



Clergy Discipline Measure 2003

2003 No. 3

Disciplinary proceedings concerning matters not involving doctrine, ritual or ceremonial

16 Penalty by consent

- (1) Where the bishop considers that the imposition of a penalty by consent might be appropriate, he shall afford the complainant and the respondent an opportunity to make representations and, if the respondent consents to the imposition of a penalty under this section and he and the bishop agree as to the penalty, the bishop shall, subject to subsection (2) below, proceed accordingly and thereafter no further step shall be taken in regard thereto.
- (2) Where it is agreed that prohibition for life or resignation is the appropriate course the respondent or the bishop may, within the period of seven days following the date of the agreement, withdraw his agreement and the prohibition or resignation shall not be implemented in pursuance of this section.
- (3) If the consent of the respondent to the imposition of a penalty under this section is not obtained or he and the bishop are unable to reach agreement as to the nature of the penalty, the bishop shall proceed to deal with the complaint under paragraph (e) of section 12(1) above.

[^{F1}(3A) At any time after the bishop has directed, under section 12(1)(e) above, that the complaint be formally investigated in accordance with section 17 below or after the president of tribunals has referred the complaint to a disciplinary tribunal, the bishop and the respondent may, if the respondent admits the misconduct which is the subject of the complaint, agree to the imposition of a penalty under this section and the bishop shall, subject to subsection (2) above, proceed accordingly and thereafter no further step shall be taken in regard thereto.]

- (4) The bishop shall notify the complainant of any action taken in pursuance of this section and shall also notify the archbishop of the province concerned and the registrar of the diocese concerned of any penalty agreed in pursuance of subsection (1) above.

*Changes to legislation: There are currently no known outstanding effects for the
Clergy Discipline Measure 2003, Section 16. (See end of Document for details)*

Textual Amendments

- F1** S. 16(3A) inserted (1.2.2014) by Clergy Discipline (Amendment) Measure 2013 (No. 2), **ss. 2(2), 10(2)**; 2014 No. 1, art. 2
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Modifications etc. (not altering text)

- C1** S. 16 modified (1.1.2006) by Clergy Discipline Rules 2005 (S.I. 2005/2022), **rule 27(1)(2)107(2)**
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Commencement Information

- I1** S. 16 in force at 1.1.2006 by **S.I. 2005/6**, Instrument made by Archbishops

Changes to legislation:

There are currently no known outstanding effects for the Clergy Discipline Measure 2003, Section 16.