



Ecclesiastical Jurisdiction Measure 1963

CHAPTER 1

ECCLESIASTICAL JURISDICTION MEASURE 1963

PART I

THE ECCLESIASTICAL JUDICIAL SYSTEM

The Courts

- 1 The ecclesiastical courts.

The Judges of the Courts constituted by this Measure

- 2 Judge of consistory court.
- 2A Number of chancellorships to be held by one person may be limited.
- 3 Judges of the Arches and Chancery Courts.
- 4 Appointment of deputy judges.
- 5 Judges of the Court of Ecclesiastical Causes Reserved.

Jurisdiction of the Courts

- 6 Jurisdiction of the consistory court.
- 7 Jurisdiction of Arches and Chancery Courts.
- 8 Appellate jurisdiction of Her Majesty in Council.
- 9 Jurisdiction of commissions of convocation.
- 10 Jurisdiction of Court of Ecclesiastical Causes Reserved.
- 11 Jurisdiction of Her Majesty with respect to review of findings of commissions of convocation or of Court of Ecclesiastical Causes Reserved.

Status: Point in time view as at 01/02/2014.

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Miscellaneous Provisions relating to the Courts and the Judges

- 12 Consistory, Arches and Chancery Courts to be unaffected by vacation of sees.
- 13 Certain judges to be ex officio officials principal.

PART II

OFFENCES COGNISABLE UNDER THE MEASURE AND
PROVISIONS AS TO PERSONS CHARGEABLE THEREWITH

- 14 Offences under the Measure.
- 15 Place where offence committed.
- 16 Limitation of time for institution of proceedings under the Measure.
- 17 Persons against whom proceedings may be instituted.

PART III

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- 18 Mode of instituting proceedings.
- 19 Persons by whom proceedings against a priest or deacon may be instituted.
- 20 Persons by whom proceedings against an archbishop or bishop may be instituted.
- 21 Supplementary provisions in special cases.

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CONDUCT OF PROCEEDINGS AGAINST PRIESTS OR DEACONS FOR OFFENCES UNDER
THE MEASURE NOT INVOLVING MATTER OF DOCTRINE, RITUAL OR CEREMONIAL.

Scope of Part IV

- 22 Scope of Part IV.

Procedure under Part IV after Laying of Complaint

- 23 Duty of diocesan upon the making of complaint.
- 24 Inquiry into complaint by examiner.
- 25 Appointment of person to promote complaint.
- 26 Contents of articles.
- 27 Power of chancellor to nominate trial judge in lieu of himself.
- 28 Conduct of trial under Part IV.
- 29 New Trial.

Examiners and Assessors

- 30 Constitution of panels of examiners and assessors, &c.

Power of Diocesan to pronounce Sentence by Consent

- 31 Power of diocesan to pronounce sentence by consent.

PART V

CONDUCT OF PROCEEDINGS AGAINST BISHOPS FOR OFFENCES UNDER THE
MEASURE NOT INVOLVING MATTER OF DOCTRINE, RITUAL OR CEREMONIAL

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Scope of Part V

32 Scope of Part V.

Procedure under Part V after Laying of Complaint

- 33 Inquiry into complaint by episcopal committee.
- 34 Contents of articles.
- 35 Appointment of commission of convocation.
- 36 Conduct of trial by commission of convocation.
- 37 Proceedings in Upper House of Convocation upon finding of commission of convocation.

PART VI

CONDUCT OF PROCEEDINGS AGAINST DEACONS, PRIESTS OR BISHOPS FOR OFFENCES UNDER THE MEASURE INVOLVING MATTER OF DOCTRINE, RITUAL OR CEREMONIAL

Scope of Part VI

38 Scope of Part VI.

Procedure under Part VI after Laying of Complaint

- 39 Duty of diocesan upon the making of a complaint against a deacon or priest.
- 40 Duty of archbishop upon the making of a complaint against a bishop.
- 41 Complaint against an archbishop to stand referred for inquiry.
- 42 Inquiry into complaint by committee of convocation.
- 43 Appointment, of person to promote complaint.
- 44 Contents of articles.
- 45 Conduct of trial under Part VI.

