
STATES OF JERSEY



ORDER IN COUNCIL REGARDING THE ATTACHMENT OF JERSEY TO THE DIOCESE OF SALISBURY AND ADOPTION OF NEW CANONS

Presented to the States on 18th January 2022
by the Chief Minister

STATES GREFFE

REPORT

At the Court at Buckingham Palace, the *** day of ***

Present,

The Queen's Most Excellent Majesty in Council

WHEREAS His late Majesty King James the First in the Twenty-first year of His Reign of England ratified, confirmed and approved certain Canons and Constitutions Ecclesiastical for the Island of Jersey and ordained that the said Canons and Constitutions should be duly observed in the said Island;

And whereas, pursuant to an Order of Her Majesty in Council of the 14th day of March 2012, new Canons of the Church of England in Jersey, which had been approved by the States of Jersey on the 18th day of January 2011, were registered by the Royal Court of Jersey on the 23rd day of March 2012;

And whereas the Deanery Synod of Jersey has approved draft Canons to replace the Canons so registered, each of the Lord Bishop of Salisbury and the Dean of Jersey having signified his approval of the same;

And whereas the States of Jersey has approved the said draft Canons and requested Her Majesty to make an Order in Council giving effect to the same;

Now, therefore, Her Majesty is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, that the Canons of the Church of England in Jersey annexed to this Order, together with this Order, shall be registered and published in the Island of Jersey and observed accordingly. Her Majesty's Officers in the Island, and all others whom it may concern, are therefore to take notice of Her Majesty's Order and to proceed accordingly.

.....

APPENDIX

Contents

INTRODUCTION.....	7
SECTION A	8
THE CHURCH OF ENGLAND IN JERSEY.....	8
A1 OF THE CHURCH OF ENGLAND IN JERSEY	8
A2 OF THE THIRTY-NINE ARTICLES OF RELIGION	9
A3 OF THE BOOK OF COMMON PRAYER	9
A4 OF THE FORM AND MANNER OF MAKING, ORDAINING, AND CONSECRATING OF BISHOPS, PRIESTS, AND DEACONS ...	9
A5 OF THE DOCTRINE OF THE CHURCH OF ENGLAND.....	9
A6 OF THE GOVERNMENT OF THE CHURCH OF ENGLAND....	9
A7 OF THE ROYAL SUPREMACY.....	9
A8 OF SCHISMS.....	9
SECTION B	10
DIVINE SERVICE AND THE ADMINISTRATION OF THE SACRAMENTS	10
B1 OF CONFORMITY OF WORSHIP	10
B2 OF THE APPROVAL OF FORMS OF SERVICE	10
B3 OF THE FORM OF SERVICE TO BE USED WHERE ALTERNATIVE FORMS ARE AUTHORISED.....	10
B4 OF FORMS OF SERVICE APPROVED BY THE CONVOCATIONS, ARCHBISHOPS OR ORDINARY FOR USE ON CERTAIN OCCASIONS	11
B5 OF THE DISCRETION OF THE MINISTER IN CONDUCT OF PUBLIC PRAYER	11
B6 OF SUNDAYS AND OTHER DAYS OF SPECIAL OBSERVANCE.....	12
B7 OF THE GIVING NOTICE OF FEAST DAYS AND FAST DAYS 12	
B8 OF THE VESTURE OF ORDAINED MINISTERS DURING THE TIME OF DIVINE SERVICE	12
B9 OF THE REVERENCE AND ATTENTION TO BE USED IN THE TIME OF DIVINE SERVICE	13

B10	OF MORNING AND EVENING PRAYER IN PARISH AND DISTRICT CHURCHES	13
B11	OF SERVICES IN CHURCHES AND OTHER PLACES OF WORSHIP	14
B12	OF THE MINISTRY OF THE HOLY COMMUNION	14
B13	OF HOLY COMMUNION IN PARISH AND DISTRICT CHURCHES	14
B14	OF THE RECEIVING OF HOLY COMMUNION	14
B15	OF THE ADMISSION TO HOLY COMMUNION	15
B16	OF NOTORIOUS OFFENDERS NOT TO BE ADMITTED TO HOLY COMMUNION	15
B17	OF BREAD AND WINE FOR THE HOLY COMMUNION	15
B18	OF THE DISPOSITION OF THE ALMS AT HOLY COMMUNION	16
B19	OF SERMONS IN PARISH AND DISTRICT CHURCHES	16
B20	OF THE BIDDING PRAYER WHICH MAY BE USED BY A PREACHER BEFORE HIS SERMON	16
B21	OF THE MUSICIANS AND MUSIC OF THE CHURCH	17
B22	OF HOLY BAPTISM	17
B23	OF THE BAPTISM OF INFANTS	17
B24	OF GODPARENTS AND SPONSORS	18
B25	OF THE BAPTISM OF SUCH AS ARE OF RIPER YEARS	18
B26	OF THE SIGN OF THE CROSS IN BAPTISM	18
B27	OF TEACHING THE YOUNG	19
B28	OF CONFIRMATION	19
B29	OF RECEPTION INTO THE CHURCH OF ENGLAND	19
B30	OF THE MINISTRY OF ABSOLUTION	20
B31	OF HOLY MATRIMONY	20
B32	OF CERTAIN IMPEDIMENTS TO MARRIAGE	21
B33	OF THE DUTY OF THE MINISTER TO INQUIRE AS TO IMPEDIMENTS	22
B34	OF REQUIREMENTS PRELIMINARY TO THE SOLEMNISATION OF MATRIMONY	22
B35	OF RULES TO BE OBSERVED AS TO THE PRELIMINARIES AND TO THE SOLEMNISATION OF HOLY MATRIMONY	22

B36	OF A SERVICE AFTER CIVIL MARRIAGE	23
B37	OF THE MINISTRY TO THE SICK	23
B38	OF THE BURIAL OF THE DEAD	23
B39	OF THE REGISTRATION OF BAPTISMS, CONFIRMATIONS, MARRIAGES AND BURIALS	24
B40	OF HOLY COMMUNION ELSEWHERE THAN IN CONSECRATED BUILDINGS	24
B41	OF DIVINE SERVICE IN PRIVATE CHAPELS	24
B42	OF THE LANGUAGE OF DIVINE SERVICE	24
B43	OF ECUMENICAL RELATIONS	25
B44	OF LOCAL ECUMENICAL PROJECTS	28
SECTION C		28
MINISTERS, THEIR ORDINATION, FUNCTION, AND CHARGE.....		28
C1	OF HOLY ORDERS IN THE CHURCH OF ENGLAND.....	28
C2	OF THE CONSECRATION OF BISHOPS.....	29
C3	OF THE ORDINATION OF PRIESTS AND DEACONS.....	29
C4	OF THE QUALITY OF SUCH AS ARE TO BE ORDAINED DEACONS OR PRIESTS	30
C5	OF THE HOUSE OF BISHOPS' DECLARATION ON THE MINISTRY OF BISHOPS AND PRIESTS	31
C6	OF THE TITLES OF SUCH AS ARE TO BE ORDAINED DEACONS OR PRIESTS	32
C7	OF THE CERTIFICATES AND TESTIMONY TO BE EXHIBITED TO THE BISHOP BY SUCH AS ARE TO BE ORDAINED DEACONS OR PRIESTS	32
C8	OF EXAMINATION FOR HOLY ORDERS.....	32
C9	OF MINISTERS EXERCISING THEIR MINISTRY.....	32
C10	OF COLLATION AND PRESENTATION	33
C11	OF ADMISSION AND INSTITUTION.....	34
C12	OF INDUCTION.....	34
C13	OF THE LICENSING OF MINISTERS UNDER SEAL.....	34
C14	OF THE OATH OF ALLEGIANCE	35
C15	OF THE OATHS OF OBEDIENCE.....	36
C16	OF THE DECLARATION OF ASSENT	36
C17	OF THE BISHOP.....	38

C18	OF THE DEAN.....	38
C19	OF PRIESTS HAVING A CURE OF SOULS	39
C20	OF THE RESIDENCE OF PRIESTS ON THEIR BENEFICES ..	40
C21	OF THE MANNER OF LIFE OF MINISTERS.....	40
C22	OF THE DRESS OF MINSTERS	40
C23	OF THE OCCUPATIONS OF MINISTERS.....	40
C24	OF PROCEDURES UNDER THE HOUSE OF BISHOPS' DECLARATION ON THE MINISTRY OF BISHOPS AND PRIESTS 41	
C25	OF SAFEGUARDING CHILDREN AND VULNERABLE ADULTS.....	41
SECTION D.....		43
THE LAY OFFICERS OF THE CHURCH.....		43
D1	OF CHURCHWARDENS (<i>SURVEILLANTS</i>).....	43
D2	OF ALMONERS (<i>COLLECTEURS D'AUMÔNES</i>).....	45
D3	OF SUSPENSION AND DISMISSAL OF CHURCHWARDENS AND ALMONERS.....	45
D4	OF SIDESMEN OR ASSISTANTS TO THE CHURCHWARDENS.....	46
D5	OF OTHER OFFICERS.....	46
D6	OF READERS	47
D7	OF LAY WORKERS.....	47
D8	OF THE ADMISSION AND LICENSING OF LAY WORKERS 48	
D9	DISQUALIFICATION, SUSPENSION AND DISMISSAL OF READERS AND LAY WORKERS.....	49
SECTION E.....		52
THINGS APPERTAINING TO CHURCHES		52
E1	OF THE FONT	52
E2	OF THE HOLY TABLE.....	52
E3	OF THE COMMUNION PLATE.....	52
E4	OF THE COMMUNION LINEN	52
E5	OF ROBES FOR THE MINISTER	53
E6	OF THE READING DESKS AND PULPIT	53
E7	OF SEATS IN CHURCH.....	53

E8	OF CHURCH BELLS	53
E9	OF THE BIBLE AND THE BOOK OF COMMON PRAYER FOR THE USE OF THE MINISTER	53
E10	OF THE ALMS BOX	53
E11	OF THE REGISTER BOOKS AND THEIR CUSTODY	53
E12	OF THE REGISTER BOOK OF SERVICES.....	54
E13	OF THE CARE AND REPAIR OF CHURCHES	54
E14	OF CHURCHES NOT TO BE PROFANED.....	54
E15	OF PLAYS, CONCERTS AND EXHIBITIONS OF FILMS AND PICTURES IN CHURCHES	54
E16	OF KEEPING A RECORD OF THE PROPERTY OF CHURCHES 55	
E17	OF THE SURVEY OF CHURCHES.....	55
SECTION F.....		55
THE ECCLESIASTICAL COURT.....		55
F1	OF THE ECCLESIASTICAL COURT	55
F2	OF THE ORDINARY DIVISION	57
F3	OF THE DISCIPLINARY DIVISION	58
SECTION G		73
THE DEANERY SYNOD		73
SECTION H.....		74
THE CESSATION OF THE 2012 CANONS		74
SECTION I.....		74
THE COMMENCEMENT OF THESE CANONS.....		74

INTRODUCTION

There are set out below the Canons of the Church of England in Jersey.

