



# Ecclesiastical Jurisdiction and Care of Churches Measure 2018

2018 No. 3

## PART 4

### FACULTY JURISDICTION

#### *Powers of court*

#### **72 Restoration order**

- (1) This section applies where at any time, whether before or after proceedings for obtaining a faculty have been brought, it appears to the consistory court of a diocese that a person—
  - (a) has committed a relevant act, or
  - (b) has caused or permitted the commission of a relevant act.
- (2) A relevant act is an act in relation to a church or churchyard in the diocese or an article appertaining to a church in the diocese which is unlawful under ecclesiastical law.
- (3) The court may make an order (a “restoration order”) requiring the person to take such steps as the court considers necessary, within such time as the court specifies, for the purpose of restoring the position so far as possible to what it was immediately before the act was committed.
- (4) A restoration order may be made—
  - (a) on an application by the archdeacon of the archdeaconry concerned,
  - (b) on an application by any other person appearing to the court to have sufficient interest in the matter, or
  - (c) on the court's own motion.
- (5) The court may make a restoration order only if it is satisfied that the proceedings for the order were brought no later than six years after the relevant act was committed.

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**Changes to legislation:** There are currently no known outstanding effects for the Ecclesiastical Jurisdiction and Care of Churches Measure 2018, Section 72. (See end of Document for details)

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- (6) A failure to comply without a reasonable excuse with a restoration order made by the court under this section is a contempt of that court.

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**Commencement Information**

**II** S. 72 in force at 1.9.2018 by S.I. 2018/720, art. 2

**Changes to legislation:**

There are currently no known outstanding effects for the Ecclesiastical Jurisdiction and Care of Churches Measure 2018, Section 72.