



# Safeguarding and Clergy Discipline Measure 2016

2016 No. 1

## *Clergy discipline proceedings*

### **10 President of tribunals: power to remit to bishop**

(1) In section 11 of the Clergy Discipline Measure 2003 (preliminary scrutiny of complaint), in subsection (4)—

(a) after “considers the dismissal to be plainly wrong,” insert “he may—

(a)”,

and

(b) at the end insert “, or

(b) remit the complaint to the bishop and direct the bishop to reconsider the dismissal”.

(2) After subsection (4) of that section insert—

“(4A) On a reconsideration following a direction under subsection (4)(b), the bishop may nonetheless exercise the power under subsection (3) and, if the bishop does so, must give notice in accordance with that subsection; and subsection (4) and this subsection apply accordingly.”

(3) In section 13 of that Measure (decision to take no further action), in subsection (3)—

(a) after “considers that the bishop's determination was plainly wrong, he may” insert “—

(a)”,

and

(b) at the end insert “, or

(b) remit the complaint to the bishop and direct the bishop to reconsider the determination that there is to be no further action”.

(4) After subsection (3) of that section insert—

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**Changes to legislation:** There are currently no known outstanding effects for the Safeguarding and Clergy Discipline Measure 2016, Section 10. (See end of Document for details)

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“(4) On a reconsideration following a direction under subsection (3)(b), the bishop may nonetheless decide under section 12(1)(a) to take no further action; and, if the bishop does so, this section applies accordingly.”

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**Commencement Information**

**II** S. 10 in force at 1.1.2017 by S.I. 2016/1213, art. 2

**Changes to legislation:**

There are currently no known outstanding effects for the Safeguarding and Clergy Discipline Measure 2016, Section 10.