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 STATUTORY INSTRUMENTS
 

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1967 No. 1002

## ECCLESIASTICAL LAW

## The Faculty Jurisdiction Rules 1967

<i>Made (Approved by the Church Assembly) -</i>	4th July 1967
<i>Laid before Parliament</i>	11th July 1967
<i>Coming into Operation</i>	1st January 1968

In pursuance of section 14 of the Faculty Jurisdiction Measure 1964(a), the Rule Committee constituted in accordance with the Schedule to the said Measure hereby make the following Rules :—

*Preliminary*

1. These Rules may be cited as the Faculty Jurisdiction Rules 1967, and shall come into operation on the first day of January 1968.

## 2.—(1) In these Rules—

“ The Measure ” means the Faculty Jurisdiction Measure 1964 ;

“ the judge ” and “ the registrar ” mean, in relation to any proceedings, the chancellor and the registrar respectively of the diocese in which the church, churchyard or other place concerned is situated, and include any person appointed to act as the deputy of the chancellor or registrar, as the case may be ;

“ place of worship ” means a building licensed for public worship and subject to the faculty jurisdiction by virtue of an order under section 6 of the Measure.

(2) The Interpretation Measure 1925(b) shall apply for the interpretation of these Rules as it applies for the interpretation of Church Assembly Measures.

*Application for Archdeacon's Certificate*

3.—(1) An application under section 12 of the Measure by the incumbent and churchwardens of a parish for authority to carry out the works mentioned in subsection (1) of that section or, subject to the exercise of the judge's discretion under subsection (7), other works or purposes, shall be in the form set out in the Appendix, and shall be lodged at the diocesan registry. Form 1.

(2) Any necessary designs, plans or other documents giving particulars of the proposed works or purposes shall accompany the application.

(3) If the advice of the Diocesan Advisory Committee has been sought, their recommendation of the proposals (which may be endorsed in accordance with Rule 10 on the designs, plans or other documents) or their report thereon shall accompany the application.

(4) The notice of intention to make the application, which is required by section 12(2) of the Measure, shall be in the form set out in the Form 2.

(a) 1964 No. 5.

(b) 15 &amp; 16 Geo. 5. No. 1.

Appendix, and shall be affixed for a continuous period of not less than ten clear days including two Sundays on or near the principal door of the parish church and, if the application relates to a church or place of worship other than the parish church, of that church or place of worship.

Form 3. (5) The certificate required by the said section 12(2) of the Measure that notice of intention to make such an application and opportunity to object has been duly given shall be in the form set out in the Appendix, and shall be endorsed on a copy of the notice of intention.

(6) If the registrar is not satisfied that the application is within section 12(1) of the Measure, he shall refer it to the judge by submitting the application and supporting documents with his observations thereon, and the judge may, if he also is not satisfied as aforesaid, exercise his discretion under section 12(7) and allow the procedure under the section to be followed accordingly.

Form 4. (7) A notice of objection to the proposed works or purposes under section 12(3) of the Measure shall be in the form set out in the Appendix and shall be lodged at the diocesan registry not more than fourteen days after the notice of intention was first affixed, and the registrar shall not refer the application to the archdeacon until after the expiration of that period.

(8) The approval of the Diocesan Advisory Committee required by section 12(4) of the Measure for the issue of the archdeacon's certificate shall be in writing and signed by the chairman or secretary, and a recommendation of the proposed works or purposes endorsed on the designs, plans or other documents giving particulars thereof and signed as aforesaid shall be a sufficient approval.

Form 5. (9) The archdeacon's certificate shall be in the form set out in the Appendix.

#### *Petition for Faculty*

Form 6. 4.—(1) A petition for a faculty for any works or purposes other than the demolition or partial demolition of a church shall be in the form set out in the Appendix.

(2) A petition for a faculty for the demolition or partial demolition of a church shall include all such statements and information, so far as relevant, as are required by Form No. 6 and shall also state which of the grounds specified in section 2 of the Measure are relied on, and shall give full particulars of those grounds and of the circumstances giving rise to the petition and of the arrangements proposed to be made to meet the situation arising from the demolition or partial demolition of the church, including arrangements for the disposal of the fittings and contents of the church, and shall give information on any other matters on which the judge should be informed.