INTERPRETATION

- In these Canons, unless the context otherwise requires –

“Ancient Parish”	means one of the twelve historic parishes of Jersey.
“Archbishop”	means His Grace the Archbishop of Canterbury or, if there is a vacancy in that see, the Archbishop of York;

“Attorney General”	means the Attorney General for Jersey;
“Bishop”	means the Right Reverend The Bishop of Salisbury or such other bishop as may be determined from time to time by Her Majesty;
“Church Officers”	means the churchwardens (<i>surveillants</i>) and almoners (<i>collecteurs d’aumônes</i>), if any, of an Ecclesiastical District or an Ancient Parish Church;
“Congregational Meeting”	means a meeting of those persons on the Deanery Electoral Roll in respect of any church;
“Dean”	means the Very Reverend The Dean of Jersey;
“Deanery Electoral Roll”	means the church electoral roll for the Island of Jersey formed, kept and revised in accordance with the Channel Islands (Representation) Measure 1931 as modified by the Synodical Government (Channel Islands) Order 1970;
“District Church”	means the church of any Ecclesiastical District other than an Ancient Parish;
“Ecclesiastical Assembly”	means the assembly of the principals, officers and electors of an Ancient Parish over which the incumbent of the parish presides;
“Ecclesiastical District”	is a reference to any of the several districts and chapelries formed pursuant to an Order in Council or a Law as a benefice for ecclesiastical purposes and comprising contiguous territorial portions of one or more of the Ancient Parishes;
“Ecclesiastical Parish”	means an Ancient Parish or an Ecclesiastical District;
“Jersey Safeguarding Adviser”	means the person appointed as such by the Bishop under Canon C25;
“Measure”	means a Measure receiving the Royal Assent after 8 th July 1931 and which has been applied to Jersey in accordance with the Channel Islands (Church Legislation) Measure 1931;
“Parish Assembly”	means an assembly provided for by the <i>Loi</i> (1804) <i>au sujet des Assemblées Paroissiales</i> ;
“Vice Dean”	means a person appointed by the Dean as his deputy pursuant to Canon C18.10.

2. The Interpretation (Jersey) Law 1954 shall apply to these Canons as though they were an enactment within the meaning of that Law.

SECTION A THE CHURCH OF ENGLAND IN JERSEY

AI OF THE CHURCH OF ENGLAND IN JERSEY

The Church of England in Jersey, established according to the laws and customs of Jersey under the Queen's Majesty, belongs to the true and apostolic Church of Christ; and, as our duty to the said Church of England requires, we do constitute and ordain that no member thereof shall be at liberty to maintain or hold the contrary.

A2 OF THE THIRTY-NINE ARTICLES OF RELIGION

The Thirty-nine Articles are agreeable to the Word of God and may be assented unto with a good conscience by all members of the Church of England.

A3 OF THE BOOK OF COMMON PRAYER

1. The doctrine contained in *The Book of Common Prayer* and Administration of the Sacraments and other Rites and Ceremonies of the Church according to the Use of the Church of England is agreeable to the Word of God.

2. The form of God's worship contained in the said Book, forasmuch as it is not repugnant to the Word of God, may be used by all members of the Church of England with a good conscience.

A4 OF THE FORM AND MANNER OF MAKING, ORDAINING, AND CONSECRATING OF BISHOPS, PRIESTS, AND DEACONS

The Form and Manner of Making, Ordaining, and Consecrating of Bishops, Priests, and Deacons, annexed to *The Book of Common Prayer* and commonly known as the Ordinal, is not repugnant to the Word of God, and those who are so made, ordained or consecrated bishops, priests, or deacons, according to the said Ordinal, are lawfully made, ordained, or consecrated, and ought to be accounted, both by themselves and others, to be truly bishops, priests, or deacons.

A5 OF THE DOCTRINE OF THE CHURCH OF ENGLAND

The doctrine of the Church of England is grounded in the Holy Scriptures, and in such teachings of the ancient Fathers and Councils of the Church as are agreeable to the said Scriptures.

In particular such doctrine is to be found in the Thirty-nine Articles of Religion, *The Book of Common Prayer*, and the Ordinal.

A6 OF THE GOVERNMENT OF THE CHURCH OF ENGLAND

The government of the Church of England under the Queen's Majesty, by archbishops, bishops, deans, archdeacons, and the rest of the clergy and of the laity that bear office in the same, is not repugnant to the Word of God.

A7 OF THE ROYAL SUPREMACY

It is acknowledged that the Queen's Most Excellent Majesty, acting according to the laws and customs of Jersey, is the highest power under God in this Island, and has supreme authority over all persons in all causes, as well ecclesiastical as civil.

A8 OF SCHISMS

Forasmuch as the Church of Christ has for a long time past been distressed by separations and schisms among Christian people, so that the unity for which our Lord prayed is impaired and the witness to his gospel is grievously hindered, it is the duty of clergy and people to do their utmost

not only to avoid occasions of strife but also to seek in penitence and brotherly charity to heal such divisions.

SECTION B DIVINE SERVICE AND THE ADMINISTRATION OF THE SACRAMENTS

B1 OF CONFORMITY OF WORSHIP

1. The following forms of service shall be authorised for use in the Church of England in Jersey –

- (a) the forms of service contained in *The Book of Common Prayer*;
- (b) the shortened forms of Morning and Evening Prayer which were set out in the Schedule to the Act of Uniformity Amendment Act 1872;
- (c) the form of service authorised by Royal Warrant for use upon the anniversary of the day of the accession of the reigning Sovereign; and
- (d) any forms of service approved under Canon B2 or Canon B4 subject to any amendments so approved, to the extent permitted by such approval.

2. Every minister shall use only the authorised forms of service aforesaid, except so far as he may exercise the discretion allowed to him by Canon B5. It is the minister's responsibility to have a good understanding of the forms of service used and the minister shall endeavour to ensure that the worship offered glorifies God and edifies the people.

B2 OF THE APPROVAL OF FORMS OF SERVICE

It shall be lawful –

- (a) to use all forms of service approved by the General Synod of the Church of England;
- (b) to use forms of services for use in the Church of England in Jersey which have been approved for use in the Church of England by the General Synod, the Archbishop, the Bishop, or the Dean as his Commissary.

B3 OF THE FORM OF SERVICE TO BE USED WHERE ALTERNATIVE FORMS ARE AUTHORISED

1. Decisions as to which of the forms of service authorised by Canon B1, other than the services known as occasional offices, are to be used in any church in a parish shall be taken jointly by the minister and the Church Officers. In this Canon 'church' includes any building or

part of a building licensed by the Dean for public worship according to the rites and ceremonies of the Church of England.

2. If there is disagreement as to which of the said forms of service are to be used in any such church, then the disagreement shall be referred to the Dean for a decision.

3. Where more than one form of any of the services known as occasional offices, other than the Order of Confirmation, is authorised by Canon B1 for use on any occasion the decision as to which form of service is to be used shall be made by the minister who is to conduct the service, but if any of the persons concerned objects beforehand to the use of the service selected by the minister and he and the minister cannot agree as to which form is to be used, the matter shall be referred to the Dean for his decision.

4. Where more than one form of service of ordination of deacons or priests or of the ordination or consecration of a bishop is authorised for use, the decision as to which form of service is to be used is to be made by the Bishop or the Archbishop, as the case may be, who is to conduct the service and, where more than one form of service of confirmation is so authorised, the decision as to which service is to be used shall be made by the Bishop or Archbishop, as the case may be, who is to conduct the service after consulting the minister of the church where the service is to be held.

B4 OF FORMS OF SERVICE APPROVED BY THE CONVOCATIONS, ARCHBISHOPS OR ORDINARY FOR USE ON CERTAIN OCCASIONS

The Convocation of Canterbury, the Archbishop, the Bishop or the Dean may approve forms of service for use in any church or elsewhere in Jersey on occasions for which no provision is made in *The Book of Common Prayer* or by the General Synod, being forms of service which in both words and order are in their opinion reverent and seemly and neither contrary to, nor indicative of any departure from, the doctrine of the Church of England in any essential matter.

B5 OF THE DISCRETION OF THE MINISTER IN CONDUCT OF PUBLIC PRAYER

1. The minister who is to conduct the service may choose to make and use variations which are not of substantial importance in any form of service authorised by these Canons according to particular circumstances.

2. The minister may on occasions for which no provision is made in *The Book of Common Prayer* or by the General Synod under Canon B2 or by the Convocation, Archbishop, Bishop or Dean under Canon B4 use forms of service considered suitable by the minister for those occasions, and may permit another minister to use the said forms of service.

3. All variations in forms of service and all forms of service used under this Canon shall be reverent and seemly and shall be neither contrary to, nor indicative of any departure from, the doctrine of the Church of England in any essential matter.

4. If any question is raised concerning the observance of the provisions of the last preceding paragraph or whether a variation in a form of service is of substantial importance or not, it may be referred to the Dean in order that he may give such pastoral guidance, advice or directions as he may think fit, but such reference shall be without prejudice to the matter in question being made the subject-matter of disciplinary proceedings.

B6 OF SUNDAYS AND OTHER DAYS OF SPECIAL OBSERVANCE

1. The Lord's Day, commonly called Sunday, is ever to be celebrated as a weekly memorial of our Lord's resurrection and kept according to God's holy will and pleasure, particularly by attendance at divine service, by deeds of charity, and by abstention from all unnecessary labour and business.
2. The principal feasts which are to be observed by the Church of England in Jersey are Christmas Day, Epiphany, the Annunciation of the Blessed Virgin Mary, Easter Day, Ascension Day, Whitsunday or Pentecost, Trinity Sunday and All Saints' Day.
3. The Days of Fasting or Abstinence and the Vigils which are to be observed in the Church of England in the Island of Jersey are set out in *The Book of Common Prayer*, whereof the forty days of Lent, particularly Ash Wednesday and the Monday to Saturday before Easter, ought specially to be observed.
4. Good Friday is ever to be observed by prayer with meditation on the death and Passion of our Lord and Saviour Jesus Christ, by self-discipline, and by attendance at divine service.
5. It is lawful for the Dean to approve Holy Days which may be observed locally.

B7 OF THE GIVING NOTICE OF FEAST DAYS AND FAST DAYS

The minister shall give adequate public notice every Sunday during the time of divine service, and by notice affixed at the church door or otherwise, so that the same may best be brought to the knowledge of the people, of the Feast Days and Fast Days which are to be observed in the week following, and of the times of the services thereon.

B8 OF THE VESTURE OF ORDAINED MINISTERS DURING THE TIME OF DIVINE SERVICE

1. The Church of England does not attach any particular doctrinal significance to the diversities of vesture permitted by this Canon, and the vesture worn by the minister in accordance with the provisions of this Canon is not to be understood as implying any doctrines other than those now contained in the formularies of the Church of England.
2. Notwithstanding the provisions of this Canon no minister shall change the form of vesture specified in this Canon which is in use in the church or chapel in which the minister officiates unless he has ascertained by consultation with the Church Officers that such changes will be acceptable.
3. At the Holy Communion the presiding minister shall wear either a surplice or alb with scarf or stole unless the minister has ascertained by consultation with the Church Officers that adopting some other form of dress will be acceptable and will benefit the mission of the Church in the parish. When a stole is worn other customary vestments may be added. The epistoler and gospeller (if any) may wear surplice or alb to which other customary vestments may be added.

4. At Morning and Evening Prayer on Sundays the minister shall normally wear a surplice or alb with scarf or stole; but the minister may adopt some other form of dress to wear on a general basis if the minister has ascertained by consultation with the Church Officers that doing so will be acceptable and will benefit the mission of the Church.

5. Where, in a case within paragraph 2, 3 or 4, there is a disagreement between the minister and the Church Officers, the minister shall refer the matter to the Dean, whose direction shall be obeyed.

6. At a service of Baptism that is not held at public worship or at the Solemnization of Matrimony or a service for the burial of the dead the minister shall wear a surplice or alb with scarf or stole or shall adopt such other form of dress as the minister agrees with the persons concerned.

7. Where a minister adopts a form of dress other than vesture of a form specified in this Canon, the form of dress so adopted must not be such as to indicate a departure from the doctrines now contained in the formularies of the Church of England.

B9 OF THE REVERENCE AND ATTENTION TO BE USED IN THE TIME OF DIVINE SERVICE

1. All persons present in the time of divine service shall audibly with the minister make the answers appointed and in due place join in such parts of the service as are appointed to be said or sung by all present.

2. They shall give reverent attention in the time of divine service, give due reverence to the name of the Lord Jesus and stand at the Creed and the reading of the Holy Gospel at the Holy Communion. When the prayers are read and Psalms, hymns and canticles are said or sung they shall have regard to the rubrics of the service and locally established custom in the matter of posture, whether of standing, kneeling or sitting.

