



Safeguarding and Clergy Discipline Measure 2016

2016 No. 1

Safeguarding children and vulnerable adults

6 Meaning of “child” and “vulnerable adult”

- (1) In this Measure, “child” means a person aged under 18.
- (2) In this Measure, “vulnerable adult” means a person aged 18 or over whose ability to protect himself or herself from violence, abuse, neglect or exploitation is significantly impaired through physical or mental disability or illness, old age, emotional fragility or distress, or otherwise; and for that purpose, the reference to being impaired is to being temporarily or indefinitely impaired.
- (3) The Archbishops' Council may by order amend this section so as to amend the definition of “vulnerable adult” [^{F1}and, in consequence of an amendment to that definition, amend any other provision of this Measure].
- (4) An order under this section may not be made unless—
 - (a) a draft of the order has been laid before the General Synod and approved by it with or without amendment, and
 - (b) the draft so approved has been referred to the Archbishops' Council.
- (5) On referral of the draft, the Council must—
 - (a) if the draft was approved without amendment, make the order by applying its seal, or
 - (b) if the draft was approved with amendment—
 - (i) make the order by applying its seal, or
 - (ii) withdraw the draft for further consideration.
- (6) An order under this section [^{F2}may not come into force unless] it is sealed by the Council.

Changes to legislation: There are currently no known outstanding effects for the Safeguarding and Clergy Discipline Measure 2016, Section 6. (See end of Document for details)

- (7) If the Business Committee of the General Synod determines that a draft of an order under this section does not need to be debated by the General Synod, the draft is to be treated as approved for the purposes of this section unless a member of the General Synod gives notice in accordance with its standing orders that the member—
- (a) wishes the draft order to be debated, or
 - (b) wishes to move an amendment to it.
- (8) The power to make an order under this section is exercisable by statutory instrument; and the Statutory Instruments Act 1946 applies as if the order had been made by a Minister of the Crown and as if this Measure were an Act of Parliament providing for the instrument containing the order to be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

- F1** Words in s. 6(3) inserted (1.3.2022) by [Safeguarding \(Code of Practice\) Measure 2021 \(No. 3\)](#), **ss. 2(2), 3(3)**; [S.I. 2022/118](#), **art. 2**
- F2** Words in s. 6(6) substituted (retrospectively) by [Church of England \(Miscellaneous Provisions\) Measure 2018 \(No. 7\)](#), **ss. 8(9), 11(8)(d), 17(2)(b)**
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Commencement Information

- I1** S. 6 in force at 1.10.2016 by [S.I. 2016/938](#), **art. 2**

Changes to legislation:

There are currently no known outstanding effects for the Safeguarding and Clergy Discipline Measure 2016, Section 6.