
STATUTORY INSTRUMENTS

2000 No. 2047

The Faculty Jurisdiction Rules 2000

PART IV

MATTERS WITHIN THE CHANCELLOR'S JURISDICTION

Disposal of Proceedings by Written Representation

26.—(1) If the chancellor considers it expedient to do so and is satisfied that all the parties to the proceedings have agreed in writing, then the chancellor may order that the proceedings shall be determined upon consideration of written representations instead of by a hearing in court provided that no such order may be made in any case in which the chancellor is required to hear evidence in open court for the purposes of section 17(2) or 3(a) by virtue of section 17(4) of the Measure

(2) Where an order has been made by the chancellor under paragraph (1) above the registrar shall give notice

- (a) that the petitioners shall submit to the registry and serve on each of the other parties within 21 days of the direction a written statement in support of their case including the documentary or other evidence upon which they wish to rely;
- (b) that each of the other parties shall not more than 21 days after the submitting of the petitioners' statement submit to the registry and serve on the petitioners a written statement in reply to the petitioners' statement and in support of his case including any documentary or other evidence upon which he wishes to rely;
- (c) that the petitioners may not more than 14 days after the submitting of the statement of an opposing party submit to the registry and serve on such opposing party a written statement in response.

(3) If any party does not comply with any such direction, the chancellor may declare him to be in default and may proceed to dispose of the case without any further reference to such party.

(4) Any party against whom an order declaring him to be in default is made may at any time apply to the court to revoke that order, and the chancellor may as a matter of discretion revoke the order on such terms as to costs or otherwise as may be just.

(5) Notwithstanding the existence of an order that the proceedings shall be dealt with by written representations, the chancellor may at any stage revoke the order and direct that the proceedings shall be determined at an oral hearing and the chancellor shall thereupon give directions for the future conduct of the proceedings.

(6) The chancellor may, whether or not an application is made to the court by any party, inspect the church or any article or thing the subject of the petition or concerning which any question arises in the proceedings.

(7) If no order has been made under paragraph (5), the chancellor shall determine the proceedings upon the pleadings and the written statements and evidence submitted under this rule, and the chancellor's decision shall be as valid and binding on all parties as if it had been made after an oral hearing.

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(8) The chancellor or the registrar (if so authorised by the chancellor) may give such other directions as appear just and convenient for the expeditious dispatch of proceedings under this rule.