B10 OF MORNING AND EVENING PRAYER IN PARISH AND DISTRICT CHURCHES

1. Except so far as may be otherwise authorised under paragraph 2, Morning and Evening Prayer shall be said or sung in a church in every parish at least on all Sundays and other principal Feast Days, and also on Ash Wednesday and Good Friday. Each service shall be said or sung distinctly, reverently, and in an audible voice.

2. The Dean, if satisfied that there is good reason to do so, may authorise the minister of any parish or district church within the Deanery to dispense with the reading within that church of Morning and Evening Prayer or either of them on any Sunday, or on any principal Feast Day or on Ash Wednesday or Good Friday, but before authorising the minister of a church to dispense with the reading within that church of either Morning or Evening Prayer on Sunday for a period of more than three months, the Dean shall consult with the Church Officers.

3. On all other days the minister of the parish, together with all other ministers licensed to serve in the said parish, shall make such provision for Morning and Evening Prayer to be said or sung as may best serve to sustain the corporate spiritual life of the people.

4. Readers and such other lay persons as may be authorised by the Bishop may, at the invitation of the minister of the parish or, where the cure is vacant or the minister is incapacitated, at the invitation of the churchwardens, say or sing Morning or Evening Prayer (save for the Absolution); and in the case of need where no clerk in holy orders or reader or lay person authorised as aforesaid is available, the minister or (failing him) the churchwardens shall arrange for some suitable lay person to say or sing Morning or Evening Prayer (save for the Absolution).

B11 OF SERVICES IN CHURCHES AND OTHER PLACES OF WORSHIP

The Dean may direct what services shall be held or shall not be required to be held in any church in any parish in Jersey.

B12 OF THE MINISTRY OF THE HOLY COMMUNION

1. No person shall consecrate and administer the holy sacrament of the Lord's Supper unless he shall have been ordained priest by Episcopal ordination in accordance with the provisions of Canon C1.

2. Every minister, as often as he shall celebrate the Holy Communion, shall receive that sacrament himself.

3. No person shall distribute the holy sacrament of the Lord's Supper to the people unless he shall have been ordained in accordance with the provisions of Canon C1, or is otherwise authorised by Jersey Canon Law, or unless he has been specially authorised to do so by the Dean who may give such authority in the case of a person who has been baptized and confirmed and has the support of the incumbent and the Church Officers.

4. Subject to the general directions of the Dean, the Epistle and the Gospel and the Prayer of Intercession may at the invitation of the minister be read by a lay person at the celebration of the Holy Communion.

B13 OF HOLY COMMUNION IN PARISH AND DISTRICT CHURCHES

1. In every church, except for some reasonable cause approved by the Dean, the Holy Communion shall be celebrated at least on all Sundays and principal Feast Days, and on Ash Wednesday and Maundy Thursday. It shall be celebrated, distinctly, reverently, and in an audible voice.

2. In churches and chapels dependent on a parish church, the Holy Communion shall be celebrated as regularly and frequently as may be convenient, subject to the direction of the Dean.

B14 OF THE RECEIVING OF HOLY COMMUNION

1. It is the duty of all who have been confirmed to receive the Holy Communion regularly, and especially at the festivals of Christmas, Easter and Whitsun or Pentecost.

2. The minister shall teach the people from time to time, and especially before the festivals of Christmas, Easter and Whitsun or Pentecost, that they come to this holy sacrament with such preparation as is required by *The Book of Common Prayer*.

B15 OF THE ADMISSION TO HOLY COMMUNION

1. There shall be admitted to the Holy Communion –
 - (a) members of the Church of England who have been confirmed in accordance with the rites of that Church or are ready and desirous to be so confirmed or who have been otherwise episcopally confirmed with unction or with the laying on of hands except as provided by the next following Canon;
 - (b) baptised persons who are communicant members of other Churches which subscribe to the doctrine of the Holy Trinity, and who are in good standing in their own Church;
 - (c) any baptised person in immediate danger of death, and
 - (d) any other baptised person authorised to be admitted under Regulations made by the Deanery Synod.
2. If any person by virtue of sub-paragraph (b) above regularly receive the Holy Communion over a long period which appears likely to continue indefinitely, the minister shall set before him the normal requirements of the Church of England for communicant status in that Church.
3. Where any minister is in doubt as to the application of this Canon, he shall refer the matter to the Dean and follow his guidance thereon.

B16 OF NOTORIOUS OFFENDERS NOT TO BE ADMITTED TO HOLY COMMUNION

If a minister be persuaded that anyone of his cure who presents himself to be a partaker of the Holy Communion ought not be admitted thereunto by reason of malicious and open contention with his neighbours, or other grave and open sin without repentance, he shall give an account of the same to the Dean who shall give order and direction, but so as not to refuse the sacrament to any until in accordance with such order and direction he shall have called him and notified him that in any wise he presume not to come to the Lord's Table:

Provided that in case of grave and immediate scandal to the congregation the minister shall not admit such person, but shall give an account of the same to the Dean within seven days after at the furthest and therein obey his order and direction:

Provided also that before issuing his order and direction in relation to any such person, the Dean shall afford to him an opportunity for interview.

B17 OF BREAD AND WINE FOR THE HOLY COMMUNION

1. The churchwardens of every Ecclesiastical Parish, with the advice and direction of the minister, shall provide a sufficient quantity of bread and wine for the number of communicants that shall from time to time receive the same.

2. The bread, whether leavened or unleavened, shall be of the best and purest wheat flour that conveniently may be gotten, and the wine the fermented juice of the grape, good and wholesome.

3. The bread shall be brought to the communion table in a paten or convenient box and the wine in a convenient cruet or flagon.

B18 OF THE DISPOSITION OF THE ALMS AT HOLY COMMUNION

Notwithstanding any rubric in *The Book of Common Prayer* moneys given or collected in church at Holy Communion shall be at the disposal of the incumbent and Church Officers.

B19 OF SERMONS IN PARISH AND DISTRICT CHURCHES

1. In a church in every Ecclesiastical Parish a sermon shall be preached at least once each Sunday, except for some reasonable cause approved by the Dean.

2. The sermon shall be preached by a minister, deaconess, reader or lay worker duly authorized in accordance with Jersey Canon Law. At the invitation of the minister having the cure of souls another person may preach with the permission of the Dean.

3. The preacher shall endeavour with care and sincerity to minister the word of truth, to the glory of God and to the edification of the people.

B20 OF THE BIDDING PRAYER WHICH MAY BE USED BY A PREACHER BEFORE HIS SERMON

Before any sermon, lecture, or homily, the preacher may move the people to join with him in prayer in this form or to this effect as briefly as is convenient, always concluding with the Lord's Prayer –

Ye shall pray for Christ's holy Catholic Church, that is, for the whole congregation of Christian people dispersed throughout the whole world, and especially for the Church of England.

And herein I require you most especially to pray for the Queen's Most Excellent Majesty our Sovereign Lady Elizabeth, by the grace of God of the United Kingdom of Great Britain and Northern Ireland, and of her other realms and territories, Queen, Head of the Commonwealth, Defender of the Faith, and ye shall also pray for the Prince of Wales and all the Royal Family.

Ye shall also pray –

for the ministers of God's holy word and sacraments, as well archbishops and bishops, as other pastors and curates;

for the Queen's most honourable Privy Council, the Lieutenant-Governor, the Bailiff and other Crown Officers, Jurats and other judges, the members of the States of Jersey, the principals and officers of each Parish;

for the Convocations of the Clergy, for the Synods of the Church of England;

that all and every of these, in their several callings, may serve truly and diligently, to the glory of God and the edifying and well governing of her people, remembering the strict and solemn account that they must one day make when they shall stand before the judgment seat of Christ.

And, that there may never be wanting a succession of persons duly qualified to serve God in Church and State, ye shall implore his blessing on all places of religious and useful learning; that in all places of education true religion and sound learning may for ever flourish and abound.

And more particularly (as in private duty bound) I ask your prayers for.....

Also ye shall pray for the whole people of this realm, that they may live in the true faith and fear of God, in dutiful obedience to the Queen, and in brotherly charity one to another.

Finally, let us praise God for all those who are departed out of this life in the faith of Christ, and pray unto God that we may have grace to direct our lives after their good example; that, this life ended, we may be made partakers with them of the glorious resurrection in the life everlasting.

B21 OF THE MUSICIANS AND MUSIC OF THE CHURCH

1. In all churches and chapels, the functions of appointing any organist or choirmaster (by whatever name called), and of terminating the appointment of any organist or choirmaster, shall be exercisable by the minister with the agreement of the Church Officers except that if the Dean in the case of termination of an appointment, considers that the circumstances are such that the requirement as to the agreement of the Church Officers should be dispensed with, the Dean may direct accordingly. Where the minister concerned is also the Dean the function of the Dean under this paragraph shall be exercisable by the Bishop.

2. Where there is an organist or choirmaster the minister shall pay due heed to his advice and assistance in the choosing of chants, hymns, anthems, and other settings and in the ordering of the music of the Church, but at all times the final responsibility and decision in these matters rests with the minister.

3. It is the duty of the minister to ensure that only such chants, hymns, anthems, and other settings are chosen as are appropriate, both the words and the music, to the solemn act of worship and prayer in the House of God as well as to the congregation, assembled for that purpose; and to banish all irreverence in the practice and in the performance of the same.

B22 OF HOLY BAPTISM

It is desirable that every minister having a cure of souls shall normally administer the sacrament of Holy Baptism on Sundays at public worship when the most number of people come together, that the congregation there present may witness the receiving of them that be newly baptised into Christ's Church, and be put in remembrance of their own profession made to God in their baptism.

B23 OF THE BAPTISM OF INFANTS

1. Due notice, normally of at least a week, shall be given before a child is brought to the church to be baptized.

2. The minister shall instruct the parents or guardians of an infant to be admitted to Holy Baptism that the same responsibilities rest on them as are in the service of Holy Baptism required of the godparents.

3. No minister shall refuse or, save for the purpose of preparing or instructing the parents or guardians or godparents, delay to baptize any infant within his cure that is brought to the church to be baptized, provided that due notice has been given and the provisions relating to godparents in these Canons are observed. In the event of any such refusal or delay, the parents or guardians

may apply to the Dean, who shall, after consultation with the minister, give such directions as he thinks fit.

4. A minister who intends to baptize any infant whose parents are residing outside the boundaries of his cure, unless the names of such persons or of one of them be on the Deanery Electoral Roll in respect of the same, shall not proceed to the baptism without having sought the goodwill of the minister of the parish in which such parents reside.

5. No minister being informed of the weakness or danger of death of any infant within his cure and therefore desired to go to baptize the same shall either refuse or delay to do so.

6. A minister so baptizing a child in a hospital or nursing home, the parents of the child not being resident in his cure, nor their names on the Deanery Electoral Roll in respect of the same, shall send their names and address to the minister of the parish in which they reside.

7. If any infant which is privately baptized do afterwards live, it shall be brought to the church and there, by the minister, received into the congregation of Christ's flock according to the form and manner prescribed in and by the office for Private Baptism authorized by Canon B1.

8. The minister of every parish shall warn the people that without grave cause and necessity they should not have their children baptised privately in their houses.

B24 OF GODPARENTS AND SPONSORS

1. For every child to be baptized there shall be not fewer than three godparents, of whom at least two shall be of the same sex as the child and of whom at least one shall be of the opposite sex; save that, when three cannot conveniently be had, one godfather and godmother shall suffice. Parents may be godparents for their own children provided that the child have at least one other godparent.

2. The godparents shall be persons who will faithfully fulfil their responsibilities both by their care for the children committed to their charge and by the example of their own godly living.

3. When one who is of riper years is to be baptised he shall choose three, or at least two, to be his sponsors, who shall be ready to present him for baptism and afterwards put him in mind of his Christian profession and duties.

