



Clergy Discipline Measure 2003

2003 No. 3

Miscellaneous

42 Application of Measure in special cases

(1) In the application of this Measure to the following—

Cathedral clergy

Chaplains of prisons, hospitals, universities, schools and institutions in an extra-parochial place

Chaplains of the armed forces of the Crown

Ministers who have a licence from the archbishop of a province to preach throughout the province

Ministers who have a licence from the University of Oxford or Cambridge to preach throughout England

it shall be read with the following adaptations.

(2) In the case of a clerk in Holy Orders serving in a cathedral church, disciplinary proceedings may be instituted only by—

(a) a person nominated by [^{F1}the Chapter of the cathedral]; or

(b) any other person, if the diocesan bishop concerned determines that that person has a proper interest in making the complaint.

(3) In the case of a chaplain of a prison, hospital, university, school or other institution, disciplinary proceedings may be instituted only by a person duly authorised by the diocesan bishop concerned to institute such proceedings.

(4) In the case of a chaplain of one of the armed forces of the Crown—

(a) disciplinary proceedings may be instituted only if the archbishop of Canterbury determines that the person concerned has a proper interest in making the complaint;

(b) the complaint shall be laid before the archbishop of Canterbury and references to the diocesan bishop concerned shall be construed as references to that archbishop.

Changes to legislation: There are currently no known outstanding effects for the Clergy Discipline Measure 2003, Section 42. (See end of Document for details)

- (5) In the case of a minister who has a licence from the archbishop of a province—
- (a) disciplinary proceedings may be instituted only by a person duly authorised by the archbishop to institute such proceedings;
 - (b) the complaint shall be laid before that archbishop and references to the diocesan bishop concerned shall be construed accordingly.
- (6) In the case of a minister who has a licence from the University of Oxford or Cambridge—
- (a) disciplinary proceedings may be instituted only by a person duly authorised by the archbishop of Canterbury to institute such proceedings;
 - (b) the complaint shall be laid before that archbishop and references to the diocesan bishop concerned shall be construed accordingly.

Textual Amendments

- F1** Words in s. 42(2)(a) substituted (coming into force in accordance with s. 53(3) of the amending Measure) by [Cathedrals Measure 2021 \(No. 2\)](#), **Sch. 4 para. 26** (with [ss. 42\(4\), 48, 52\(1\)](#))
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Commencement Information

- I1** S. 42 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 42.