



Ecclesiastical Jurisdiction and Care of Churches Measure 2018

2018 No. 3

PART 4

FACULTY JURISDICTION

Role of archdeacon

74 Exercise of faculty jurisdiction

- (1) The archdeacon of every archdeaconry in a diocese is to exercise the jurisdiction of the consistory court of the diocese in such faculty matters relating to the archdeaconry, to such extent and in such manner as rules may specify.
- (2) An archdeacon who exercises jurisdiction under subsection (1) may grant a faculty in any cause of faculty to be considered by him or her which is unopposed.
- (3) A faculty granted by an archdeacon under subsection (2) has effect as if it had been granted by the chancellor of the diocese.
- (4) Subsection (5) applies where, in a cause of faculty to be considered by an archdeacon—
 - (a) he or she declines to grant a faculty,
 - (b) he or she considers that the matter should be dealt with as a matter of urgency without reference to the advisory committee for advice under section 79(2), or
 - (c) the grant of the faculty is opposed.
- (5) The archdeacon must cause the matter to be referred to the chancellor of the diocese for him or her to deal with it.
- (6) This section does not give an archdeacon power—
 - (a) to order a person to pay costs or expenses,
 - (b) to issue an injunction or make a restoration order, or

(c) to grant an interim faculty pending the final determination of the matter.

- (7) Where an archdeacon considers that a question arises as to the payment of costs or expenses, the issue of an injunction, the making of a restoration order or the grant of an interim faculty, the archdeacon must cause the matter to be referred to the chancellor of the diocese for him or her to deal with it.

75 Grant of licence for temporary minor re-ordering

- (1) The archdeacon of every archdeaconry may grant a licence authorising, without a faculty, the minor re-ordering of a church in his or her archdeaconry for a temporary period to such extent and in such manner as rules may specify.
- (2) The archdeacon may amend or revoke a licence granted under this section in relation to the archdeaconry.

76 Convening meeting in a case of default

- (1) Where it appears to an archdeacon that something has been done in a parish in the archdeaconry which ought not to have been done without a faculty, the archdeacon may convene an extraordinary meeting of the PCC, or an extraordinary parochial church meeting, in order to discuss the matter.
- (2) The archdeacon must either take the chair or appoint a person to chair the meeting.
- (3) The chair of the meeting, unless otherwise entitled to attend the meeting, is not entitled to vote on any resolution before the meeting.