



# Safeguarding and Clergy Discipline Measure 2016

2016 No. 1

## *Clergy discipline proceedings*

### **7 Removal of limitation period in sexual misconduct cases**

(1) In section 9 of the Clergy Discipline Measure 2003 (limitation period for disciplinary proceedings for misconduct), the text of which becomes subsection (1) of that section, at the end insert—

“(2) Subsection (1) does not apply where the misconduct in question is conduct of a sexual nature towards a child.

(3) Subsection (1) does not apply where the misconduct in question is conduct of a sexual nature towards an adult if the president of tribunals considers that the adult was a vulnerable adult at the time of the conduct, having taken into account such representations as the complainant and respondent each make on the issue of vulnerability.

(4) Where, in a case within subsection (3), the president of tribunals does not consider that the adult was a vulnerable adult at the time of the conduct in question, the president may at the same time decide whether nonetheless to give permission under subsection (1) for the proceedings to continue; and for that purpose, the second proviso to subsection (1) has effect as if for “to be instituted” there were substituted “to continue despite having been instituted”.

(2) This section applies to conduct occurring before the commencement of this section (as well as to conduct occurring afterwards).

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#### **Commencement Information**

**11** [S. 7](#) 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 7.