(3) Any necessary designs, plans or other documents giving particulars of the proposed works or purposes for which the faculty is required shall accompany the petition.

(4) If the advice of the Diocesan Advisory Committee has been sought, their recommendation of the proposals (which may be endorsed in accordance with Rule 10 on the designs, plans or other documents) or their report thereon shall accompany the petition.

(5) The petition and accompanying documents shall be lodged at the diocesan registry and, in the case of proceedings for the demolition or partial demolition of a church, an additional copy of the petition and documents shall be lodged.

5.—(1) The registrar shall lay every petition for a faculty and its supporting documents before the judge who, if he considers it a fit case, shall direct that a general citation shall issue in the form set out in the Appendix and shall be executed by affixing the original citation or a copy thereof for a continuous period of not less than ten days including two Sundays on or near the principal door of the parish church and, if the application relates to a church or place of worship other than the parish church, of that church or place of worship, and the citation or a copy thereof shall be returned to the registrar with the certificate of execution duly completed thereon in accordance with the said Form.

Form 7.

(2) In the case of a petition for a faculty for the demolition or partial demolition of a church, the notice stating the substance of the petition, which is required by section 2(1)(i) of the Measure to be published by the petitioners in the London Gazette and in such other newspapers as the court may direct, shall be published :—

- (a) in the case of the London Gazette, not more than four weeks after the petition was lodged at the registry ;
- (b) in the case of other newspapers publication in which is directed as aforesaid, within the period specified in the direction or if no period is so specified, not more than fourteen days after the giving of the direction.

The judge may, if in any other particular case he thinks fit, direct the publication, in newspapers or otherwise, of notice of the petition.

(3) If the judge directs or the law otherwise requires any person to be specially cited, the registrar shall serve on him a copy of the citation.

(4) Any person cited may not more than fourteen days after the first affixing or serving of the citation enter an appearance by lodging at the diocesan registry a notice in writing stating generally that he objects to the proposed faculty being granted.

(5) Where any person has entered an appearance, he shall not more than fourteen days after the entry thereof lodge at the registry a statement in writing setting out his objections in detail.

(6) In a case where no appearance has been entered, or no statement of objections in detail has been delivered, within the time allowed, or it appears that all interested parties consent to the grant of the faculty, the judge may, subject to the production of such evidence (if any) as he may require and subject to the requirements of section 2(1) or section 4 of the Measure, grant the faculty.

(7) Where a statement setting out objections in detail has been lodged, the petitioners for the faculty shall not more than fourteen days after the lodging of the statement lodge at the diocesan registry an answer thereto ; and any subsequent pleading shall be lodged at the registry not more than seven days after the lodging of the last previous pleading.

(8) If any party objects to any pleading of the adverse party, or to any part of any such pleading, as being irrelevant, embarrassing, or bad in law, he may, not more than fourteen days after it has been lodged, lodge at the registry a notice in writing setting out his reasons for objecting thereto; and a party whose pleading is so objected to may not more than seven days after the lodging of the notice lodge an amended pleading.

(9) Where objection has been taken to any pleading (including an amended pleading) under the last foregoing paragraph, and no amended pleading has been lodged in respect of that objection within the time allowed, the registrar shall lay the pleading before the judge, who shall either appoint a day to decide as a preliminary issue the matters raised by the objection or reserve them for decision on the general hearing of the case.

(10) Any notice of objection or statement of objections in detail or any answer or other pleading or any notice of objection under paragraph (8) hereof shall be signed by the party concerned or his solicitor or counsel, and before any such document is lodged at the registry, a copy of the document shall be served on the adverse party or his solicitor, and the copy lodged shall be endorsed with the date of the service and the name of the person serving it.

(11) When the pleadings are closed and any issue raised thereby remains outstanding, or the case is one to which section (2)(1)(iv) of the Measure applies, the registrar shall lay all the documents lodged at the registry before the judge, who shall appoint a time and place for the hearing of the case.

(12) The registrar shall notify the archdeacon and, if they have advised on the case, the Diocesan Advisory Committee of the time and place of hearing of any faculty case which is to be heard by the consistory court.