4. No person shall be admitted to be a sponsor or godparent who has not been baptised and confirmed. Nevertheless the minister shall have power to dispense with the requirement of confirmation in any case in which in his judgment need so requires.

B25 OF THE BAPTISM OF SUCH AS ARE OF RIPER YEARS

1. When any such person as is of riper years and able to answer for himself is to be baptised, the minister shall instruct such person, or cause him to be instructed, in the principles of the Christian religion, and exhort him so to prepare himself with prayers and fasting that he may receive this holy sacrament with repentance and faith.

2. At least a week before any such baptism is to take place, the minister shall give notice thereof to the Dean.

3. Every person thus baptised shall be confirmed by the Bishop so soon after his baptism as conveniently may be; that so he may be admitted to the Holy Communion.

B26 OF THE SIGN OF THE CROSS IN BAPTISM

The Church of England has ever held and taught, and holds and teaches still, that the sign of the Cross used in baptism is no part of the substance of the sacrament but, for the remembrance of the Cross, which is very precious to those that rightly believe in Jesus Christ, has retained the sign of it in baptism, following therein the primitive and apostolic Churches.

B27 OF TEACHING THE YOUNG

1. Every minister shall take care that the children and young people within his cure are instructed in the doctrine, sacraments, and discipline of Christ, as the Lord has commanded and as they are set forth in the holy Scriptures, in *The Book of Common Prayer*, and especially in the Church Catechism; and to this end he, or some godly and competent persons appointed by him, shall on Sundays or if need be at other convenient times diligently instruct and teach them in the same.

2. All parents, guardians and godparents shall take care that the children receive such instruction.

B28 OF CONFIRMATION

1. The Bishop shall himself minister (or cause to be ministered by some other bishop lawfully deputed in his stead) the rite of confirmation as often and in as many places as shall be convenient, laying his hands upon children and other persons, who have been baptised and instructed in the Christian faith.

2. Every minister who has a cure of souls shall diligently seek out children and other persons whom he shall think meet to be confirmed and shall use his best endeavours to instruct them in the Christian faith and life as set forth in the holy Scriptures, *The Book of Common Prayer*, and the Church Catechism.

3. The minister shall present none to the Bishop but such as are come to years of discretion and can say the Creed, the Lord's Prayer, and the Ten Commandments, and can also render an account of their faith according to the said Catechism.

4. The minister shall satisfy himself that those whom he is to present have been validly baptised, ascertaining the date and place of such baptism, and, before or at the time assigned for the confirmation, shall give to the Bishop their names, together with their age and the date of their baptism.

5. If the minister is doubtful about the baptism of a candidate for confirmation he shall conditionally baptise him in accordance with the form of service authorised by Canon B1 before presenting him to the Bishop to be confirmed.

B29 OF RECEPTION INTO THE CHURCH OF ENGLAND

1. Any person desiring to be received into the Church of England, who has not been baptised or the validity of whose baptism can be held in question, shall be instructed and baptised or conditionally baptised, and such baptism, or conditional baptism, shall constitute the said person's reception into the Church of England.

2. If any such person has been baptised but not episcopally confirmed and desires to be formally admitted into the Church of England he shall, after appropriate instruction, be received by the rite of confirmation, or, if he be not yet ready to be presented for confirmation, he shall be received by the parish priest with appropriate prayers.

3. If any such person has been episcopally confirmed with unction or with the laying on of hands he shall be instructed, and, with the permission of the Dean, received into the Church of England according to the Form of Reception approved by the General Synod, or with other appropriate prayers, and if any such person be a priest, or other Ordained minister, he shall be received into the said Church only by the Bishop or by the Dean as the Bishop's Commissary after consultation with the Bishop.

B30 OF THE MINISTRY OF ABSOLUTION

1. It is the duty of baptised persons at all times to the best of their understanding to examine their lives and conversations by the rule of God's commandments, and whereinsoever they perceive themselves to have offended by will, act, or omission, there to bewail their own sinfulness and to confess themselves to Almighty God with full purpose of amendment of life, that they may receive of Him the forgiveness of their sins which He has promised to all who turn to Him with hearty repentance and true faith; acknowledging their sins and seeking forgiveness, especially in the general Confessions of the congregation and in Absolution pronounced by the priest in the services of the Church.

2. If there be any who by these means cannot quiet his own conscience, but requires further comfort or counsel, let him come to some discreet and learned minister of God's Word, that by the ministry of God's holy Word he may receive the benefit of absolution, together with spiritual counsel and advice, to the quieting of his conscience and avoiding of all scruple and doubtfulness.

3. In particular a sick person, if he feels his conscience troubled in any weighty matter, should make a special confession of his sins, that the priest may absolve him if he humbly and heartily desires it.

4. No priest shall exercise the ministry of absolution in any place without the permission of the minister having the cure of souls thereof unless he is by law authorised to exercise his ministry in that place without being subject to the control of the minister having the general cure of souls of the parish or district in which it is situated: Provided always that, notwithstanding the foregoing provisions of the Canon, a priest may exercise the ministry of absolution anywhere in respect of any person who is in danger of death or if there is some urgent or weighty cause.

5. Notwithstanding the foregoing, that if any man confess his hidden and secret sins to a minister, for the unburdening of his conscience, and to receive spiritual consolation and ease of mind from him; the minister is charged not at any time to reveal and make known to any person whatsoever any crime or offence so committed to his trust and secrecy, under pain of irregularity.

B31 OF HOLY MATRIMONY

1. The Church of England affirms, according to Our Lord's teaching, that marriage is in its nature a union permanent and life-long, for better for worse, till death them do part, of one man with one woman, to the exclusion of all others on either side, for the procreation and nurture of children, for the hallowing and right direction of the natural instincts and affections, and for the mutual society, help and comfort which the one ought to have of the other, both in prosperity and adversity.

2. The teaching of Our Lord affirmed by the Church of England is expressed and maintained in the Form of Solemnisation of Matrimony contained in *The Book of Common Prayer*.

3. It shall be the duty of the minister, when application is made to him for matrimony to be solemnised in the church of which he is the minister, to explain to the two persons who desire to be married the Church's doctrine of marriage as herein set forth, and the need of God's grace in

order that they may discharge aright their obligations as married persons. Recognising the value of pastoral care, it shall be the duty of all clergy in their preparation of couples for marriage to tell them that the good offices of the clergy are always available.

B32 OF CERTAIN IMPEDIMENTS TO MARRIAGE

1. No person who is under sixteen years of age shall marry, and all marriages purported to be made between persons either of whom is under sixteen years of age are void.
2. No person shall marry a person who is already lawfully married or if the marriage would otherwise be void at the time of the solemnization under the law relating thereto.
3. No person shall marry a person listed in the following Table, and any such purported marriage shall be void:

A TABLE OF KINDRED AND AFFINITY	
A man may not marry his –	A woman may not marry her –
mother	father
daughter	son
adopted daughter	adopted son
father's mother	father's father
mother's mother	mother's father
son's daughter	son's son
daughter's daughter	daughter's son
sister	brother
wife's mother	husband's father
wife's daughter	husband's son
father's wife	mother's husband
son's wife	daughter's husband
father's father's wife	father's mother's husband
mother's father's wife	mother's mother's husband
wife's daughter's daughter	husband's son's son
wife's son's daughter	son's daughter's son

father's sister	father's brother
mother's sister	mother's brother
brother's daughter	brother's son
sister's daughter	sister's son

In this Table the term "brother" includes a brother of the half-blood, and the term "sister" includes a sister of the half-blood.

4. Paragraph 3 is subject to the provisions of paragraphs (3) and (4) of Article 3 of the Marriage and Civil Status (Jersey) Law 2001.

5. No minister shall solemnize matrimony between two persons either of whom is under eighteen years of age otherwise than in accordance with the requirements of the law relating to the consent of parents or guardians in the case of the marriage of a person under eighteen years of age.

B33 OF THE DUTY OF THE MINISTER TO INQUIRE AS TO IMPEDIMENTS

It shall be the duty of the minister, when application is made to him for matrimony to be solemnised in the church or chapel of which he is the minister, to inquire whether there be any impediment either to the marriage or to the solemnisation thereof.

B34 OF REQUIREMENTS PRELIMINARY TO THE SOLEMNISATION OF MATRIMONY

A marriage according to the rites of the Church of England may be solemnised in Jersey –

- (a) after the publication of banns of marriage; or
- (b) on the authority of –
 - (i) a *Dispense Ordinaire* (Ordinary Licence), or
 - (ii) a *Dispense Extraordinaire* (Special Licence),

granted by the Dean.

B35 OF RULES TO BE OBSERVED AS TO THE PRELIMINARIES AND TO THE SOLEMNISATION OF HOLY MATRIMONY

1. In all matters pertaining to the granting of licences of marriage the Dean shall observe the law relating thereto.

2. In all matters pertaining to the publication of banns of marriage and to the solemnisation of matrimony every minister shall observe the law relating thereto, including, so far as they are applicable, the rules prescribed by the rubric prefixed to the office of Solemnisation of Matrimony in *The Book of Common Prayer*.

3. Every marriage shall be solemnised in the presence of two or more witnesses besides the minister who shall solemnise the same.

4. When matrimony is to be solemnised in any church, it belongs to the minister of that church, in consultation with the persons to be married, to decide what music shall be played, what hymns or anthems shall be sung, or what furnishings or flowers should be placed in or about the church for the occasion.

B36 OF A SERVICE AFTER CIVIL MARRIAGE

1. If any persons have contracted marriage before the civil registrar under the provisions of the statute law, and shall afterwards desire to add thereto a service of Blessing and Thanksgiving for Matrimony, a minister may, if he see fit, use such form of service, as may be adopted under Canon B2, in the church or chapel in which he is authorised to exercise his ministry:

Provided firstly that the minister be duly satisfied that the civil marriage has been contracted, and secondly that in regard to this use of this service the minister do observe the Canons and any advice issued by the House of Bishops and the Bishop.

2. In connection with such a service there shall be no publication of banns nor any licence or certificate authorising a marriage: and no record of any such service shall be entered by the minister in the register books of marriages provided by the Superintendent Registrar.

B37 OF THE MINISTRY TO THE SICK

1. The minister shall use his best endeavours to ensure that he be speedily informed when any person is sick or in danger of death in the parish, and shall as soon as possible resort unto him to exhort, instruct, and comfort him in his distress in such manner as he shall think most needful and convenient.

2. When any person sick or in danger of death or so incapacitated that he cannot go to church is desirous of receiving the most comfortable sacrament of the Body and Blood of Christ, the priest, having knowledge thereof shall as soon as may be visit him, and unless there be any grave reason to the contrary, shall reverently minister the same to the said person at such place and time as may be convenient.

3. If any such person so desires, the priest may lay hands upon him and may anoint him with oil on the forehead with the sign of the Cross using a form of service authorised by Canon B1 and using pure olive oil consecrated by the Bishop or Dean or otherwise by the priest himself in accordance with such form of service.

B38 OF THE BURIAL OF THE DEAD

1. In all matters pertaining to the burial of the dead every minister shall observe the law from time to time in force in relation thereto, and, subject to this paragraph in general, the following paragraphs of this Canon shall be obeyed.

2. No minister shall refuse to bury, according to the rites of the Church of England, the corpse or ashes of any person deceased within his cure or of any parishioners whether deceased within his cure or elsewhere that is brought to a church or burial ground or cemetery under his control in which the burial or interment of such corpse or ashes may lawfully be effected, due notice being given.

3. Cremation of a dead body is lawful in connection with Christian burial.

4. (a) When a body is to be cremated, the burial service may precede, accompany, or follow the cremation; and may be held either in the church or at the crematorium:

Provided that no incumbent shall be under any obligation to perform a funeral service within the grounds of any burial authority, but, on his refusal so to do, any clerk in Holy Orders, not being prohibited under ecclesiastical censure, may, with the permission of the Dean and at the request of the person having charge of the cremation or interment of the cremated remains, perform such service within such grounds.

