

Changes to legislation: There are currently no known outstanding effects for the Ecclesiastical Jurisdiction and Care of Churches Measure 2018, Cross Heading: Amendments of the Ecclesiastical Jurisdiction Measure 1963. (See end of Document for details)

SCHEDULES

SCHEDULE 1

OTHER ECCLESIASTICAL JURISDICTIONS

Amendments of the Ecclesiastical Jurisdiction Measure 1963

2 The Ecclesiastical Jurisdiction Measure 1963 is amended as follows.

Commencement Information

I1 Sch. 1 para. 2 in force at 1.9.2018 by S.I. 2018/720, art. 2

3 (1) Section 1 (the ecclesiastical courts) is amended as follows.

(2) Omit subsections (1) and (2).

(3) In subsection (3)—

(a) for “the said provinces” substitute “ the provinces of Canterbury and York”, and

(b) omit paragraphs (b) and (d) and the “and” preceding paragraph (d).

Commencement Information

I2 Sch. 1 para. 3 in force at 1.9.2018 by S.I. 2018/720, art. 2

4 Omit section 2 (judge of consistory court).

Commencement Information

I3 Sch. 1 para. 4 in force at 1.9.2018 by S.I. 2018/720, art. 2

5 Omit section 2A (power to limit number of chancellorships etc.).

Commencement Information

I4 Sch. 1 para. 5 in force at 1.9.2018 by S.I. 2018/720, art. 2

6 (1) Section 3 (judges of the Arches and Chancery Courts) is amended as follows.

(2) In subsection (1), after “respectively” insert “ for the purposes of proceedings on an appeal under section 20 of the Clergy Discipline Measure 2003 ”.

(3) In subsection (2)—

(a) for paragraphs (a) and (b) substitute—

“(a) one shall be the Dean of the Arches and Auditor;

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- (b) four shall be appointed in accordance with section 20(2) and (3) of the Clergy Discipline Measure 2003.”, and
- (b) omit paragraph (d).
- (4) Omit subsections (3) to (6).
- (5) In subsection (7)(a), for “the said oaths” substitute “ the oaths set out in Part 1 of Schedule 1 to this Measure ”.
- (6) In subsection (8), for “either of the two last foregoing subsections” substitute “ subsection (7) ”.

Commencement Information

I5 [Sch. 1 para. 6](#) in force at 1.9.2018 by [S.I. 2018/720](#), [art. 2](#)

- 7 Omit section 4 (appointment of deputy judges of consistory court).

Commencement Information

I6 [Sch. 1 para. 7](#) in force at 1.9.2018 by [S.I. 2018/720](#), [art. 2](#)

- 8 Omit section 5 (judges of the Ecclesiastical Causes Reserved).

Commencement Information

I7 [Sch. 1 para. 8](#) in force at 1.9.2018 by [S.I. 2018/720](#), [art. 2](#)

- 9 Omit section 6 (jurisdiction of consistory court).

Commencement Information

I8 [Sch. 1 para. 9](#) in force at 1.9.2018 by [S.I. 2018/720](#), [art. 2](#)

- 10 (1) Section 7 (jurisdiction of the Arches and Chancery Courts) is amended as follows.
- (2) Omit subsection (1).
 - (3) In subsection (1A)—
 - (a) for “Each of the said Courts shall also” substitute “ The Arches Court of Canterbury and the Chancery Court of York shall each ”, and
 - (b) omit “including that Court”.
 - (4) In subsection (2)—
 - (a) in paragraph (a), omit “in a disciplinary case,”, and
 - (b) omit paragraph (b).
 - (5) Omit subsections (4) and (5).

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I9 [Sch. 1 para. 10](#) in force at 1.9.2018 by [S.I. 2018/720](#), [art. 2](#)

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11 Omit section 8 (appellate jurisdiction of Her Majesty in Council).

Commencement Information

I10 Sch. 1 para. 11 in force at 1.9.2018 by S.I. 2018/720, art. 2

12 In section 10 (jurisdiction of Court of Ecclesiastical Causes Reserved), omit subsections (A1), (1)(b) and (2) to (6).

Commencement Information

I11 Sch. 1 para. 12 in force at 1.9.2018 by S.I. 2018/720, art. 2

13 In section 11 (the title to which becomes “ Jurisdiction of Her Majesty to review findings of Court of Ecclesiastical Causes Reserved ”), omit subsection (2)(b).