6.—(1) The evidence at the hearing of any proceedings for a faculty shall, unless the judge otherwise orders, be given orally, but the judge may by order direct that all or any part of the evidence may be given before an examiner appointed by him or by affidavit.

(2) An application by a member of the Council for the Care of Churches or other person under section 2(1)(iv) of the Measure to give evidence shall be made to the registrar and shall be in the form set out in the Appendix and shall—

(a) if made by a member of the Council or a person authorised by the Council, be lodged at the diocesan registry not more than six weeks after the Council received notice in writing of the petition under section 2(1)(ii) of the Measure;

(b) if made by any other person, be lodged at the registry not more than four weeks after the publication in the London Gazette of the notice stating the substance of the petition.

(3) The judge may of his own motion direct the summoning of a member of the Diocesan Advisory Committee or any other person to give evidence at the hearing of any such petition, if he considers that the person summoned may be able to give relevant evidence and is willing to give it, but the judge shall give to the parties to the proceedings not less than seven clear days' notice in writing that the evidence

is to be given and of the name and address of the proposed witness, and of the nature of the evidence required of him; and evidence so given shall be subject to cross-examination by the party or parties concerned.

7.—(1) Where a faculty is granted authorising works or purposes other than the demolition or partial demolition of a church, and the case is one in which no objections have been taken to the granting thereof, the faculty shall be in the form set out in the Appendix.

Form 10.

(2) Unless the judge otherwise directs there shall be included in every faculty authorising works a provision requiring the works to be completed within such period as the judge may direct and requiring their completion to be certified by such persons as the judge may direct and the certificate to be lodged at the diocesan registry within that period.

(3) There shall be issued with every faculty containing such a provision as aforesaid a certificate in the form set out in the Appendix to be completed in accordance with that provision and, if the faculty is issued subject to a condition requiring the works or any part thereof to be carried out under the supervision of the archdeacon or any other person (as provided in section 10(a) of the Measure), the certificate shall also certify that that condition has been complied with.

Form 11.

#### *Interchangeability of Certificate and Faculty Procedures*

8.—(1) If, as a result of directions of the judge or the archdeacon or the giving of a notice of objection, an application under section 12 of the Measure is not granted and a faculty is required, the judge or (subject to any directions of the judge) the registrar may, if the applicants so desire, direct that the application shall be treated as a petition for a faculty, and Rules 4 to 7 shall apply thereto, so far as applicable, subject to the following provisions:—

(a) the judge may direct that the general citation shall be dispensed with and that any notice of objection given under section 12(3) of the Measure and Rule 3(7) shall be treated as an entry of appearance to the petition;

(b) if no such notice of objection has been given, the judge may proceed under Rule 5(6) as in the case of a petition to which no appearance has been entered.

(2) Where a direction is given under paragraph (1)(a) of this Rule and any notice of objection has been given as aforesaid, the registrar shall notify the person or each of the persons giving the notice of the effect of the direction, and that, if it is desired to contest the proceedings for a faculty, a statement in writing setting out his objections in detail must be lodged not more than fourteen days after the registrar's notification has been received.

9. If it appears to the registrar or judge that the petitioners for a faculty, being the incumbent and churchwardens of a parish, could more appropriately have made an application under section 12 of the Measure, he may, if the petitioners so desire, direct that a notice of intention to make such an application in respect of the works or purposes concerned may be given and certified under Rule 3(4) and (5), and that, on receipt of the certificate by the registrar, the petition shall be treated as an application under section 12.

*Diocesan Advisory Committees and Council for the Care of Churches*

10.—(1) Where the advice of a Diocesan Advisory Committee is required by intending applicants under section 12 of the Measure or by intending petitioners for a faculty, they shall submit to the Committee all necessary designs, plans or other documents giving particulars of the proposed works or other purposes, and if the Committee decide to recommend the works or purposes, their recommendation may be endorsed on the said documents and signed by the chairman or secretary of the Committee; and if no such endorsement is made, they shall make a separate report to the intending applicants or petitioners, which may be in the form of a copy of the relevant minutes of the Committee signed as aforesaid.

