

Changes to legislation: There are currently no known outstanding effects for the Ecclesiastical Jurisdiction and Care of Churches Measure 2018, Cross Heading: Faculty Jurisdiction Rules 2015 (S.I. 2015/1568). (See end of Document for details)

SCHEDULES

SCHEDULE 3

CONSEQUENTIAL AMENDMENTS

PART 2

PROCEDURAL RULES

Faculty Jurisdiction Rules 2015 (S.I. 2015/1568)

36 The Faculty Jurisdiction Rules 2015 are amended as follows.

Commencement Information

II Sch. 3 para. 36 in force at 1.9.2018 by S.I. 2018/720, art. 2

- 37 (1) In rule 2.2 (interpretation), paragraph (1) is amended as follows.
- (2) In the definition of “costs”, for “section 13(1)” substitute “ section 69(2) ”.
 - (3) In the definition of “injunction”, for “section 13(4)” substitute “ section 71 ”.
 - (4) In the definition of “the Measure” for “the Care of Churches and Ecclesiastical Jurisdiction Measure 1991” substitute “ the Ecclesiastical Jurisdiction and Care of Churches Measure 2018 ”.
 - (5) In the definition of “minister”, for “the Measure” substitute “ Part 4 of the Measure (see section 80(1) of that Measure) ”.
 - (6) In the definition of “national amenity society”, for “the Measure” substitute “ Part 3 of the Measure (see section 55(1) of that Measure) ”.
 - (7) In the definition of “relevant person or body”—
 - (a) for “section 1(1) of the Care of Places of Worship Measure 1999” substitute “ section 38(1) of the Measure ”, and
 - (b) for “by virtue of paragraph 1 of Schedule 1 to that Measure” substitute “ under section 40 of the Measure ”.
 - (8) In the definition of “restoration order”, for “section 13(5)” substitute “ section 72 ”.

Commencement Information

I2 Sch. 3 para. 37 in force at 1.9.2018 by S.I. 2018/720, art. 2

38 In rule 2.2, in paragraph (5)—

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- (a) for “section 1(1) of the Care of Places of Worship Measure 1999” substitute “ section 38(1) of the Measure ”, and
- (b) in sub-paragraph (a), for “section 1(4) of that Measure” substitute “ section 39(2) of the Measure ”.

Commencement Information

I3 Sch. 3 para. 38 in force at 1.9.2018 by S.I. 2018/720, art. 2

- 39 In rule 3.1 (matters not requiring a faculty: interpretation), in paragraph (5)(b), for “section 1(1) of the Care of Places of Worship Measure 1999” substitute “ section 38(1) of the Measure ”.

Commencement Information

I4 Sch. 3 para. 39 in force at 1.9.2018 by S.I. 2018/720, art. 2

- 40 In rule 3.4 (additional matters which may be undertaken without a faculty), in paragraph (1), for “section 18C(1)” substitute “ section 78(1) ”.

Commencement Information

I5 Sch. 3 para. 40 in force at 1.9.2018 by S.I. 2018/720, art. 2

- 41 In rule 3.5 (excluded matters: general), in paragraph (1)(k), for “section 3 of the Faculty Jurisdiction Measure 1964” substitute “ section 66 of the Measure ”.

Commencement Information

I6 Sch. 3 para. 41 in force at 1.9.2018 by S.I. 2018/720, art. 2

- 42 (1) Rule 3.6 (excluded matters orders) is amended as follows.
- (2) In paragraph (1), for “section 18C(3)” substitute “ section 78(3) ”.
 - (3) In paragraph (3), for “section 4(1) of the Measure” substitute “ section 49 of the Measure (see subsections (1) and (2) of that section) ”.

Commencement Information

I7 Sch. 3 para. 42 in force at 1.9.2018 by S.I. 2018/720, art. 2

- 43 In each of the following provisions in Part 5 (faculty proceedings), for “section 1(1) of the Care of Places of Worship Measure 1999” substitute “ section 38(1) of the Measure ”
- (a) in rule 5.2 (persons who may submit petition), paragraph (2)(c);
 - (b) in rule 5.3 (form of petition), paragraph (2);
 - (c) in rule 5.5 (information to accompany petition), paragraph (2).

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I8 Sch. 3 para. 43 in force at 1.9.2018 by S.I. 2018/720, art. 2

- 44 In rule 5.5 (documents etc. to accompany petition), in paragraph (4), for “section 17(2) or (3)(a)” substitute “ section 62(2) or (3) ”.

Commencement Information

I9 Sch. 3 para. 44 in force at 1.9.2018 by S.I. 2018/720, art. 2

- 45 In rule 6.2 (form of public notice), in paragraph (2), for “section 1(1) of the Care of Places of Worship Measure 1999” substitute “ section 38(1) of the Measure ”.

Commencement Information

I10 Sch. 3 para. 45 in force at 1.9.2018 by S.I. 2018/720, art. 2

- 46 (1) Rule 8.1 (removal of article to place of safety) is amended as follows.
(2) In each of paragraphs (1) and (2), for “section 21” substitute “ section 53 ”.
(3) In paragraph (2)(a), for “section 21(2)” substitute “ section 53(3)(a) ”.

Commencement Information

I11 Sch. 3 para. 46 in force at 1.9.2018 by S.I. 2018/720, art. 2

- 47 In rule 10.1 (objections to faculty petition: interested persons), in paragraph (2), for “section 1(1) of the Care of Places of Worship Measure 1999” substitute “ section 38(1) of the Measure ”.

Commencement Information

I12 Sch. 3 para. 47 in force at 1.9.2018 by S.I. 2018/720, art. 2

- 48 In rule 19.4 (special citation of persons in default), in paragraph (2)(a), for “section 13(1)” substitute “ section 69 ”.

Commencement Information

I13 Sch. 3 para. 48 in force at 1.9.2018 by S.I. 2018/720, art. 2

- 49 In rule 21.2 (appeals: interpretation), omit each of the following—
(a) the definition of “interim order”;
(b) the definition of “permission to appeal”.

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I14 Sch. 3 para. 49 in force at 1.9.2018 by S.I. 2018/720, art. 2

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- 50 In Schedule 1 (matters which may be undertaken without a faculty), in Table 2 (List B), in each of the following items, for “section 1(2) of the Inspection of Churches Measure 1955” substitute “section 45(2) of the Ecclesiastical Jurisdiction and Care of Churches Measure 2018 ”
- (a) item B1(1) (church building: routine maintenance etc.);
 - (b) item B5(3) (churchyard: routine maintenance etc. of walls).

Commencement Information

I15 Sch. 3 para. 50 in force at 1.9.2018 by S.I. 2018/720, art. 2

- 51 In Schedule 3 (forms), in each of the following forms, in the parenthetical words following the heading, for “Care of Places of Worship Measure 1999” substitute “section 38 of the Ecclesiastical Jurisdiction and Care of Churches Measure 2018 ”
- (a) Form 1B (standard information);
 - (b) Form 3B (petition for faculty);
 - (c) Form 4B (public notice).

Commencement Information

I16 Sch. 3 para. 51 in force at 1.9.2018 by S.I. 2018/720, art. 2

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