Commencement Information

I12 Sch. 1 para. 13 in force at 1.9.2018 by S.I. 2018/720, art. 2

14 For section 12 substitute—

“12 Disciplinary tribunals to be unaffected by vacation of see

“12 “12 Disciplinary tribunals to be unaffected by vacation of see

(1) The vacation of the see of Canterbury or York or of the bishop of any other diocese shall not render a disciplinary tribunal unable to exercise its jurisdiction, and no such vacancy shall affect the discharge by the members or officers of such a tribunal of their functions.

(2) For provision as to the Arches Court of Canterbury, the Chancery Court of York and the Vicar-General's court of each province where there is a vacation of see as mentioned in subsection (1), see section 22 of the Ecclesiastical Jurisdiction and Care of Churches Measure 2018.”

Commencement Information

I13 Sch. 1 para. 14 in force at 1.9.2018 by S.I. 2018/720, art. 2

15 Omit section 13 (certain judges to be ex officio officials principal).

Commencement Information

I14 Sch. 1 para. 15 in force at 1.9.2018 by S.I. 2018/720, art. 2

16 Omit section 46 (proceedings in consistory court).

Commencement Information

I15 Sch. 1 para. 16 in force at 1.9.2018 by S.I. 2018/720, art. 2

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- 17 In section 47 (proceedings in Arches and Chancery Courts), in subsection (1A), omit “, including any directions under section 7(4) of this Measure”.

Commencement Information

I16 Sch. 1 para. 17 in force at 1.9.2018 by S.I. 2018/720, art. 2

- 18 (1) Section 48 (proceedings before Commission of Review) is amended as follows.
- (2) In subsection (1), after “a Commission of Review” insert “ exercising jurisdiction under this Measure ”.
- (3) In subsection (2), after “in reviewing” insert “ under this Measure ”.
- (4) In subsection (3), after “a Commission of Review” insert “ under this Measure ”.
- (5) In subsection (6)—
- (a) after “a previous Commission of Review” insert “ under this Measure or the Ecclesiastical Jurisdiction and Care of Churches Measure 2018 ”, and
- (b) after “subsequently appointed” insert “ under this Measure ”.

Commencement Information

I17 Sch. 1 para. 18 in force at 1.9.2018 by S.I. 2018/720, art. 2

- 19 In section 58 (payment of costs of bishop etc.), omit paragraph (c) and the preceding “and”.

Commencement Information

I18 Sch. 1 para. 19 in force at 1.9.2018 by S.I. 2018/720, art. 2

- 20 (1) Section 60 (powers of courts and commissions in regard to costs) is amended as follows.
- (2) In subsection (1), omit the words from “and the Vicar-General's court” to “1994”.
- (3) In subsection (2), for the words from the beginning to “examiner” substitute “ A court or commission exercising jurisdiction under this Measure, a Vicar-General's court as constituted under the Clergy Discipline Measure 2003, or a committee under this Measure ”.

Commencement Information

I19 Sch. 1 para. 20 in force at 1.9.2018 by S.I. 2018/720, art. 2 (with art. 3)

- 21 In section 62 (payment of expenses of courts by Archbishops' Council), in subsection (1), omit the words from “and of the Vicar-General's court” to the end.

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I20 Sch. 1 para. 21 in force at 1.9.2018 by S.I. 2018/720, art. 2

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- 22 In section 69 (criminal proceedings)—
- (a) omit “in the consistory court of a diocese or”, and
 - (b) for “those Parts” substitute “ that Part ”.

Commencement Information

I21 Sch. 1 para. 22 in force at 1.9.2018 by S.I. 2018/720, art. 2

- 23 In section 80 (place where courts etc. to sit)—
- (a) for “Any court, commission, committee or inquiry established or held by or under the provisions of this Measure” substitute “ Proceedings in a court or commission exercising jurisdiction under this Measure or of a committee or inquiry under this Measure ”, and
 - (b) omit “and the Vicar-General's court of each of the provinces of Canterbury and York”.

Commencement Information

I22 Sch. 1 para. 23 in force at 1.9.2018 by S.I. 2018/720, art. 2

- 24 (1) Section 81 (evidence and general powers and rights of courts and commissions) is amended as follows.
- (2) In subsection (1)—
- (a) for “established” substitute “ exercising jurisdiction ”, and
 - (b) omit “and the Vicar-General's Court of each of the provinces of Canterbury and York”.
- (3) In subsection (2), omit “or Vicar-General's court”.
- (4) Omit subsection (4).

Commencement Information

I23 Sch. 1 para. 24 in force at 1.9.2018 by S.I. 2018/720, art. 2

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