(b) Save for good and sufficient reason the ashes of a cremated body should be interred or deposited, by a minister, in consecrated ground or at sea.

5. When a body is to be buried according to the rites of the Church of England in any unconsecrated ground, the officiating minister, on coming to the grave, shall first bless the same.

6. If any doubts shall arise whether any person deceased may be buried according to the rites of the Church of England, the minister shall refer the matter to the Dean as the Bishop's Commissary and obey his order and direction.

B39 OF THE REGISTRATION OF BAPTISMS, CONFIRMATIONS, MARRIAGES AND BURIALS

1. In all matters pertaining to the registration of baptisms, marriages, and burials every minister shall observe the law from time to time in force relating thereto.

2. When any person is presented for confirmation, the minister presenting the said person shall record and enter the confirmation in the relevant register book of confirmations, together with any change of name.

B40 OF HOLY COMMUNION ELSEWHERE THAN IN CONSECRATED BUILDINGS

No minister shall celebrate the Holy Communion elsewhere than in a consecrated building within his cure or other building licensed for the purpose, except he have permission so to do from the Dean:

Provided that at all times he may celebrate the Holy Communion as provided by Canon B37 in any private house wherein there is any person sick or dying or so incapacitated that he cannot go to church.

B41 OF DIVINE SERVICE IN PRIVATE CHAPELS

1. No chaplain, ministering in any house where there is a chapel dedicated and allowed by the ecclesiastical laws of Jersey shall celebrate the Holy Communion in any other part of the house but in such chapel, and shall do the same seldom upon Sunday and other greater Feast Days, so that the residents in the said house may resort to their parish church and there attend divine service.

2. The Bishop may license a minister to perform such offices and services of the Church of England as may be specified in the licence in any school, hospital, or public premises or in any charitable institution.

3. The performance of offices and services in accordance with any such licence shall not require the consent or be subject to the control of the minister of the parish in which they are performed.

B42 OF THE LANGUAGE OF DIVINE SERVICE

The Morning and Evening Prayer, and all other prayers and services prescribed in and by *The Book of Common Prayer*, shall be said or sung in the vulgar tongue.

B43 OF ECUMENICAL RELATIONS

1.(1) A minister or lay person who is a member in good standing of a Church to which this Canon applies and is a baptised person may, subject to the provisions of this Canon, be invited to perform all or any of the following duties –

- (a) to say or sing Morning and Evening Prayer or the Litany;
- (b) to read the Holy Scriptures at any service;
- (c) to preach at any service;
- (d) to lead the Intercessions at the Holy Communion and to lead prayers at other services;
- (e) to assist at Baptism or the Solemnisation of Matrimony or conduct a Funeral Service;
- (f) to assist in the distribution of the Holy Sacrament of the Lord's Supper to the people at the Holy Communion,

if the minister or lay person is authorised to perform a similar duty in his or her own Church.

(2) A person who is a minister or lay member of a Church to which this Canon applies, but who is not baptised, may be invited to perform any of the duties under sub-paragraph (1)(b) or (d) (including in connection with a service of ordination or confirmation) in a parish church, district church or other place of worship in the Deanery.

(3) A person who is a minister or lay member of a Church which subscribes to the Holy Trinity, but which is not otherwise a Church to which this Canon applies, may be invited to perform any relevant duty under sub-paragraph (1)(b) or (d) (including in connection with a service of ordination or confirmation) in a parish church, district church or other place of worship in the Deanery.

(4) A person who is a member of the Salvation Army may be invited to preach at any service (including a service of ordination or confirmation) in a parish church, district church or other place of worship in the Deanery.

(5) An invitation to perform in a parish church, district church or other place of worship in the Deanery any of the duties mentioned in sub-paragraph (1) above, other than duties in connection with a service of ordination or confirmation, may be given only by the incumbent and may be given only if –

- (a) in the case of –
 - (i) any duty mentioned in sub-paragraph (1)(f) above, or

- (ii) any duty mentioned in sub-paragraph (l)(a), (c) or (e) above, which is to be performed on a regular basis,

the approval of the Dean has been obtained; and

- (b) in the case of any duty mentioned in sub-paragraph (i)(e) above, the persons concerned have requested the incumbent to give the invitation; and
- (c) in the case of any duty mentioned in sub-paragraph (l)(a), (c) or (f) above, the approval of Church Officers has been obtained.

(6) An invitation to perform in a parish church or other place of worship in the Deanery any duty in connection with a service of ordination or confirmation may be given only by the Bishop in consultation with the Dean and the incumbent.

2. Notwithstanding any provision of any Canon, a bishop who receives from a person authorised by a Church to which this Canon applies an invitation to take part in a service may in the course of that service perform any duty assigned to him if –

- (a) the duty assigned to him is or is similar to a duty which he is authorised to perform in the Church of England; and
- (b) he has before accepting the invitation obtained –
 - (i) the approval of the incumbent of the parish in which the service is to take place, and
 - (ii) in the case of an invitation to take part in the ordination or consecration of a minister of a Church to which this Canon applies, to take part in a service of confirmation or to preside at the Holy Communion, the approval of the Archbishop.

3. Notwithstanding any provision of any Canon, a priest or deacon of the Church of England who receives from a person authorised by a Church to which this Canon applies an invitation to take part in a service may in the course of that service perform any duty assigned to him if –

- (a) the duty assigned to him is or is similar to a duty which he is authorised to perform in the Church of England; and
- (b) he has before accepting the invitation obtained –
 - (i) the approval of the incumbent of the parish in which the service is to take place, and
 - (ii) in the case of an invitation to take part in the ordination or consecration of a minister of a Church to which this Canon applies or to preside at the Holy Communion, the approval of the Bishop, and

- (iii) in the case of an invitation to take part in any service on a regular basis, the approval of both the Dean and the Church Officers of the parish in which the service is to take place.

4. In the case of an invitation to preside at the Holy Communion, the Archbishop shall not give his approval under paragraph 2 above, and the Bishop shall not give his approval under paragraph 3 above unless the Archbishop or the Bishop, as the case may be, is satisfied that there are special circumstances which justify acceptance of the invitation and that the rite and the elements to be used are not contrary to, nor indicative of any departure from, the doctrine of the Church of England in any essential matter.

5. A bishop or priest who has accepted an invitation to take part in the ordination or consecration of a minister of a Church to which this Canon applies may not, by the laying on of hands or otherwise, do any act which is a sign of the conferring of Holy Orders, unless that Church is an Episcopal Church with which the Church of England has established intercommunion.

6. Notwithstanding any provision of any Canon, a deaconess, lay worker or reader of the Church of England who receives from a person authorised by a Church to which this Canon applies an invitation to take part in a service may in the course of that service perform any duty assigned to him or her if –

- (a) the duty so assigned is or is similar to a duty which he is authorised to perform in the Church of England; and
- (b) he has before accepting the invitation obtained the approval of the incumbent of the parish in which the service is to take place and also, in the case of an invitation to take part in a service on a regular basis, the approval of both the Dean and the Church Officers of that parish.

7. Where, on an application under paragraph 3 or 6 above for the approval of an incumbent, that approval is withheld, the applicant may appeal to the Bishop and if, after considering the views of the applicant, the incumbent and the Dean, the Bishop determines that approval has been unreasonably withheld, the Bishop may authorise the applicant to take part in the service in question and where the Bishop so determines then he shall inform the incumbent in writing of the reasons for that determination.

8. Where the approval of the Church Officers is required for the giving of or accepting of an invitation under the preceding provisions of this Canon, that approval may be given in respect of the performance of such duties as may be specified in the approval by such person or persons, or such class of persons, as may be so specified and may either be given generally for an unlimited period or given subject to such limitation, whether as to duration or occasion, as may be so specified.

9. The incumbent of a parish may, with the approval of the Church Officers and the Dean, invite members of another Church to which this Canon applies to take part in joint worship with the Church of England or to use a church in the parish for worship in accordance with the forms of service and practice of that other Church on such occasions as may be specified in the approval given by the Dean.

10. Any approval required by this Canon to be obtained from the Dean, the Bishop or the Archbishop shall be in writing.

11. This Canon applies to every Church to which the Church of England (Ecumenical Relations) Measure 1988 applies.

B44 OF LOCAL ECUMENICAL PROJECTS

1.(1) The Dean may enter into an agreement with the appropriate authority of each participating Church with regard to the participation of the Church of England in a local ecumenical project established or to be established for an area comprising any parish or part of such a parish.

(2) The Dean shall not enter into any agreement under this paragraph as respects any parish or part of a parish unless the participation of the Church of England in the project in respect of the parish concerned has been approved by –

- (a) the Bishop;
- (b) the incumbent of that parish; and
- (c) a simple majority of those present and voting at a Congregational Meeting of the parish convened for that purpose.

2.(1) The Dean may at any time revoke any agreement made under the foregoing provisions of this Canon after consultation with the appropriate authority of each participating Church and the Bishop.

(2) Any agreement made under the foregoing provisions of this Canon shall be in writing.

3. The powers of the Dean under this Canon may be exercised only in respect of a local ecumenical project in which every other Church participating in the project is a Church to which the Sharing of Church Buildings (Jersey) Law 1973 applies.

SECTION C MINISTERS, THEIR ORDINATION, FUNCTION, AND CHARGE

C1 OF HOLY ORDERS IN THE CHURCH OF ENGLAND

1. The Church of England holds and teaches that from the Apostles' time there have been these orders in Christ's Church: bishops, priests, and deacons; and no man shall be accounted or taken to be a lawful bishop, priest, or deacon in the Church of England, or suffered to execute any of the said offices, except he be called, tried, examined, and admitted thereunto according to the Ordinal or any form of service alternative thereto approved under Canon B2, or has had formerly episcopal consecration or ordination in some Church whose orders are recognised and accepted by the Church of England.

2. No person who has been admitted to the order of bishop, priest, or deacon can ever be divested of the character of his order, but a minister may either by legal process voluntarily relinquish the exercise of his orders and use himself as a layman, or may by legal and canonical process be deprived of the exercise of his orders or deposed therefrom.

3. According to the ancient law and usage of the Church of England, priests and deacons who have received authority to minister in Jersey owe canonical obedience in all things lawful and honest to the Bishop.

C2 OF THE CONSECRATION OF BISHOPS

1. A man or a woman may be consecrated to the office of bishop.
2. No person shall be consecrated to the office of bishop by fewer than three bishops present together and joining in the act of consecration, of whom one shall be the archbishop of the province or a bishop appointed to act on his behalf.
3. The consecration of a bishop shall take place upon some Sunday or Holy Day, unless the archbishop, for urgent and weighty cause, shall appoint some other day.
4. No person shall be consecrated bishop except he shall be at least thirty years of age.
5. No person shall be refused consecration as bishop on the ground that he was born out of lawful wedlock.
6. In the forms of service contained in *The Book of Common Prayer* or in the Ordinal words importing the masculine gender in relation to bishops are construed as including the feminine.

C3 OF THE ORDINATION OF PRIESTS AND DEACONS

1. Ordination to the office of priest or deacon shall take place upon the Sundays immediately following the Ember Weeks, or upon St Peter's Day, Michaelmas Day or St Thomas's Day, or upon a day within the week immediately following St Peter's Day, Michaelmas Day or St Thomas's Day, or upon such other day, being a Sunday, a Holy Day or one of the Ember Days, as the Bishop on urgent occasion shall appoint.
2. Ordination of priests and deacons shall be in the cathedral church of the diocese, or other church or chapel at the discretion of the Bishop.
3. The Dean or a Vice Dean or such other persons as by ancient custom have the right so to do, shall present to the Bishop every person who is to be ordained.
4. The priests taking part in an ordination shall together with the Bishop lay their hands upon the head of every person who receives the order of priesthood.
5. Any form of service of Holy Communion which is authorized by Canon B1 may be used at an ordination.
6. No person shall be made deacon, except he be at least twenty-three years of age, unless he have a faculty from the Archbishop.
7. No person shall be ordained priest, except he be at least twenty-four years of age, unless being over the age of 23 he have a faculty from the Archbishop.
8. No person shall be ordained both deacon and priest upon one and the same day, unless he have a faculty from the Archbishop.