PART VII

OTHER PROCEEDINGS

- 46 Proceedings in consistory court not falling within Part IV.
- 47 Proceedings in Arches and Chancery Courts.
- 48 Proceedings before Commissions of Review.

PART VIII

CENSURES

- 49 Censures.
- 50 Power of bishop to depose priest or deacon from Holy Orders.
- 51 Power to depose archbishop or bishop from Holy Orders.
- 52 Effect of deposition.
- 53 Restoration on pardon.
- 54 Disobedience to censure.

PART IX

DEPRIVATION CONSEQUENT UPON CERTAIN JUDGMENTS, ORDERS OR DECREES OF SECULAR COURTS

- 55 Deprivation of priest or deacon following certain proceedings in secular courts.

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- 56 Deprivation of bishop or archbishop following certain proceedings in secular courts.
- 57 Consequences of declarations under this Part of this Measure.

PART X

COSTS

- 58 Payment of costs of bishop and promoter by Commissioners.
- 59
- 60 Powers of courts and commissions in regard to costs.
- 61 Recovery of costs.
- 62 Payment of expenses of courts, &c. by Central Board.
- 63 Fees payable in or in connection with proceedings under this Measure.

PART XI

RULE COMMITTEE

- 64 The Rule Committee.
- 65 Functions of the Rule Committee.

PART XII

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- 66 Interpretation.
- 67 Rules for determining seniority of diocesan bishops.
- 68 Exercise of powers of diocesans during vacation of sees.
- 69 Criminal proceedings in ecclesiastical courts to be taken only in accordance with this Measure.
- 70 Nominated persons to have exclusive right to promote complaint.
- 71 Performance of ecclesiastical duties during suspension or inhibition.
- 72 Occupation of parsonage house by person appointed by bishop.
- 73 Suspension of censure pending appeal.
- 74 Restrictions during a period of suspension or inhibition.
- 75 Provisions as to lapse on avoidance of preferment.
- 76 Rights of patronage during suspension or inhibition.
- 77 Inhibition pendente lite.
- 78 Recording of declarations, resolutions and censures.
- 79 When convictions, orders or findings are to be deemed conclusive.
- 80 Place where courts, &c. are to sit.
- 81 Evidence and general powers and rights of courts and commissions.
- 82 Abolition of obsolete jurisdictions, courts, &c.
- 83 Savings.
- 84 Exclusion of Channel Islands.
- 85 Provisions as to diocese of Sodor and Man.
- 86 Amendments of other enactments.
- 87 Repeals.
- 88 Commencement.
- 89 Short title.

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SCHEDULES

FIRST SCHEDULE — Oaths to be taken, by Judges of Consistory, Arches and Chancery Courts

Part I — OATHS TO BE TAKEN . . . BY ALL JUDGES

“I, , do swear that I will be faithful and...

“I, , do swear that I will, to the uttermost...

Part

II.

SECOND — Examiners and Assessors
SCHEDULE

Part I — PROVISION OF EXAMINERS UNDER PART IV OF THE MEASURE

1 (1) For the purpose of enabling examiners to be appointed...

2 The examiner to whom a complaint is referred for inquiry...

3 A person selected under this Part of this Schedule as...

4 If a member of the panel ceases to hold a...

Part II — PROVISION OF ASSESSORS TO SIT WITH CONSISTORY COURT
UNDER PART IV OF THE MEASURE

5 (1) For the purpose of providing assessors to sit with...

6 The four assessors with whom the consistory court of a...

7 If either party shall object to any assessor for reasons...

8 If by reason of any objection or non-attendance or otherwise...

9 A person selected under this Part of this Schedule to...

10 If a member of either panel resigns or dies or...

THIRD SCHEDULE —

.....

FOURTH SCHEDULE — Amendments of Other Enactments.

...

...

...

The Clerical Disabilities Act, 1870.

In section four, in paragraph (3), the reference to the...

The Benefices Act, 1898.

In sub-section (5) of section one for the words “under...

...

...

FIFTH SCHEDULE — Enactments Repealed

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