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STATUTORY INSTRUMENTS

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**1990 No. 1438**

**ECCLESIASTICAL LAW, ENGLAND**

**Church of England (Legal Aid) Rules 1990**

<i>Made (Approved by the General Synod)</i>	- -	<i>10th July 1990</i>
<i>Laid before Parliament</i>		<i>17th July 1990</i>
<i>Coming into force</i>	- -	<i>1st August 1990</i>

In exercise of the powers conferred on it by section 4 of the Church of England (Legal Aid and Miscellaneous Provisions) Measure 1988<sup>(1)</sup> the Standing Committee of the General Synod of the Church of England hereby makes the following Rules:

**1.**—(1) These Rules may be cited as the Church of England (Legal Aid) Rules 1990 and shall come into force on the first day of August 1990.

(2) In these Rules a rule referred to by number means the rule so numbered in the Church of England (Legal Aid) Rules 1988<sup>(2)</sup>.

(3) The Interpretation Measure 1925<sup>(3)</sup> and the Interpretation Act 1978<sup>(4)</sup> shall apply for the interpretation of these Rules as they apply for the interpretation of Measures passed by the General Synod.

**2.** In Schedule 1 to the Church of England (Legal Aid and Miscellaneous Provisions) Measure 1988 (as amended by rule 4) there shall be added at the end the following entry—

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“6.	Proceedings on an appeal under section 50 of the Ecclesiastical Jurisdiction Measure 1963 against an intended deposition of a priest or deacon from Holy Orders	The appellant”
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**3.** In Rule 11 in paragraph (2) at the end there shall be inserted the words “or an appellant in an appeal against an intended deposition from Holy Orders under section 50 of that Measure”.

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(1) 1988 No. 1.  
(2) S.I.1988/1175.  
(3) 1925 No. 1.  
(4) 1978 c. 30.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Dated this eighth day of June 1990

*Derek Pattinson*  
Secretary General

On behalf of the Standing Committee of the General Synod  
Approved by the General Synod the 10th day of July 1990

*Derek Pattinson*  
Secretary General

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## EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules make it possible to grant ecclesiastical legal aid under the Church of England (Legal Aid and Miscellaneous Provisions) Measure 1988 to a priest or deacon in respect of any appeal by him to an archbishop under section 50 of the [Ecclesiastical Jurisdiction Measure 1963 \(1963 No. 1\)](#) where the diocesan bishop intends to depose him from Holy Orders. The Rules also provide that in such cases the Legal Aid Commission will not be bound by the normal rule which requires a person applying for ecclesiastical legal aid to show that he has reasonable grounds for taking, defending or being a party to the proceedings in respect of which legal aid is sought.