(2) Without prejudice to the requirements of sections 2 and 4 of the Measure in relation to the faculties therein mentioned, the judge may at any stage of the proceedings for a faculty require the advice of the Diocesan Advisory Committee, and may refer any report of the Committee to the Council for the Care of Churches for further consideration and advice; and the substance of any report made to the judge by the Committee or Council shall be disclosed to the parties.

(3) A Diocesan Advisory Committee may make its own rules of procedure, and may adopt any general regulations as to procedure made by the said Council.

*Appointment of person to act for Archdeacon*

11.—(1) In making an appointment under section 9(2) of the Measure of a person to act in place of an archdeacon on the ground of incapacity, the bishop may act on such evidence of the incapacity of the archdeacon as he shall think sufficient, and a statement of the fact of his incapacity in the instrument of appointment shall be conclusive.

(2) An instrument of appointment under section 9(2) shall be in the form set out in the Appendix.

Form 12.

*General provisions*

12.—(1) Service of any document may be effected—

- (a) by leaving the document at the proper address of the person to be served, or
- (b) by sending it by the recorded delivery service to that address, or
- (c) in such other manner as the judge or registrar may direct.

(2) For the purpose of this Rule, and of section 26 of the Interpretation Act 1889<sup>(a)</sup> (as applied by the Interpretation Measure 1925) in its application to this Rule, the proper address of any person on whom a document is to be served under this Rule shall be—

- (a) his usual or last known address, or
- (b) the business address of the solicitor (if any) who is acting for him in the proceedings.

(3) Any document required by these Rules to be lodged at the diocesan registry may be lodged by delivering the document at the registry, or by sending it by post properly addressed to the registrar at the registry.

(a) 52 & 53 Vict. c. 63.

**13.—(1)** Where anything is required by these Rules to be done not more than a specified number of days or weeks after a specified act or event, the day on which the act or event occurred shall not be counted.

(2) The registrar or judge may, on an application made by the person concerned, extend the time within which anything is required to be done by these Rules, and the application may be made notwithstanding that the time has expired.

(3) The registrar or judge may exercise the said power on an *ex parte* application, or may give directions for the giving of notice thereof and for a hearing.

(4) Any such application may be granted on such terms as the registrar or judge may think just.

**14.** Non-compliance with any of these Rules shall not render any proceedings void unless the judge so directs, but the proceedings may be set aside, either wholly or in part, as irregular, or may be amended or otherwise dealt with in such manner and upon such terms as the judge thinks fit.

**15.** Where any of these Rules requires a document to be in a form set out in the Appendix, and that form is not in all respects appropriate, the Rules shall be construed as requiring a form of the like character, with such variations as circumstances may require, to be used.

**16.** Nothing in these Rules shall prejudice any powers or rights reserved to the Bishop of a diocese by the instrument appointing the Chancellor of the diocese.

**17.** The Faculty Jurisdiction Rules 1964(a) and all diocesan Rules relating to faculty proceedings are hereby revoked.

*Henry Willink.*  
*Robert Exon.*  
*S. J. A. Evans.*  
*D. M. M. Carey.*  
*Innes N. Ware.*  
*J. S. Widdows.*  
*W. S. Wigglesworth.*

Dated the ninth day of July 1967.

Approved by the Church Assembly the fourth day of July 1967.

*John Guillum Scott,*  
Secretary.

Rule 3(1).

## APPENDIX

FORMS

No. 1

*Application for Archdeacon's Certificate*

Diocese of

Parish of

See note at end of form on the matters appropriate for this procedure.

Such documents may not always be necessary. They should be initialled by one of the applicants.

1. We, A.B., incumbent of the parish of \_\_\_\_\_ and C.D., of \_\_\_\_\_ and E.F., of \_\_\_\_\_ churchwardens of that parish, hereby apply under section 12 of the Faculty Jurisdiction Measure 1964 for authority to carry out the works or purposes described in the Schedule hereto.

2. The particulars of the said works or purposes are correctly shown on the designs, plans or other documents accompanying this application.

3. The Diocesan Advisory Committee has been consulted and [their recommendation is endorsed on the said accompanying documents] [their report accompanies this application].

4. The estimated cost of carrying out the proposed works or purposes is £ \_\_\_\_\_, of which sum £ \_\_\_\_\_ has already been promised or paid and the balance will be defrayed by \_\_\_\_\_.

