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STATUTORY INSTRUMENTS

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**2005 No. 2022**

**The Clergy Discipline Rules 2005**

**PART XIV**

**Application of rules to special cases**

**Chaplain of the armed forces of the Crown**

**94.** In the case of a chaplain of one of the armed forces of the Crown—

- (a) No disciplinary proceedings under section 10 of the Measure may be instituted except by way of a written complaint made in form 1f in the Schedule, or in a document which is substantially to the like effect containing the information required for completion of form 1f.
- (b) An application to the Archbishop of Canterbury for a determination that a person has a proper interest in making a complaint under the Measure shall be made in writing and shall set out the grounds for making the application.

The Archbishop of Canterbury may seek advice from the provincial registrar as to whether the applicant has a proper interest in making the complaint.

The Archbishop of Canterbury's determination that a person has a proper interest in making a complaint shall be in writing signed by the Archbishop, and the Archbishop shall send or deliver it to that person and provide a copy for the provincial registrar.

- (c) A complaint in writing shall have attached to it the Archbishop of Canterbury's written determination under paragraph (b) above.
- (d) Any reference in these rules to the bishop shall be construed as references to the Archbishop of Canterbury, and any reference to the registrar shall be construed as references to the provincial registrar.
- (e) Where the respondent has consented in writing to a conditional deferment the Archbishop of Canterbury shall within 21 days send—
  - (i) to the complainant and the respondent a copy of the determination to impose a conditional deferment, and
  - (ii) to the provincial registrar a copy of the determination, the complaint with evidence in support, and the respondent's answer, if any, with evidence in support, and the provincial registrar shall maintain a record of the conditional deferment for such period not exceeding five years as the Archbishop may determine;and form 6 and rule 24(b) shall be adapted accordingly by omitting reference to notification to the archbishop.
- (f) For the purposes of rule 27(7) any penalty by consent is to be notified by the Archbishop of Canterbury to the provincial registrar.
- (g) For the purposes of rule 63 a copy of a notice of suspension shall be sent or delivered by the Archbishop—

- (i) to the Secretary of State for Defence,
  - (ii) to the provincial registrar,
- and rules 64(2), 65 and 66(4) shall be construed accordingly.
- (h) An application for a review of a decision of the Archbishop of Canterbury under section 30(2) of the Measure shall be made to the Archbishop of York, and rules 70 to 73 shall be construed accordingly.
  - (i) An application for a prohibition for life or deposition to be nullified under section 26(1) of the Measure shall be made to the Archbishop of York and rule 97 shall be construed accordingly.
  - (j) For the purposes of an application for the removal of a limited prohibition, reference in section 27 of the Measure to the archbishop of the province concerned shall be construed as meaning the Archbishop of Canterbury.