



# Clergy Discipline Measure 2003

2003 No. 3

## *Penalties*

### **25 Conditional discharge**

- (1) Where, upon a finding that the respondent has committed any misconduct, the disciplinary tribunal or Vicar-General's court, as the case may be, is of opinion, having regard to the circumstances including the nature of the misconduct and the character of the respondent, that it is inexpedient to impose a penalty it may make an order discharging him subject to the condition that he commits no misconduct during such period not exceeding two years from the date of the order as may be specified in the order.
- (2) Before making an order under subsection (1) above the tribunal or court shall explain to the respondent in ordinary language that if he commits further misconduct during the period specified in the order a penalty may be imposed for the original misconduct.
- (3) Where, under subsection (4) below, a penalty is imposed on a person conditionally discharged under subsection (1) above for the misconduct in respect of which the order for conditional discharge was made, that order shall cease to have effect.
- (4) If a person in whose case an order has been made under subsection (1) above is found, in disciplinary proceedings under this Measure, to have committed misconduct during the period specified in the order, the disciplinary tribunal or the Vicar-General's court, as the case may be, may deal with him for the misconduct for which the order was made in any manner in which it could deal with him if it had just found that he had committed that misconduct.

#### **Commencement Information**

**II** S. 25 in force at 1.1.2006 by S.I. 2005/6, Instrument made by Archbishops

**Changes to legislation:**

Clergy Discipline Measure 2003, Section 25 is up to date with all changes known to be in force on or before 04 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Measure associated Parts and Chapters:**

Whole provisions yet to be inserted into this Measure (including any effects on those provisions):

- s. 21(2)(c)(i)(ii) and word substituted for words by [2024 No. 1 s. 9\(3\)](#)