
STATUTORY INSTRUMENTS

2015 No. 1568

The Faculty Jurisdiction Rules 2015

PART 21

Appeals

Application of Parts 21 to 27 to appeals

21.1. Parts 21 to 27 (in addition to the other Parts referred to in rule 2.1(2)) apply for the purpose of appeals from judgments, orders or decrees of consistory courts in faculty proceedings and in proceedings for an injunction or a restoration order.

Interpretation of Parts 21 to 27

21.2. In Parts 21 to 27—

“appeal notice” means grounds of appeal, a notice of appeal, a respondent’s notice, or a petition seeking a review of a finding of the Court of Ecclesiastical Causes Reserved;

“appellant” means a party who brings or seeks to bring an appeal and includes a party who seeks a review of a finding of the Court of Ecclesiastical Causes Reserved by a Commission of Review;

“the Dean” means the Dean of the Arches and Auditor and includes any person appointed to act as deputy Dean of the Arches and Auditor;

“diocesan registrar” and “diocesan registry” mean, respectively, the registrar of the consistory court and the registry of the diocese for which that court is constituted;

“filing”, in relation to a document, means delivering it by post or otherwise (including, where the registrar allows, by electronic means) to the registry;

“interim order” has the same meaning as “interlocutory order” in section 47(1A) of the Ecclesiastical Jurisdiction Measure 1963⁽¹⁾;

“lower court” means the court from whose decision an appeal is brought;

“party” means—

in relation to faculty proceedings, any of the persons referred to in rule 5.1, or

in relation to proceedings for an injunction or restoration order, the person who made the application for an injunction or restoration order and any person against whom an injunction or restoration order has been sought in those proceedings;

“permission to appeal” means the leave an appellant requires in order to bring an appeal under section 7(2)(b) of the Ecclesiastical Jurisdiction Measure 1963;

(1) 1963 No. 1. Relevant amendments were made by section 8 and Schedule 4 of the Care of Churches and Ecclesiastical Jurisdiction Measure 1991 (1991 No. 1), section 15 of the Church of England (Miscellaneous Provisions) Measure 2000 (2000 No. 1), section 44(2) and Schedule 1 of the Clergy Discipline Measure 2003 (2003 No. 3), section 145 and Schedule 17 of the Constitutional Reform Act 2005 (2005 c. 4) and sections 7, 8, 9 and 10 of the Care of Churches and Ecclesiastical Jurisdiction Measure 2015 (2015 No. 1).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“provincial court” means—

in the case of an appeal from the consistory court of a diocese in the Province of Canterbury, the Arches Court of Canterbury, or

in the case of an appeal from the consistory court of a diocese in the Province of York, the Chancery Court of York; and

“respondent” means—

any person other than the appellant who was a party to the proceedings in the lower court and who is affected by the appeal, and

any person who is permitted by the appeal court to be a party to the appeal.