

JUSTIN PORTAL BY DIVINE PROVIDENCE
LORD ARCHBISHOP OF CANTERBURY

TO ALL WHO MAY BE CONCERNED,

GREETING!

WHEREAS

- (i) The Constitution of the Diocese in Europe (“the Constitution”) provides that, subject to the provisions of the *Diocese in Europe Measure 1980* (“the 1980 Measure”) and of the Constitution and so far as the local law of any state or country shall permit, canons and other Ecclesiastical Law of the Church of England shall, so far as applicable, apply in the Diocese in Europe (“the Diocese”) with such modifications or exceptions as, on the submission of the diocesan Bishop after consultation with the Diocesan Synod, are deemed appropriate by the Archbishop of Canterbury acting with the concurrence of the Vicar-General of the Province and are specified in an instrument under the hand of the Archbishop;
- (ii) The Bishop of Gibraltar in Europe after consultation with the Diocesan Synod of the Diocese in Europe has submitted to Us that the present instrument should be made in the form hereinafter appearing;
- (iii) The President of Tribunals and the Registrar of Tribunals have signified confirmation of their willingness to act in their respective capacities in relation to the Diocese for the purposes of the *Clergy Discipline Measure 2003* (“the 2003 Measure”)

- (iv) The Dean of the Arches and Auditor has signified confirmation of his willingness to act in that capacity in relation to the Diocese for the purposes of the 2003 Measure
- (v) The Vicar-General of the Province of Canterbury has signified confirmation of his willingness to act in that capacity in relation to the Diocese for the purposes of the 2003 Measure
- (vi) The Vicar-General of the Province of York has signified confirmation of his willingness to act in that capacity in relation to the Diocese for the purposes of the 2003 Measure
- (vii) The Vicar-General of the Province of Canterbury has concurred in the making of this Instrument

THIS INSTRUMENT PROVIDES THAT

1. Subject to the provisions of the 1980 Measure and of the Constitution and so far as the local law of any state or country shall permit, the provisions of the 2003 Measure and any rules regulations or code of practice made in connection therewith shall continue to apply in the Diocese subject to the general modifications set out in Schedule 1 and the specific modifications set out in Schedule 2 and any statutory variations for the time being in force
2. For the avoidance of doubt and pursuant to paragraph 2 of the Constitution, the Diocese is deemed to be within the Province of Canterbury for the purposes of the 2003 Measure
3. The reference to the *Care of Churches and Ecclesiastical Jurisdiction Measure 1991* contained in Schedule II to the Archbishop's Instrument 2011 shall be varied as set out in Schedule 3 hereto

Given under Our hand and Archiepiscopal seal this 21st day of October Two Thousand and Thirteen in the Second Year of Our Consecration and of Our Translation the First

+ Tush Cantuar!

ARCHBISHOP OF CANTERBURY



Provincial Registrar



Given under Our hand and seal this 21st day of October Two Thousand and Thirteen

Timothy Bridson

VICAR-GENERAL
PROVINCE OF CANTERBURY



Provincial Registrar



SCHEDULE 1

Save where the context indicates otherwise

- (i) for the words “benefice” and “parish” there shall be substituted the word “chaplaincy” which shall include, where appropriate, congregations so designated by the Bishop of Gibraltar in Europe
- (ii) for the word “incumbent” there shall be substituted the word “chaplain”
- (iii) the term “minister” shall include any clerk in holy orders licensed by the Bishop in Europe to exercise a ministry in the Diocese or holding the Bishop in Europe’s permission to officiate therein
- (iv) for the term “Parochial Church Council” there shall be substituted the term “Chaplaincy Church Council”
- (v) the term “offence” shall include any offence in English Law and any equivalent offence of substantially the same nature regardless of the state or legal jurisdiction in which it was committed, and the terms “criminal offence” and “criminal proceedings” shall be construed accordingly
- (vi) any reference to a decree of divorce or order for separation shall include any such decree, order or finding in English law and any equivalent decree, order or finding of substantially the same nature regardless of the state or jurisdiction in which it was made
- (vii) any reference to a barred list shall include any such list in English law and any equivalent list of substantially the same

nature regardless of the state or jurisdiction in which it is maintained

- (viii) any reference to the Arches Court of Canterbury shall be construed as referring to an appellate tribunal constituted in relation to proceedings originating in the Diocese for the purposes of the 2003 Measure and having the same constitution, powers and functions as the Arches Court of Canterbury under the 2003 Measure subject to the provisions of Schedule 2 to this Instrument

SCHEDULE 2

- (i) In section 20, at the end of subsection (2), add the words “who have indicated to the Dean of the Arches and Auditor their willingness to deal with proceedings originating in the Diocese in Europe”
- (ii) At the end of section 22, add a new subsection:
“(3) The president of the tribunals shall not appoint any person to be a member of a disciplinary tribunal constituted in relation to proceedings originating in the Diocese in Europe unless that person has consented to deal with such proceedings.”
- (iii) At the end of section 23, add a new subsection:
“(3) The president of the tribunals shall not appoint any person to be a member of the Vicar-General’s Court in relation to proceedings originating in the Diocese in Europe

unless that person has consented to deal with such proceedings.”

SCHEDULE 3

Sections 25 to 27 of the *Care of Churches and Ecclesiastical Jurisdiction Measure 1991* and any statutory variations for the time being in force shall apply in the Diocese