5. A resolution of the parochial church council approving the proposed works or purposes was carried [unanimously] [by \_\_\_\_\_ votes to \_\_\_\_\_ of the members present and voting] at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, and a copy of the resolution signed by the [chairman] [secretary] accompanies this application.

This notice must be affixed for a continuous period of at least 10 clear days including 2 Sundays.

6. Notice of intention to make this application was affixed on or near the principal door of the parish church [and of the church or place of worship of \_\_\_\_\_] during the period from \_\_\_\_\_ to \_\_\_\_\_ inclusive, and a copy of the notice and the certificate endorsed thereon signed by the applicants accompanies this application.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.

Signature of applicants.

## SCHEDULE

*Description of Works or Purposes*

Here describe concisely but accurately the works or purposes proposed.



**QUESTIONS**

(To be answered by the Applicants. Some questions may be irrelevant, especially if the application is for purposes other than works; they may be left blank or answered with a simple negative.)

1. What is the approximate age of the church or building?
2. Is an architect employed or to be employed? If so, state his name and enclose any report made by him as to the present condition of the church or building and as to the proposed work.
3. Give the name and address of any builder, organ builder, worker in stained glass, bell-founder, or other artist, craftsman or contractor to be employed.
4. Has the approval of the office in which the church or building is insured against fire been sought? If so, a copy of their approval or reply should accompany the application.  
*Note: An answer is required only when alterations to heating or lighting are involved (including installation of organ blowers).*
5. State the period estimated for the completion of the proposed work.
6. Has any previous faculty or licence or certificate been issued or sought affecting the proposed work or purposes? If so, give particulars of the faculty, licence or certificate.
7. If there is a lay rector, has his consent been obtained?

*Note: An answer is required only when the work affects the chancel, and any consent should accompany this application.*

8. Are any private rights in seats affected? If so, describe them and state whether the persons entitled consent and in what terms.
9. Will any graves, monuments, or inscriptions be interfered with? State how they will be dealt with. Have the owners or relatives been found? If so, state whether they consent and in what terms. If they have not been found, state what efforts have been made to find them.
10. Will any carved work in wood or stone, stained glass windows or ornamental work in metal or other material or ancient windows, doorway or other specimen of ancient architecture be interfered with?
11. Will Divine Service be interrupted? If so, state what arrangements are proposed.
12. If the disposal of any church property is contemplated, give particulars.
13. Are there any other circumstances connected with the application on which the Archdeacon should be informed?

Signatures of applicants.

#### NOTE

An application may be made under section 12(1) of the Measure by the incumbent and churchwardens of a parish for an archdeacon's certificate in respect of the following works:—

- (a) repairs to a church not involving substantial change in the structure of the building nor affecting its appearance either externally or internally; or
- (b) repairs to the contents of a church not materially affecting their nature or appearance; or
- (c) redecoration of a church or its contents; or
- (d) any alteration in an existing heating system not involving a substantial change in the appearance of the church either externally or internally.

In addition, under section 12(7), the judge has a discretion to allow the archdeacon's certificate procedure to be followed in the case of any other application which in his opinion is unlikely to give rise to any controversy or dissatisfaction in the parish concerned and is not of sufficient importance to justify the expense of proceedings for a faculty.



Rule 3(7).

No. 4

*Notice of Objection given to Registrar under Section 12(3)*

To the Registrar of the Diocese of

I,

of

hereby give notice of objection under section 12(3) of the Faculty Jurisdiction Measure 1964 to the proposed works or purposes specified in the Notice of Intention given by the incumbent and churchwardens of the parish of  
dated

I am [a parishioner of the said parish] [a person whose name is entered on the electoral roll of the said parish] [a person having an interest in the proposed works or purposes by reason that

]

Dated this

day of

19

Signature of objector.

Rule 3(9).

No. 5

*Archdeacon's Certificate*

Diocese of

Parish of

In pursuance of section 12 of the Faculty Jurisdiction Measure 1964 I, archdeacon of  
with the approval of the Diocesan Advisory Committee, hereby authorise the carrying out in the [parish church or churchyard] [church or churchyard of ] [place of worship of ] of the works or purposes proposed in  
an application dated the day of 19  
and made by the incumbent and churchwardens of the said parish.