9. A deacon shall not be ordained to the priesthood for at least one year, unless the Bishop shall find good cause for the contrary, so that trial may be made of his behaviour in the office of deacon before he be admitted to the order of priesthood. During a vacancy of the see, the power of the Bishop under this paragraph shall be exercisable by the Archbishop.

C4 OF THE QUALITY OF SUCH AS ARE TO BE ORDAINED DEACONS OR PRIESTS

1. A man or a woman may be ordained to the office of priest or deacon.

2. Every bishop shall take care that he admit no person into holy orders but such as he knows either by himself, or by sufficient testimony, to have been baptized and confirmed, to be sufficiently instructed in Holy Scripture and in the doctrine, discipline, and worship of the Church of England, and to be of virtuous conversation and good repute and such as to be a wholesome example and pattern to the flock of Christ.

3. No person shall be admitted into holy orders who is suffering, or who has suffered, from any physical or mental infirmity which in the opinion of the Bishop will prevent him from ministering the word and sacraments or from performing the other duties of the minister's office.

4. Subject to paragraph 5 no person shall be admitted into holy orders who has remarried and, the other party to that marriage being alive, has a former spouse still living; or who is married to a person who has been previously married and whose former spouse is still living.

5. The archbishop of the province, on an application made to him by the bishop of a diocese on behalf of a person who by reason of paragraph 4 could not otherwise be admitted into holy orders, may grant a faculty for the removal of the impediment imposed by that paragraph to the admission of that person into holy orders, and any request made to a bishop for an application to be made on his behalf under this paragraph shall be made and considered, and any application made by the bishop to the archbishop shall be made and determined, in accordance with directions given from time to time by the Archbishops of Canterbury and York acting jointly.

6. No person shall be refused ordination as deacon or priest on the ground that he was born out of lawful wedlock.

7. A deaconess who is licensed or holds a bishop's permission to officiate, and in either case satisfies the requirements of this Canon as to the persons to be ordained as deacons, may apply to a bishop for his or her consent to her ordination as a deacon for service in the diocese of that bishop, and the bishop may give that consent notwithstanding –

- (a) that she has not after applying to be so ordained been further examined concerning her knowledge of Holy Scripture or of the doctrine, discipline and worship of the Church of England;
- or
- (b) that she has not exhibited to the bishop any certificate or other document which is required to be so exhibited under Canon C7.

8. The Archbishops of Canterbury and York may jointly authorize forms of service for deaconesses to be ordained deacon, being forms of service which in both words and order are in

their opinion reverent and seemly and neither contrary to, nor indicative of any departure from, the doctrine of the Church of England in any essential matter.

9. In the forms of service contained in *The Book of Common Prayer* or the Ordinal words importing the masculine gender in relation to priests or deacons are construed as including the feminine.

C5 OF THE HOUSE OF BISHOPS' DECLARATION ON THE MINISTRY OF BISHOPS AND PRIESTS

1. Subject to the following provisions of this Canon –

- (a) so much of the Scheme set out in the Schedule to the Women Priests (Channel Islands) Order 1999 as enabled a Congregational Meeting to pass either or both of the resolutions set out as Resolution A and Resolution B in Part 1 of Schedule 1 to the Priests (Ordination of Women) Measure 1993 is affirmed; but
- (b) no such resolution shall have effect after the expiry of twenty-four months immediately following the coming into force of these Canons.

2. Subject to procedures prescribed by Regulations made by the Deanery Synod under Canon C24, a Congregational Meeting may pass a resolution to take advantage of arrangements (for which the House of Bishops' declaration on the Ministry of Bishops and Priests makes provision) available to those who on grounds of theological conviction are unable to receive the ministry of women bishops or priests.

3. Where a Congregational Meeting has passed the requisite resolution it is the responsibility of the Bishop to put the arrangements in place after consultation with the minister and the Church Officers. The purpose of the consultation is to enable the Bishop to ascertain the nature of the theological conviction underlying the resolution so that the resolution can be implemented effectively.

4. At least four weeks' notice must be given of the Congregational Meeting to pass such a resolution, and the resolution will read as follows:

“The Congregational Meeting of [] Church requests, on grounds of theological conviction, that arrangements be made for the Church in accordance with the House of Bishops' Declaration on the Ministry of Bishops and Priests.”

or to like effect as may be prescribed by Regulations made by the Deanery Synod under Canon C24.

5. The resolution shall not be passed by a Congregational Meeting unless the meeting is attended by at least one third of the persons entitled to attend, and passed by a simple majority of those attending.

6. A copy of any resolution passed by a Congregational Meeting shall be sent to the Bishop and to the Dean, and to such other persons as shall be prescribed by Regulations made by the Deanery Synod under Canon C24.

7. A Congregational Meeting which has passed a resolution under paragraph 2 may rescind it at any time, subject to the same requirements as apply to the passing of such a resolution.

C6 OF THE TITLES OF SUCH AS ARE TO BE ORDAINED DEACONS OR PRIESTS

No person shall be admitted into holy orders by any bishop other than the bishop of the diocese in which he is to exercise his ministry, except he shall bring with him Letters Dimissory from the bishop of such diocese.

C7 OF THE CERTIFICATES AND TESTIMONY TO BE EXHIBITED TO THE BISHOP BY SUCH AS ARE TO BE ORDAINED DEACONS OR PRIESTS

1. Every person who is to be made a deacon shall exhibit to the bishop –
 - (a) a certificate or other sufficient evidence of the date and place of his birth;
 - (b) testimony of his former good life and behaviour from persons specified by the bishop.
2. Every person who is to be ordained priest shall exhibit to the bishop –
 - (a) his Letters of Orders;
 - (b) testimony of his former good life and behaviour from persons specified by the bishop.

C8 OF EXAMINATION FOR HOLY ORDERS

No bishop shall admit any person into holy orders, except such person on careful and diligent examination, wherein the bishop shall have called to his assistance the Dean and other ministers appointed for this purpose, be found to possess a sufficient knowledge of Holy Scripture and of the doctrine, discipline, and worship of the Church of England as set forth in the Thirty-nine Articles of Religion, *The Book of Common Prayer*, and the Ordinal: and to fulfil the requirements as to learning and other qualities which, subject to any directions given by the General Synod, the bishop deems necessary for the office of deacon.

C9 OF MINISTERS EXERCISING THEIR MINISTRY

1. Every minister shall exercise his ministry in accordance with the provisions of this Canon.
2. A minister duly ordained priest or deacon may officiate in any place only after he has received authority to do so:

Save that a minister having the cure of souls of a church or chapel may allow a minister, concerning whom he is satisfied either by actual personal knowledge or by good and sufficient evidence that he is of good life and standing and that he has lawful authority to officiate in a diocese of the Church of England (whether in that or another diocese), to minister within his church or chapel for a period of not more than seven days within three months without reference to the Bishop, provided that he shall notify the Dean at least 48 hours beforehand.

3. Such authority is conferred on a minister by the Bishop or the Dean as his Commissary by instituting the minister to a benefice, or, in the case of the Bishop, by admitting the minister to serve in the diocese by licence under his hand and seal, or by giving him written permission to officiate in the same.

4. No minister who has such authority to exercise his ministry in any diocese shall do so therein in any place in which he has not the cure of souls without the permission of the minister having such cure, except at the homes of persons whose names are entered on the Deanery Electoral Roll in respect of the Ecclesiastical Parish or proprietary chapel in Jersey which he serves, and in a school, hospital, or public or charitable institution in which he is licensed to officiate as provided by Canon B41.

5.(1) A minister who has authority to officiate in Jersey in accordance with this Canon shall participate in such arrangements as the Bishop approves for the provision of training in matters relating to the safeguarding of children and vulnerable adults.

(2) In this Canon –

“child” means a person aged under 18, and

“vulnerable adult” means a person aged 18 or over whose ability to protect himself or herself from violence, abuse, neglect or exploitation is significantly impaired through physical or mental disability or illness, old age, emotional fragility or distress, or otherwise; and for that purpose, the reference to being impaired is to being temporarily or indefinitely impaired.

6. Authority may be conferred by the Dean, after consulting with the Bishop, on a minister or duly ordained priest or deacon to officiate in any place within the Deanery for a period of not more than three months.

7. Authority to officiate in Jersey in accordance with this Canon may be conferred upon an overseas clergyman only after he has obtained the written permission of the Archbishop to do so.

8. A minister who has authority to officiate in Jersey in accordance with this Canon shall be under a duty to have due regard to the House of Bishops’ guidance, and to the Jersey law and practice, on safeguarding children and vulnerable adults.

9. Nothing in this Canon affects the appointment of and discharge of functions by a *Ministre Desservant* at customary law.

C10 OF COLLATION AND PRESENTATION

1. A vacancy or impending vacancy in any benefice shall be notified by the Dean to the Bishop, to the patron and to the Church Officers, and the provisions of the law of Jersey from time to time in force relating to the filling of such vacancy shall be complied with.

2. The Bishop shall have twenty-eight days' space to inquire and inform himself of the sufficiency and qualities of every minister, after he has been presented to him to be instituted to any benefice.

C11 OF ADMISSION AND INSTITUTION

1. No person shall be admitted or instituted to any benefice before such time as he shall have been ordained priest by episcopal ordination in accordance with the provisions of Canon C1.

2. The Bishop shall not admit or institute to a benefice any priest who has been ordained by any bishop, except such priest first show unto him his Letters of Orders or other sufficient evidence that he has been ordained, and bring him sufficient testimony, if the Bishop shall require it, of his former good life and behaviour, and lastly, shall appear on due examination to be of sufficient learning.

3. The Bishop may refuse to admit or institute any priest to a benefice in Jersey on the ground that at the date of presentation not more than three years have elapsed since the priest who has been presented to him was ordained deacon, or that the said priest is unfit for the discharge of the duties of a benefice by reason of physical or mental infirmity or incapacity, pecuniary embarrassment of a serious character, grave misconduct or neglect of duty in an ecclesiastical office, evil life, having by his conduct caused grave scandal concerning his moral character since his ordination.

4. The Bishop shall not admit or institute any priest to a benefice until the expiration of two weeks after notice that he proposes to institute such priest has been served on the churchwardens of the parish; which notice shall be published by the churchwardens in the customary manner.

5. After the expiration of one month from the serving of such notice on the churchwardens of the parish, the Bishop shall, as speedily as may be, proceed to give institution to the priest to whom he has collated the benefice, or who has been presented to him to be instituted thereto, in accordance with the laws and statutes in that behalf provided; which institution he shall use his best endeavours to give in the parish church of the benefice.

6. The Bishop, or the Dean as his Commissary, when he gives institution, shall read the words of institution from a written instrument having the episcopal seal appended thereto.

7. The provisions of this Canon are without prejudice to any right of a patron or a presentee to appeal to the Archbishop, against the refusal of the Bishop to institute.

8. No person shall hold two Rectorial Benefices together.

C12 OF INDUCTION

1. The Bishop, or the Dean as his Commissary, after giving institution to any priest, shall issue directions for induction to the Dean or to a Vice Dean, as the case may be, who shall thereupon induct the said priest into possession of the temporalities of the benefice.

2. The Dean or the Vice Dean, as the case may be, when he makes the induction, shall take the priest who is to be inducted by the hand and lay it upon the key or upon the ring of the church door, or if the key cannot be had and there is no ring on the door, or if the church be in ruins, upon any part of the wall of the church or churchyard, at the same time reading the words of induction, after which the priest who has been inducted shall toll the bell to make his induction public and known to the people.

