



Ecclesiastical Jurisdiction Measure 1963

1963 No. 1

PART XII **E**

MISCELLANEOUS AND GENERAL

66 Interpretation. **E**

(1) In this Measure unless the context otherwise requires the following expressions have the meanings hereby assigned to them respectively, namely:—

“authorised complainant” means a person authorised by a bishop to lay a complaint under Part III of this Measure or, in the case of proceedings against a bishop, a person authorised by the archbishop of the province;

“benefice” includes all rectories with cure of souls vicarages perpetual curacies endowed public chapels and parochial chapelries and chapelries or districts belonging or reputed to belong or annexed or reputed to be annexed to any church or chapel or districts formed for ecclesiastical purposes by virtue of statutory authority and includes benefices in the patronage of the Crown or of the Duchy of Cornwall but does not extend to any Royal peculiar nor to any cathedral or capitular preferment or dignity, nor to any chapel belonging to any college school hospital inn of court asylum or public or charitable institution nor to any private chapel;

^{F1}
...

“the Commissioners” means the Church Commissioners for England;

“communicant” means a person who has received communion according to the use of the Church of England or of a church in communion therewith at least once within the twelve months preceding the date of his declaration that he fulfils that requirement, or if a declaration is not required of him, at least once within the twelve months preceding the date upon which he is offered the appointment or requested to act in a capacity for which that qualification is required;

“diocese” means a diocese in the province of Canterbury or a diocese ^{F2}... in the province of York and “diocesan” shall be construed accordingly;

Changes to legislation: There are currently no known outstanding effects for the Ecclesiastical Jurisdiction Measure 1963, Section 66. (See end of Document for details)

[^{F3}“high judicial office” means such office within the meaning of Part 3 of the Constitutional Reform Act 2005 or membership of the Judicial Committee of the Privy Council;]

“preferment” includes an archbishopric, a bishopric, archdeaconry, dignity or office in a cathedral or collegiate church, and a benefice, and every curacy, lectureship, readership, chaplaincy, office or place which requires the discharge of any spiritual duty;

“prescribed” means prescribed by rules made under [^{F4}section 83 of the Ecclesiastical Jurisdiction and Care of Churches Measure 2018];

“relevant province” in relation to—

- (a) a House of Convocation;
- (b) a diocese comprised in a province;
- (c) a court having jurisdiction in a province; and
- (d) a person holding any office or preferment or residing in any such diocese or province at any time;

means, according to the context, the province of Canterbury or the province of York as the case may be.

[^{F5}“disciplinary tribunal”, “president of tribunals” and “provincial panel” have the same meanings as in the Clergy Discipline Measure 2003.]

- (2) In this Measure, except and where the context otherwise requires, references to the consistory court of a diocese and to the chancellor of a diocese shall, in their application to the diocese of Canterbury, be construed as references to the commissary court thereof and to the commissary general of such court respectively.
- (3) For the purposes of this Measure an extra-diocesan place (including any place exempt or peculiar other than a Royal Peculiar) which is surrounded by one diocese shall be deemed to be situate within that diocese, and an extra-diocesan place which is surrounded by two or more dioceses shall be deemed to be situate within such one of them as the archbishop of the relevant province may direct.

^{F6}(4)

Textual Amendments

- F1** Words in s. 66 omitted (1.1.2008) by virtue of [National Institutions of the Church of England \(Transfer of Functions\) Order 2007 \(S.I. 2007/1556\)](#), art. 1(1), **Sch. para. 2(b)** (with art. 3)
- F2** Words repealed by virtue of s. 85 of this Measure and Church Act 1969 (an Act of Tynwald)
- F3** Words in s. 66(1) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), **Sch. 17 para. 16(3)**; S.I. 2009/1604, art. 2(e)
- F4** Words in s. 66(1) substituted (1.9.2018) by [Ecclesiastical Jurisdiction and Care of Churches Measure 2018 \(No. 3\)](#), s. 99(2), **Sch. 3 para. 6** (with Sch. 4 Pt. 1); S.I. 2018/720, art. 2
- F5** Words in s. 66(1) inserted (1.1.2006) by [Clergy Discipline Measure 2003 \(No. 3\)](#), s. 48(2), **Sch. 1 para. 10** (with s. 47); S.I. 2005/6, Instrument made by Archbishops
- F6** S. 66(4) repealed (1.9.2018) by [Ecclesiastical Jurisdiction and Care of Churches Measure 2018 \(No. 3\)](#), s. 99(2), **Sch. 5** (with Sch. 4 Pt. 1); S.I. 2018/720, art. 2

Changes to legislation:

There are currently no known outstanding effects for the Ecclesiastical Jurisdiction Measure 1963, Section 66.