Only applicable  
to works.

The works as authorised shall be completed within months from the date hereof, and their completion shall be certified to the registrar by the incumbent and churchwardens of the parish.

Dated this

day of

19

Signature of Archdeacon.

No. 6

Rule 4(1).

*Petition for Faculty*

In the Consistory Court of the Diocese of  
Parish of

To the Worshipful Chancellor of the diocese of  
and Official Principal of the Consistory Court of that diocese.

The petition of the undersigned

Here state the full names and the residential address and description of each petitioner.

Sheweth as follows:—

1. It is desired to obtain the grant of a Faculty authorising the works or purposes described in the Schedule hereto.

2. The particulars of the said works or purposes are correctly shown on the designs, plans or other documents accompanying this petition.

The documents should be initialed by one of the petitioners.

3. The Diocesan Advisory Committee has been consulted and [their recommendation is endorsed on the said accompanying documents] [their report accompanies this application].

4. The estimated cost of carrying out the proposed works or purposes is £ of which sum £ has already been promised or paid and the balance will be defrayed by

5. A resolution of the parochial church council relating to the proposed works or purposes was carried [unanimously] [by votes to of the members present and voting] at a meeting held on the day of 19 and a copy of the resolution signed by the [chairman] [secretary] accompanies this application.

Your Petitioners therefore pray that you will decree a Faculty authorising the works or purposes aforesaid.

Dated the day of 19 .

Signatures of Petitioners.

## SCHEDULE

*Description of Works or Purposes*

Here describe concisely but accurately the works or purposes proposed. Reference to a plan is not a sufficient description.

The subject and position of any window tablet or other memorial and the wording and style of any inscription should be included.

#### QUESTIONS

(To be answered by the Petitioners. Some questions may be irrelevant, especially if the application is for purposes other than works; they may be left blank or answered with a simple negative).

1. What is the approximate age of the church or building?
2. Is an architect employed or to be employed? If so, state his name and enclose any report made by him as to the present condition of the church or building and as to the proposed work.
3. Give the name and address of any builder, organ builder, worker in stained glass, bell-founder, or other artist, craftsman or contractor to be employed.
4. Has the approval of the office in which the church or building is insured against fire been sought? If so, a copy of their approval or reply should accompany the application.

*Note: An answer is required only when alterations to heating or lighting are involved (including installation of organ blowers).*

5. State the period estimated for the completion of the proposed work.
6. Has any previous faculty or licence or certificate been issued or sought

affecting the proposed work or purposes? If so, give particulars of the faculty, licence or certificate.

7. If there is a lay rector, has his consent been obtained?

*Note: An answer is required only when the work affects the chancel, and any consent should accompany this petition.*

8. Are any private rights in seats, affected? If so, describe them and state whether the persons entitled consent and in what terms.
9. Will any graves, monuments, or inscriptions be interfered with? State how they will be dealt with. Have the owners or relatives been found? If so, state whether they consent and in what terms. If they have not been found, state what efforts have been made to find them.
10. Will any carved work in wood or stone, stained glass windows or ornamental work in metal or other material or ancient windows, doorway or other specimen of ancient architecture be interfered with?
11. Will Divine Service be interrupted? If so, state what arrangements are proposed.
12. If the disposal of any church property is contemplated, give particulars.
13. Are there any other circumstances connected with the petition on which the Court should be informed?

Signatures of Petitioners.

No. 7

Rule 5(1).

*General Citation*

A.B., Chancellor of the diocese of \_\_\_\_\_ and Official  
Principal of the Consistory Court of that diocese, To C.D., incumbent  
of the parish of \_\_\_\_\_, and E.F., of \_\_\_\_\_ and G.H.,  
of \_\_\_\_\_, churchwardens of that parish.