C13 OF THE LICENSING OF MINISTERS UNDER SEAL

1. A licence, granted by the Bishop under his hand and seal to any minister to serve within his diocese, shall be in the form either –

- (a) of a general licence to preach or otherwise to minister subject to the provisions of paragraph 4 of Canon C9 in any parish or Ecclesiastical District; or
- (b) of a licence to perform some particular office,

and a licence granted to an assistant curate may be in a form which specifies the term of years in which the licence shall have effect.

2. The Bishop shall not grant any such licence to any minister who has come from another diocese, except such minister first show unto him Letters of Orders or other sufficient evidence that he is ordained, and bring him testimony, from the bishop of the diocese whence he has come, of his honesty, ability, and conformity to the doctrine, discipline, and worship of the Church of England.

3. After consultation with the Dean, the Bishop may by notice in writing revoke summarily, and without further process, any licence granted to any minister for any cause which appears to him to be good and reasonable after having given the minister sufficient opportunity of showing reason to the contrary and the notice shall notify the minister that he may, within twenty-eight days from the date on which he receives the notice, appeal to the Archbishop.

4. On such an appeal the Archbishop may either hear the appeal himself or appoint a person holding the office of diocesan bishop or suffragan bishop in his province (otherwise than in the Bishop's diocese) to hear the appeal in his place; and, after hearing the appeal or, if he has appointed a bishop to hear the appeal in his place, after receiving a report in writing from that bishop, the Archbishop may confirm, vary or cancel the revocation of the licence as he considers just and proper, and there shall be no appeal from the decision of the Archbishop.

5. An appeal under paragraph 4 shall be conducted in accordance with rules approved by the Archbishop; and any such rules may provide for the appointment of one or more persons to advise the Archbishop or bishop hearing such an appeal on any question of law arising in the course thereof.

6. Where the Bishop has granted a licence to an assistant curate to minister for a term of years specified in the licence, the Bishop may revoke that licence under paragraph 3 before the expiration of that term, and where he does so that curate shall have the like right of appeal as any other minister whose licence is revoked under that paragraph.

C14 OF THE OATH OF ALLEGIANCE

1. Every person who is to be ordained priest or deacon, or to be instituted to any benefice, or to be instituted, installed, licensed or admitted to any office in the Church of England in Jersey shall first, in the presence of the Bishop or his commissary by whom he is to be ordained, instituted or licensed, take and subscribe the Oath of Allegiance in the form following –

“I, A B, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II, her heirs and successors, according to law: So help me God”.

2. The aforesaid Oath of Allegiance shall not be required to be taken –

- (a) by any subject or citizen of a foreign state whom either archbishop, calling to assist him such bishops as he thinks fit, shall consecrate to officiate as a bishop in any foreign state; or
- (b) by any overseas clergyman to whom section 2 of the Overseas and Other Clergy (Ministry and Ordination) Measure 1967 applies or any other person ordained under section 5 of that Measure for ministry overseas, if the Bishop dispenses with the said oath.

3. Instead of taking the aforesaid Oath of Allegiance a solemn affirmation may be made in the circumstances mentioned in Article 1(1)(a) of the Solemn Affirmations (Jersey) Law 1963 in the form following:

“I, A B, do solemnly, sincerely and truly declare and affirm that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II, her heirs and successors, according to law.”

C15 OF THE OATHS OF OBEDIENCE

1. Every person who is to be ordained priest or deacon, or to be instituted to any benefice, or to be instituted, installed, licensed or admitted to any office in the Church of England in Jersey, or to serve in any place in Jersey shall first take the Oath of Canonical Obedience to the Bishop in the presence of the Bishop or his commissary, and in the form following –

“I, A B, do swear by Almighty God that I will pay true and canonical obedience to [*insert appropriate reference to the Bishop*] and his successors in all things lawful and honest: So help me God”.

2. Instead of taking the aforesaid Oath of Canonical Obedience a solemn affirmation may be made in the circumstances mentioned in Article 1(1)(a) of the Solemn Affirmations (Jersey) Law 1963 in the form following:

“I, A B, do solemnly, sincerely and truly declare and affirm that I will pay true and canonical obedience to the [*insert appropriate reference to the Bishop*] and his successors in all things lawful and honest.”

3. Every bishop, priest or deacon who is to be translated, instituted, installed, licensed or admitted to any office in the Church of England or otherwise to serve in any place shall reaffirm the Oath of Canonical Obedience or his solemn affirmation taken at his ordination or consecration to the archbishop of the province or the bishop of the diocese (as the case may be) by whom he is to be instituted, installed, licensed or admitted in the presence of the said archbishop or bishop or his commissary in the form set out in this Canon.

C16 OF THE DECLARATION OF ASSENT

1.(1) The Declaration of Assent to be made under this Canon shall be in the form set out below –

PREFACE

The Church of England is part of the One, Holy, Catholic and Apostolic Church worshipping the one true God, Father, Son and Holy Spirit. It professes the faith uniquely revealed in the Holy Scriptures and set forth in the catholic creeds, which faith the Church is called upon to proclaim afresh in each generation. Led by the Holy Spirit, it has borne witness to Christian faith in its historic formularies, the Thirty-nine Articles of Religion, *The Book of Common Prayer* and the Ordering of Bishops, Priests and Deacons. In the declaration you are about to make will you affirm your loyalty to this inheritance of faith as your inspiration and guidance under God in bringing the grace and truth of Christ to this generation and making Him known to those in your care?

DECLARATION OF ASSENT

“I, A B, do so affirm, and accordingly declare my belief in the faith which is revealed in the Holy Scriptures and set forth in the catholic creeds and to which the historic formularies of the Church of England bear witness; and in public prayer and administration of the sacraments, I will use only the forms of service which are authorised or allowed by Canon.”

(2) The preface which precedes the Declaration of Assent in the form set out above shall be spoken by the archbishop or bishop or commissary in whose presence the Declaration is to be made in accordance with the following provisions of this paragraph and shall be spoken by him before the making of the Declaration.

(3) Every person who is to be ordained priest or deacon shall before ordination make and subscribe the Declaration of Assent in the presence of the archbishop or bishop by whom he is to be ordained.

(4) Every person who is to be instituted or admitted to any benefice or other ecclesiastical preferment or licensed to any lectureship shall first make and subscribe the Declaration of Assent in the presence of the bishop by whom he is to be instituted or licensed or of the bishop’s commissary.

(5) Every person who is to be licensed to any curacy shall first make and subscribe the Declaration of Assent in the presence of the Bishop by whom he is to be licensed or of the Bishop’s commissary unless he has been ordained the same day and has made the Declaration.

(6) Where any bishop, priest or deacon ceases to hold office in the Church of England or otherwise ceases to serve in any place the Declaration made under this Canon shall continue to have effect in so far as he continues to minister in the Church.

2. Every minister licensed to a curacy shall on the first Lord's Day on which he officiates in the church or one of the churches in which he is licensed to serve, publicly and openly make the Declaration of Assent at the time of divine service in the presence of the congregation there assembled.

Before the minister makes the Declaration the preface which precedes the Declaration in the form set out in paragraph 1(1) shall be spoken by the incumbent or another priest having a cure of souls.

3. Any person who in pursuance of a request and commission from a bishop of any diocese in England is ordained by an overseas bishop within the meaning of the Overseas and Other Clergy (Ministry and Ordination) Measure 1967, or a bishop in a church not in communion with the Church of England whose orders are recognised or accepted by the Church of England, shall be deemed to be ordained by a bishop of a diocese in England and accordingly shall make the Declaration of Assent.

C17 OF THE BISHOP

1. The Bishop is the chief pastor of all that are within Jersey, as well laity as clergy, and their father in God; it appertains to his office to teach and to uphold sound and wholesome doctrine, and to banish and drive away all erroneous and strange opinions; and, himself an example of righteous and godly living, it is his duty to set forward and maintain quietness, love, and peace among all people.

2. The Bishop has jurisdiction as Ordinary except in places and over persons exempt by Jersey law or custom.

3. Such jurisdiction is exercised by the Bishop himself or by the Dean as Commissary General in accordance with the Letters Patent and the Bishop's Commission.

C18 OF THE DEAN

1. The Dean shall be an episcopally ordained Minister of the Word of God, who is well qualified to hold the office, devout in his religion and steadfast in his service of God and who has completed no less than six years in priests' orders.

2. The Dean shall exercise his jurisdiction in accordance with the terms of his Letters Patent, the Bishop's Commission, these canons and local law and custom.

3. The Dean shall carry out his duties under the Bishop and shall assist the Bishop in his pastoral care and office, and he shall in particular see that anyone holding any ecclesiastical office within the Deanery is performing their duties with due diligence bringing to the Bishop's attention any matters which call for correction or merit praise.

4. The Dean shall as Commissary of the Bishop usually institute and induct into the possession of the temporalities (though he may direct a Vice Dean to perform the induction), or promulgate the licence of, all clergy appointed or licensed to a benefice.

5. The Dean as Commissary of the Bishop shall have jurisdiction over all matters which concern the service of God, the preaching of the Word, the administration of the sacraments.

6. The Dean or his deputy or Vice Dean shall at least once every three years visit every Ecclesiastical Parish in person and at his option may give an address to the congregation as he thinks fit; which Visitation shall be made for the purpose of ensuring that all things appertaining to the church, the Service of God, and the Administration of the Sacraments, are being satisfactorily provided by the churchwardens and that the Church, Churchyard and parsonage-house are being maintained and repaired and the churchwardens, or (if they should fail in doing their duty) the Minister shall advise the Dean of any matters requiring his attention whether it relates to the Minister himself, the Church Officers or to other members of the congregation of that church in order that the Dean may take appropriate action in accordance with the provisions of these Canons. These Visitations shall be in addition to the Dean's General Visitation at which all Clergy and Church Officers shall be cited to appear before him at such time and place as the Dean may direct.

7. When the Dean shall issue a summons advising of his visitation, he shall also deliver or cause to be delivered to the minister or churchwardens of the parish to be visited, details of such matters on which he shall require the minister and churchwardens to address him on the visitation day.

8. In the case of a vacancy of a benefice, if within twelve months of the vacancy arising the Patron does not present some person to the Bishop, or in the vacancy of the See to the Archbishop, to be admitted and instituted to the said benefice, then the Dean shall give notice to the Bishop so that the Bishop may give order for collating to the benefice.

9. The Dean shall be joint Chair, together with the Chair of the House of Laity, of the Deanery Synod.

10. The Dean may from time to time appoint one or more deputies or Vice Deans who may perform the duties of the Dean insofar as his Commission shall extend of which there shall be an Authentic Act registered in the Rolls of the Ecclesiastical Court.

11. The Bishop may from time to time delegate to the Dean such of his powers and duties as he may think fit.

C19 OF PRIESTS HAVING A CURE OF SOULS

1. Every priest having a cure of souls shall provide that, except for some reasonable cause, Morning and Evening Prayer daily, and on appointed days the Litany, shall be said in the church, or one of the churches, of which he is the minister.

2. Every priest having a cure of souls shall, except for some reasonable cause approved by the Dean celebrate, or cause to be celebrated, the Holy Communion on all Sundays and other greater Feast Days and on Ash Wednesday, and shall diligently administer the sacraments and other rites of the Church.

3. Every priest having a cure of souls shall, except for some reasonable cause approved by the Dean preach, or cause to be preached, a sermon in his church at least once each Sunday.

4. He shall instruct the parishioners of the benefice, or cause them to be instructed, in the Christian faith; and shall use such opportunities of teaching or visiting in the schools within his cure as are open to him.

5. He shall carefully prepare, or cause to be prepared, all such as desire to be confirmed and, if satisfied of their fitness, shall present them to the Bishop for confirmation.

