



# Ecclesiastical Jurisdiction and Care of Churches Measure 2018

2018 No. 3

## PART 5

### MISCELLANEOUS

#### *Rules*

#### **81 Rule Committee: continuation and membership**

- (1) There is to continue to be a body known as the Rule Committee.
- (2) The members of the Rule Committee are—
  - (a) one diocesan bishop nominated by the Archbishops of Canterbury and York,
  - (b) the Dean of the Arches and Auditor,
  - (c) one archdeacon nominated by the Archbishops of Canterbury and York,
  - (d) two chancellors nominated by the Archbishops of Canterbury and York,
  - (e) two diocesan registrars nominated by the Archbishops of Canterbury and York,
  - (f) two persons nominated by the Standing Committee of the House of Laity of the General Synod from among the members of that House, and
  - (g) for each of the purposes referred to in subsections (3) to (7), the persons specified as members for that purpose.
- (3) For the purpose of making rules relating to proceedings in the Court of Ecclesiastical Causes Reserved or a Commission of Review, the members of the Committee also include one person nominated by the Lord Chancellor who holds or has held high judicial office.
- (4) For the purpose of making rules relating to cathedral churches, the members of the Committee also include—

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*Status: This is the original version (as it was originally enacted).*

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- (a) one person nominated by the Appointments Committee of the Church of England who is a member of the chapter of a cathedral church,
  - (b) three persons nominated by the Cathedrals Fabric Commission for England from among the members of that Commission, who have special knowledge of the conservation of cathedrals, and
  - (c) three persons nominated by the Association of English Cathedrals.
- (5) For the purpose of making rules relating to disciplinary proceedings, the members of the Committee also include—
- (a) one diocesan bishop nominated by the Archbishops of Canterbury and York (in addition to the one nominated under subsection (2)(a)),
  - (b) the Prolocutor of the Lower House of the Convocation of Canterbury or a member of that House nominated by the Prolocutor, and
  - (c) the Prolocutor of the Lower House of the Convocation of York or a member of that House nominated by the Prolocutor.
- (6) For the purpose of making rules relating to the practice and procedure of consistory courts in their exercise of the faculty jurisdiction, including the exercise of functions under sections 69 to 71 (orders in case of default etc.), the members of the Committee also include three persons nominated by the Church Buildings Council, of whom—
- (a) one must hold office as chair of a Diocesan Advisory Committee, and
  - (b) one must hold office as secretary to a Diocesan Advisory Committee.
- (7) For the purpose of making rules under each of the following provisions, the members of the Committee also include the three persons nominated for the purposes of subsection (6)—
- (a) section 53(7) (order by archdeacon to remove article to safety);
  - (b) section 74(1) (archdeacon’s jurisdiction in certain faculty matters);
  - (c) section 75(1) (archdeacon’s power to grant licence for temporary minor re-ordering);
  - (d) section 77(1), (2) or (4) (matters which may be undertaken without a faculty, conditions on undertaking such matters etc.);
  - (e) section 79(4) (circumstances where chancellor not required to consult advisory committee);
  - (f) section 83(3), (4) or (5) (deposit of article for safekeeping; records of location of burials etc; safekeeping documents of historic interest).
- (8) In subsection (4)(c), the reference to the Association of English Cathedrals is a reference to the group of persons commonly known by that name (being the representative body for English Anglican Cathedrals), regardless of the form in which the group is for the time being constituted.
- (9) In subsection (5), “disciplinary proceedings” means—
- (a) proceedings in respect of an offence of the kind referred to in section 14 of the Ecclesiastical Jurisdiction Measure 1963,
  - (b) disciplinary proceedings under the Clergy Discipline Measure 2003, or
  - (c) proceedings under any of the provisions referred to in section 4(1) of the Safeguarding and Clergy Discipline Measure 2016 (appeal against suspension).