Whereas a Petition [under your hands] [under the hands of \_\_\_\_\_ ]

has been lodged in the registry of the said Court, praying  
for a Faculty to issue authorising the following works or purposes, that  
is to say:—

We therefore do hereby require you, by affixing this original Citation or a copy thereof on or near the principal door of the parish church of \_\_\_\_\_ [and of the church or place of worship of \_\_\_\_\_], for a continuous period of not less than ten days including two Sundays, to cite all persons having, or claiming to have, any interest in the premises, if they or any of them wish to object to the grant of a Faculty for the said purposes, to enter an Appearance by delivering or sending to the Diocesan Registrar at

State address of Registry.

a notice generally objecting to the grant of the Faculty, so as to reach him not later than

Incumbent or churchwarden to specify date 14 days after Citation or copy is first affixed.

And we do hereby intimate that if no Appearance has been entered or sufficient cause thereon shown a Faculty may be granted for the works or purposes aforesaid or otherwise as the Consistory Court of this Diocese may think fit.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 .

Signature of Registrar.

*Certificate of Execution*

I, the undersigned, hereby certify that the original or a copy of this Citation was affixed on or near the principal door of the parish church of \_\_\_\_\_ of \_\_\_\_\_ [and of the church or place of worship of \_\_\_\_\_] during the period from \_\_\_\_\_ to \_\_\_\_\_ inclusive.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19

Signature of incumbent or churchwarden.

Rule 6(2).

No. 8

*Application by Member of Council for Care of Churches or Person authorised by Council to give evidence under Section 2(1)(iv)*

Diocese of \_\_\_\_\_

I, \_\_\_\_\_ of \_\_\_\_\_

, hereby apply under section 2(1)(iv) of the Faculty Jurisdiction Measure 1964, to give evidence in open court in the proceedings for a faculty to demolish [a part of] the church or place of worship of \_\_\_\_\_ in the parish of \_\_\_\_\_





Whereas a petition presented by you has been filed in the registry of our said Court together with designs, plans or other documents, praying for a Faculty to issue authorising the works or purposes specified in the said petition and documents and described in the Schedule hereto.

And whereas by our direction a Citation was duly issued and executed citing all persons interested to show cause why a Faculty should not issue, and no objections have been taken to the granting thereof.

We now grant our Faculty authorising you to carry out the said works or purposes in accordance with the said designs, plans or other documents.

Only applicable  
to works.

Provided that the said works shall be completed within months from the date hereof or such further period as we may allow [and shall be carried out under the supervision of

of ] and their completion shall be certified by of

, and the certificate

lodged at the diocesan registry within the period allowed.

In testimony whereof we have caused our Seal to be affixed to these Presents.

Dated this                      day of                      19

Signature of Registrar.

#### SCHEDULE

*Description of Works or Purposes*

No. 11

Rule 7(3).

*Certificate of Completion of Works Authorised by Faculty*

Parish of

We, A.B. of

and C.D. of

hereby certify that the works authorised by the faculty dated the day of 19 have been carried out in accordance with the designs or plans and specifications filed in the registry.

[the work was carried out under the supervision of of ]

Dated this day of 19

Signature of persons required to certify

Counter-signature by person (if any) directed to supervise the work.

No. 12

Rule 11(2).

*Instrument of Appointment under Section 9 of Person to Act for Archdeacon*

To

of

I, A

Bishop of

in pursuance of section 9(2) of the Faculty Jurisdiction Measure 1964 hereby appoint you to act in the place of the archdeacon of [the archdeaconry being vacant] [the archdeacon being incapacitated] [the archdeacon being in my opinion unable or unwilling to act] in the matter of

Here specify the case in which the person appointed is required to act.

Dated this day of 19

Signature of Bishop.

**EXPLANATORY NOTE**

*(This Note is not part of the Rules.)*

These Rules provide a comprehensive and uniform code of procedure for faculty proceedings in all Consistory Courts, as contemplated by section 14 of the Faculty Jurisdiction Measure 1964, under which the Rules are made. The Rules also cover applications under section 12 of the Measure for the grant of certificates by archdeacons.

The present position is that the procedure in faculty proceedings is mainly governed by non-statutory rules of court prescribed by individual Chancellors for their dioceses and differing in minor respects from diocese to diocese. Some matters are prescribed by the Faculty Jurisdiction Rules 1964 made under section 14 of the Measure, and those Rules contain the present procedure for the grant of certificates by archdeacons.

The new Rules will replace, with certain modifications, both the non-statutory diocesan rules and the Faculty Jurisdiction Rules 1964.