

(3) The determination of any matter before the appellate court shall be according to the opinion of the majority of the members thereof.

(4) The registrar of the appellate court shall give notice in writing to the registrar (as defined in rule 2) of any determination or directions made or given by the appellate court, and if the case is remitted to the consistory court for further proceedings therein, the judge of the consistory court shall fix a time and place for such proceedings and rules 14(2) and (3) and 15 to 17 shall apply for the purposes of those further proceedings, with the necessary modifications, in like manner as they apply for the purposes of the original trial.