
Changes to legislation: There are currently no known outstanding effects for the Ecclesiastical Jurisdiction and Care of Churches Measure 2018, Cross Heading: Amendments of the Ecclesiastical Jurisdiction Measure 1963. (See end of Document for details)

SCHEDULES

SCHEDULE 1

OTHER ECCLESIASTICAL JURISDICTIONS

Amendments of the Ecclesiastical Jurisdiction Measure 1963

2 The Ecclesiastical Jurisdiction Measure 1963 is amended as follows.

Commencement Information

I1 Sch. 1 para. 2 in force at 1.9.2018 by S.I. 2018/720, art. 2

- 3 (1) Section 1 (the ecclesiastical courts) is amended as follows.
- (2) Omit subsections (1) and (2).
- (3) In subsection (3)—
- (a) for “the said provinces” substitute “ the provinces of Canterbury and York ”, and
- (b) omit paragraphs (b) and (d) and the “and” preceding paragraph (d).

Commencement Information

I2 Sch. 1 para. 3 in force at 1.9.2018 by S.I. 2018/720, art. 2

- 4 Omit section 2 (judge of consistory court).

Commencement Information

I3 Sch. 1 para. 4 in force at 1.9.2018 by S.I. 2018/720, art. 2

- 5 Omit section 2A (power to limit number of chancellorships etc.).

Commencement Information

I4 Sch. 1 para. 5 in force at 1.9.2018 by S.I. 2018/720, art. 2

- 6 (1) Section 3 (judges of the Arches and Chancery Courts) is amended as follows.
- (2) In subsection (1), after “respectively” insert “ for the purposes of proceedings on an appeal under section 20 of the Clergy Discipline Measure 2003 ”.
- (3) In subsection (2)—
- (a) for paragraphs (a) and (b) substitute—
- “(a) one shall be the Dean of the Arches and Auditor;

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- (b) four shall be appointed in accordance with section 20(2) and (3) of the Clergy Discipline Measure 2003.”, and
- (b) omit paragraph (d).
- (4) Omit subsections (3) to (6).
- (5) In subsection (7)(a), for “the said oaths” substitute “ the oaths set out in Part 1 of Schedule 1 to this Measure ”.
- (6) In subsection (8), for “either of the two last foregoing subsections” substitute “ subsection (7) ”.

Commencement Information

I5 [Sch. 1 para. 6](#) in force at 1.9.2018 by [S.I. 2018/720](#), [art. 2](#)

- 7 Omit section 4 (appointment of deputy judges of consistory court).

Commencement Information

I6 [Sch. 1 para. 7](#) in force at 1.9.2018 by [S.I. 2018/720](#), [art. 2](#)

- 8 Omit section 5 (judges of the Ecclesiastical Causes Reserved).

Commencement Information

I7 [Sch. 1 para. 8](#) in force at 1.9.2018 by [S.I. 2018/720](#), [art. 2](#)

- 9 Omit section 6 (jurisdiction of consistory court).

Commencement Information

I8 [Sch. 1 para. 9](#) in force at 1.9.2018 by [S.I. 2018/720](#), [art. 2](#)

- 10 (1) Section 7 (jurisdiction of the Arches and Chancery Courts) is amended as follows.
- (2) Omit subsection (1).
 - (3) In subsection (1A)—
 - (a) for “Each of the said Courts shall also” substitute “ The Arches Court of Canterbury and the Chancery Court of York shall each ”, and
 - (b) omit “including that Court”.
 - (4) In subsection (2)—
 - (a) in paragraph (a), omit “in a disciplinary case,”, and
 - (b) omit paragraph (b).
 - (5) Omit subsections (4) and (5).

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I9 [Sch. 1 para. 10](#) in force at 1.9.2018 by [S.I. 2018/720](#), [art. 2](#)

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11 Omit section 8 (appellate jurisdiction of Her Majesty in Council).

Commencement Information

I10 Sch. 1 para. 11 in force at 1.9.2018 by S.I. 2018/720, art. 2

12 In section 10 (jurisdiction of Court of Ecclesiastical Causes Reserved), omit subsections (A1), (1)(b) and (2) to (6).

Commencement Information

I11 Sch. 1 para. 12 in force at 1.9.2018 by S.I. 2018/720, art. 2

13 In section 11 (the title to which becomes “ Jurisdiction of Her Majesty to review findings of Court of Ecclesiastical Causes Reserved ”), omit subsection (2)(b).

