STATUTORY INSTRUMENTS

2000 No. 2047

The Faculty Jurisdiction Rules 2000

PART III

MATTERS WITHIN THE ARCHDEACON'S JURISDICTION

Referral by the Registrar to the Chancellor

10.—(1) Notwithstanding anything in rule 7(1) the registrar shall refer the petition to the chancellor when it appears that—

(a) a confirmatory faculty is required, or

(b) the proposed works or proposals raise a question of law or as to the doctrine, ritual or ceremonial of the Church of England or affect the legal rights of any person or body, or

(c) any person or body may need to be specially notified, or

(d) there is uncertainty whether the subject matter of the petition falls within the jurisdiction conferred on the archdeacon by rule 7(1), or

(e) the advisory committee has not recommended the works or proposals and has so certified by paragraph 4 of Form No. 1 in Appendix C, or

(f) the petition raises matters which may justify the issue of any injunction, or

(g) for any other reason it is desirable to refer the petition to the chancellor.

(2) Where a matter is being dealt with by the archdeacon if at any stage in the proceedings the registrar becomes aware that information supplied in the petition is incorrect, or that information has been omitted from the petition, so that the matter falls outside the jursidiction conferred on the archdeacon under rule 7(1) the registrar shall in writing immediately cancel the allocation of the petition to the archdeacon, give written notice thereof to the archdeacon and refer the matter to the chancellor, and the archdeacon shall immediately return the petition and accompanying documents to the registrar.

(3) If any petition is referred to the chancellor pursuant to rules 8(1) or (2), or 10(1) or (2) above then, unless the chancellor orders otherwise, the matter shall proceed from the stage reached in the proceedings immediately before the petition was sent to the archdeacon under rule 7(2) as if the petition had been presented to the chancellor from the commencement of the proceedings.