STATUTORY INSTRUMENTS

2016 No. 816

ECCLESIASTICAL LAW, ENGLAND

The Suspension Appeals (Churchwardens etc.) Rules 2016

Made (Approved by the General Synod) - - 8th July 2016

Laid before Parliament 29th July 2016

Coming into force in accordance with rule 5.5(2)

The Rule Committee, in exercise of powers conferred by section 26(1) of the Care of Churches and Ecclesiastical Jurisdiction Measure 1991(**1**), makes the following Rules:

PART 1

Churchwardens

Appeal by churchwarden

1.1.—(1) An appeal to the President by a churchwarden under section 6B(1) of the Churchwardens Measure 2001(**2**) against suspension shall be made in writing within 21 days of receipt of the notice of suspension.

(2) The written appeal shall set out the grounds of appeal, and a copy of the notice of suspension shall be attached.

(3) A copy of the written appeal shall be sent or delivered to the bishop by the appellant at the same time as the written appeal is sent or delivered to the President.

(4) Within 14 days of receiving a copy of the written appeal, the bishop may send or deliver to the President comments in writing in answer to the appeal, and a copy of those comments shall be sent or delivered by the bishop to the appellant at the same time as they are sent or delivered to the President.

The President's decision

1.2.—(1) The President may, within 28 days following the lodging of the appeal, either confirm or revoke the suspension.

(**1**) 1991 No. 1. Relevant amendments were made by section 45 of the Clergy Discipline Measure 2003 (2003 No. 3) and section 4 of the Safeguarding and Clergy Discipline Measure 2016 (2016 No. 1).
(**2**) 2001 No. 1.

(2) The President's decision shall be in writing, and a copy of the decision shall be sent or delivered to the appellant and to the bishop.

(3) Where the suspension is revoked by the President on appeal, the bishop shall notify in writing each person to whom notice of suspension was given under section 6A(10) of the Churchwardens Measure 2001 that the suspension has been revoked.

(4) The registrar shall file a copy of the written notice of revocation in the diocesan registry.

PART 2

Parochial church council members etc.

Appeal by parochial church council member etc.

2.1.—(1) An appeal to the President by a member of a parochial church council, district council or synod, or the secretary or treasurer of a parochial church council under rule 46D(1) of the Church Representation Rules against suspension shall be made in writing within 21 days of receipt of the notice of suspension.

(2) The written appeal shall set out the grounds of appeal, and a copy of the notice of suspension shall be attached.

(3) A copy of the written appeal shall be sent or delivered to the bishop by the appellant at the same time as the written appeal is sent or delivered to the President.

(4) Within 14 days of receiving a copy of the written appeal, the bishop may send or deliver to the President comments in writing in answer to the appeal, and a copy of those comments shall be sent or delivered by the bishop to the appellant at the same time as they are sent or delivered to the President.

The President's decision

2.2.—(1) The President may, within 28 days following the lodging of the appeal, either confirm or revoke the suspension.

(2) The President's decision shall be in writing, and a copy of the decision shall be sent or delivered to the appellant and to the bishop.

(3) Where the suspension is revoked by the President on appeal, the bishop shall notify in writing each person to whom notice of suspension was given under rule 46C(11) of the Church Representation Rules that the suspension has been revoked.

(4) The registrar shall file a copy of the written notice of revocation in the diocesan registry.

PART 3

Readers

Appeal by reader

3.1.—(1) An appeal to the President by a reader under paragraph 8(1) of Canon E 6 against suspension shall be made in writing within 21 days of receipt of the notice of suspension.

(2) The written appeal shall set out the grounds of appeal, and a copy of the notice of suspension shall be attached.

(3) A copy of the written appeal shall be sent or delivered to the bishop by the appellant at the same time as the written appeal is sent or delivered to the President.

(4) Within 14 days of receiving a copy of the written appeal, the bishop may send or deliver to the President comments in writing in answer to the appeal, and a copy of those comments shall be sent or delivered by the bishop to the appellant at the same time as they are sent or delivered to the President.

The President's decision

3.2.—(1) The President may, within 28 days following the lodging of the appeal, either confirm or revoke the suspension.

(2) The President's decision shall be in writing, and a copy of the decision shall be sent or delivered to the appellant and to the bishop.

(3) Where the suspension is revoked by the President on appeal, the bishop shall notify in writing each person to whom notice of suspension was given under paragraph 7(10) of Canon E 6 that the suspension has been revoked.

(4) The registrar shall file a copy of the written notice of revocation in the diocesan registry.

PART 4

Lay workers

Appeal by lay worker

4.1.—(1) An appeal to the President by a lay worker under paragraph 10(1) of Canon E 8 against suspension shall be made in writing within 21 days of receipt of the notice of suspension.

(2) The written appeal shall set out the grounds of appeal, and a copy of the notice of suspension shall be attached.

(3) A copy of the written appeal shall be sent or delivered to the bishop by the appellant at the same time as the written appeal is sent or delivered to the President.

(4) Within 14 days of receiving a copy of the written appeal, the bishop may send or deliver to the President comments in writing in answer to the appeal, and a copy of those comments shall be sent or delivered by the bishop to the appellant at the same time as they are sent or delivered to the President.

The President's decision

4.2.—(1) The President may, within 28 days following the lodging of the appeal, either confirm or revoke the suspension.

(2) The President's decision shall be in writing, and a copy of the decision shall be sent or delivered to the appellant and to the bishop.

(3) Where the suspension is revoked by the President on appeal, the bishop shall notify in writing each person to whom notice of suspension was given under paragraph 9(10) of Canon E 8 that the suspension has been revoked.

(4) The registrar shall file a copy of the written notice of revocation in the diocesan registry.