Commencement Information

I12 Sch. 1 para. 13 in force at 1.9.2018 by S.I. 2018/720, art. 2

14 For section 12 substitute—

“12 Disciplinary tribunals to be unaffected by vacation of see

- (1) The vacation of the see of Canterbury or York or of the bishop of any other diocese shall not render a disciplinary tribunal unable to exercise its jurisdiction, and no such vacancy shall affect the discharge by the members or officers of such a tribunal of their functions.
- (2) For provision as to the Arches Court of Canterbury, the Chancery Court of York and the Vicar-General's court of each province where there is a vacation of see as mentioned in subsection (1), see section 22 of the Ecclesiastical Jurisdiction and Care of Churches Measure 2018.”

Commencement Information

I13 Sch. 1 para. 14 in force at 1.9.2018 by S.I. 2018/720, art. 2

15 Omit section 13 (certain judges to be ex officio officials principal).

Commencement Information

I14 Sch. 1 para. 15 in force at 1.9.2018 by S.I. 2018/720, art. 2

16 Omit section 46 (proceedings in consistory court).

Commencement Information

I15 Sch. 1 para. 16 in force at 1.9.2018 by S.I. 2018/720, art. 2

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- 17 In section 47 (proceedings in Arches and Chancery Courts), in subsection (1A), omit “, including any directions under section 7(4) of this Measure”.

Commencement Information

I16 Sch. 1 para. 17 in force at 1.9.2018 by S.I. 2018/720, art. 2

- 18 (1) Section 48 (proceedings before Commission of Review) is amended as follows.
- (2) In subsection (1), after “a Commission of Review” insert “ exercising jurisdiction under this Measure ”.
- (3) In subsection (2), after “in reviewing” insert “ under this Measure ”.
- (4) In subsection (3), after “a Commission of Review” insert “ under this Measure ”.
- (5) In subsection (6)—
- (a) after “a previous Commission of Review” insert “ under this Measure or the Ecclesiastical Jurisdiction and Care of Churches Measure 2018 ”, and
- (b) after “subsequently appointed” insert “ under this Measure ”.

Commencement Information

I17 Sch. 1 para. 18 in force at 1.9.2018 by S.I. 2018/720, art. 2

- 19 In section 58 (payment of costs of bishop etc.), omit paragraph (c) and the preceding “and”.

Commencement Information

I18 Sch. 1 para. 19 in force at 1.9.2018 by S.I. 2018/720, art. 2

- 20 (1) Section 60 (powers of courts and commissions in regard to costs) is amended as follows.
- (2) In subsection (1), omit the words from “and the Vicar-General's court” to “1994”.
- (3) In subsection (2), for the words from the beginning to “examiner” substitute “ A court or commission exercising jurisdiction under this Measure, a Vicar-General's court as constituted under the Clergy Discipline Measure 2003, or a committee under this Measure ”.

Commencement Information

I19 Sch. 1 para. 20 in force at 1.9.2018 by S.I. 2018/720, art. 2 (with art. 3)

- 21 In section 62 (payment of expenses of courts by Archbishops' Council), in subsection (1), omit the words from “and of the Vicar-General's court” to the end.

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I20 Sch. 1 para. 21 in force at 1.9.2018 by S.I. 2018/720, art. 2

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- 22 In section 69 (criminal proceedings)—
- (a) omit “in the consistory court of a diocese or”, and
 - (b) for “those Parts” substitute “ that Part ”.

Commencement Information

I21 Sch. 1 para. 22 in force at 1.9.2018 by S.I. 2018/720, art. 2

- 23 In section 80 (place where courts etc. to sit)—
- (a) for “Any court, commission, committee or inquiry established or held by or under the provisions of this Measure” substitute “ Proceedings in a court or commission exercising jurisdiction under this Measure or of a committee or inquiry under this Measure ”, and
 - (b) omit “and the Vicar-General's court of each of the provinces of Canterbury and York”.

Commencement Information

I22 Sch. 1 para. 23 in force at 1.9.2018 by S.I. 2018/720, art. 2

- 24 (1) Section 81 (evidence and general powers and rights of courts and commissions) is amended as follows.
- (2) In subsection (1)—
- (a) for “established” substitute “ exercising jurisdiction ”, and
 - (b) omit “and the Vicar-General's Court of each of the provinces of Canterbury and York”.
- (3) In subsection (2), omit “or Vicar-General's court”.
- (4) Omit subsection (4).

Commencement Information

I23 Sch. 1 para. 24 in force at 1.9.2018 by S.I. 2018/720, art. 2

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