6. He shall be diligent in visiting his parishioners, particularly those who are sick and infirm; and he shall provide opportunities whereby any of his parishioners may resort unto him for spiritual counsel and advice.

7. He and the Congregational Meeting shall consult together on matters of general concern and importance to the Ecclesiastical Parish.

8. If at any time he shall be unable to discharge his duties whether from non-residence or some other cause, he shall provide for his cure to be supplied by a priest licensed or otherwise approved by the Bishop.

C20 OF THE RESIDENCE OF PRIESTS ON THEIR BENEFICES

1. Every beneficed priest shall, except for some reasonable cause, keep residence on his benefice, or on one of them if he shall hold two or more in plurality, and in the house of residence (if any) belonging thereto.

2. No beneficed priest shall be absent from his benefice, or from the house of residence belonging thereto, for a period exceeding the space of three months together, or to be accounted at several times in any one year, except he have a licence to be so absent, granted by the Dean after consultation with the Bishop subject to the statutory provisions in this behalf for the time being in force, if any, or be otherwise legally exempt from residence.

3. Any beneficed priest, within one month after refusal of any such licence, may appeal to the Archbishop, who shall confirm such refusal or direct the Dean to grant a licence, as shall seem to the Archbishop just and proper.

4. In the case of any benefice in which there is no house, or no fit house of residence, the priest holding that benefice may be licensed by the Dean to reside in some fit and convenient house, although not belonging to that benefice.

C21 OF THE MANNER OF LIFE OF MINISTERS

1. Every priest and deacon is under obligation, not being prevented by sickness or some other urgent cause, to say daily the Morning and Evening Prayer, either privately or openly, and to celebrate the Holy Communion, or be present thereat on all Sundays and other principal Feast Days. He is also to be diligent in daily prayer and intercession, in examination of his conscience, and in the study of the Holy Scriptures and such other studies as pertain to his ministerial duties.

2. A minister shall not give himself to such occupations, habits, or recreations as do not befit his sacred calling, or may be detrimental to the performance of the duties of his office, or tend to be a just cause of offence to others; and at all times he shall be diligent to frame and fashion his life and that of his family according to the doctrine of Christ, and to make himself and them, as much as in him lies, wholesome examples and patterns to the flock of Christ.

C22 OF THE DRESS OF MINSTERS

The apparel of a priest or deacon shall be suitable to his office; and, save for purposes of recreation and other justifiable reasons, shall be such as to be a sign and mark of his holy calling and ministry as well to others as to those committed to his spiritual charge.

C23 OF THE OCCUPATIONS OF MINISTERS

1. No minister holding ecclesiastical office shall engage in trade or any other occupation in such manner as to affect the performance of the duties of his office, except so far as he be

authorised so to do under the statutory provisions in this behalf for the time being in force if any or he have a licence so to do granted by the Dean.

2. The Dean shall have power to grant or refuse such a licence after consultation with the Church Officers of the parish in which the minister holds office and with the Bishop.

3. If the Dean shall refuse such a licence, the minister may within one month of such refusal appeal to the Bishop, who shall confirm or overrule such refusal.

4. During a vacancy of the see, the powers of the Bishop under paragraph 3 shall be exercisable by the Archbishop.

C24 OF PROCEDURES UNDER THE HOUSE OF BISHOPS' DECLARATION ON THE MINISTRY OF BISHOPS AND PRIESTS

1. The Deanery Synod shall make Regulations prescribing a procedure to resolve disputes arising from any resolution under Canon C5 intended to take advantage of arrangements for which the House of Bishops' declaration on the Ministry of Bishops and Priests makes provision.

2. Regulations under this Canon are subject to Section G7 of these Canons and shall be consistent in substance with the House of Bishops' declaration.

C25 OF SAFEGUARDING CHILDREN AND VULNERABLE ADULTS

1.(1) The Bishop shall appoint a Diocesan Safeguarding Adviser for Jersey (in these Canons referred to as "the Jersey Safeguarding Adviser").

(2) It is the function of the Jersey Safeguarding Adviser to advise the Bishop and the Dean on matters relating to the safeguarding of children and vulnerable adults in the Deanery and to discharge all other functions of the Jersey Safeguarding Adviser under these Canons.

(3) The Bishop, in consultation with the Dean, shall appoint a person to be the Deanery Safeguarding Officer.

(4) The duties of the Deanery Safeguarding Officer are to ensure that Deanery safeguarding policy is carried out in Jersey and, in doing so –

- (a) to report all safeguarding concerns to the Jersey Safeguarding Adviser;
- (b) to furnish advice on the formulation of Deanery safeguarding policy in relation to Jersey;
- (c) to ensure that all parishes are familiar with current safeguarding requirements; and
- (d) to liaise with Diocesan safeguarding officers, to ensure that training is carried out.

2.(1) The Archbishop may, in a case where the Archbishop is satisfied that it is justified in all the circumstances to do so, direct a bishop who holds office in the Archbishop's province, or has authority to officiate in the diocese, to undergo a risk assessment.

(2) The Bishop may, in a case where the Bishop is satisfied that it is justified in all the circumstances to do so, direct the Dean or a priest or deacon who has authority to officiate in the diocese in accordance with Canon C9 to undergo a risk assessment.

(3) A “risk assessment”, in relation to the Dean, or a bishop, priest or deacon, is an assessment of whether there is a significant risk that the Dean or a bishop, priest or deacon may –

- (a) harm a child or vulnerable adult;
- (b) cause a child or vulnerable adult to be harmed;
- (c) put a child or vulnerable adult at risk of harm;
- (d) attempt to harm a child or vulnerable adult;
- (e) incite another person to harm a child or vulnerable adult.

(4) A direction under this paragraph must be in writing and accompanied by a written explanation of the reasons why it is being given.

(5) The Dean, or a bishop, priest or deacon to whom a direction under this paragraph is given, may request the President of the Disciplinary Division to review the decision.

(6) A request under sub-paragraph (5) must be in writing and must be made before the end of –

- (a) twenty-one days beginning with the day on which the direction is given; or
- (b) such longer period as the President of the Disciplinary Division may permit on an application by the Dean, or a bishop, priest or deacon.

(7) In response to a request under sub-paragraph (5), the President of the Disciplinary Division may –

- (a) uphold the direction to which the request relates; or
- (b) if the President considers the direction to be plainly wrong, revoke it.

(8) A failure to comply with a direction under this paragraph without reasonable excuse is to be regarded as a failure to do an act required by the ecclesiastical laws of Jersey.

(9) The Archbishop may revoke a direction which the Archbishop has given under this paragraph; and the Bishop may revoke a direction which the Bishop has given under this paragraph.

3.(1) The Deanery Synod shall by Regulations consistent with the principles applicable in any regulations made by the House of Bishops make provision about the carrying out of a risk assessment; the Regulations must, in particular, make provision as to –

- (a) the persons who may carry out a risk assessment;

- (b) the procedure for carrying out a risk assessment; and
- (c) the procedure for challenging the outcome of a risk assessment.

(2) The Deanery Synod may by Regulations amend or revoke any Regulations made under this paragraph, subject to the same obligation of consistency with the principles applicable in any regulations made by the House of Bishops as set out above.

4. Regulations under this Canon may confer a discretion.

5. A reference in this Canon to the President of the Disciplinary Division is a reference to the President of the Disciplinary Division of the Ecclesiastical Court as described in Canon F3 below, and the provisions of that Canon authorising the delegation of functions apply to the functions of the President under this Canon.

6. In this Canon –

- “child” means a person under the age of 18; and
- “vulnerable adult” has the same meaning as in Canon C9 above.

SECTION D

THE LAY OFFICERS OF THE CHURCH

D1 OF CHURCHWARDENS (*SURVEILLANTS*)

1.(1) Each of the Ancient Parishes shall elect two churchwardens at an Ecclesiastical Assembly of the parish to be held at a convenient time and place prior to the 31st May in each year.

(2) Each of the District Churches shall elect two churchwardens at a Congregational Meeting to be held at a convenient time and place prior to the 31st May in each year.

(3) For the avoidance of doubt a churchwarden need not be resident in the Ecclesiastical Parish which he serves in that capacity, but shall be on the Deanery Electoral Roll.

(4) If there shall be more than two persons standing for election as churchwardens in any Ecclesiastical Parish, the incumbent shall have power to name one churchwarden and there shall be an election for the remaining position of churchwarden.

2. The oaths of office shall be administered to all churchwardens by the Ecclesiastical Court as soon as conveniently possible after the 1st June in each year.

3. The churchwardens so chosen and sworn in shall continue in office until they, or others as their successors, be sworn in by a subsequent Ecclesiastical Court or until they are dismissed by a resolution to that effect duly passed by an Ecclesiastical Assembly (in the case of the Ancient Parishes) or a Congregational Meeting (in the case of the District Churches) as the case may be. Any churchwarden who has been dismissed may appeal to the Ecclesiastical Court (Ordinary Division) which may confirm the dismissal, reinstate the churchwarden to office, or make such other order as it thinks fit. The incumbent of the Ecclesiastical Parish which has dismissed the churchwarden shall not sit in the Ecclesiastical Court for the purposes of any such appeal.

4.(1) The churchwardens when admitted are officers of the Dean as Commissary of the Bishop and are accountable to the Dean and to the Ecclesiastical Court.

(2) The churchwardens shall be under a duty to have due regard to the House of Bishops' guidance, and to the Jersey law and practice, on safeguarding children and vulnerable adults.

(3) The churchwardens shall discharge such duties as are by law and custom assigned to them. They shall be foremost in representing the laity and in co-operating with the incumbent; and shall endeavour by example and precept –

- (a) to encourage the parishioners in the practice of true religion;
and
- (b) to promote unity and peace among them.

(4) It shall be the duty of the churchwardens to maintain order and decency in the church and churchyard, especially during the time of divine service; and to keep the accounts of the church and each year present to the Ecclesiastical Assembly or Congregational Meeting, or both, a set of accounts for the preceding calendar year signed by them and by the incumbent, and reviewed by such third party as shall have been nominated by the relevant Congregational Meeting for such purpose.

(5) In the event that the accounts so presented shall not be approved by the Assembly or by the Meeting, as the case may be, the matter shall be remitted forthwith to the Ecclesiastical Court which may make such order as it thinks fit.

(6) The incumbent of the Ecclesiastical Parish the accounts of which are to be considered by the Ecclesiastical Court shall not sit in the Ecclesiastical Court that receives them.

(7) Copies of the accounts, once approved by the relevant Assembly or Meeting, as the case may be, shall be remitted forthwith to the Chairman of the Finance Committee of the Deanery Synod and to the Dean.

5.(1) All churchwardens shall have responsibility with the incumbent to ensure that all things appertaining to the Church and required by Canon E to be provided are provided and maintained.

(2) In the churchwardens is vested the property in the plate, ornaments and other movable goods of the Church, and they shall keep an inventory thereof, which they shall revise from time to time as occasion may require.

(3) A copy of such inventory should be annexed to the accounts mentioned in paragraph 4(4).

(4) On leaving office, the churchwardens shall deliver to their successors any movable goods of the Church remaining in their hands together with the said inventory, which shall be checked by their successors.

6.(1) The churchwardens of the Ancient Parishes shall apply the revenues of the “*Trésor*” of the Church to the repairs, maintenance and needs of the Church, Churchyard and rectory; but they may not, save with the approval of the Parish Assembly and Dean's Licence or Faculty as may be appropriate, give orders for anything more than ordinary repairs and those other repairs or renewals necessary to be carried out without delay for the preservation of the Church or rectory.

(2) It shall be the duty of the churchwardens to present to the Ecclesiastical Assembly held prior to the 31st May in each year a set of accounts in respect of the “*Trésor*” and “*Charité*” accounts of the parish for the precedent calendar year, signed by the incumbent and reviewed by such third party as shall have been nominated by the Assembly for such purpose.

(3) In the event that the accounts so presented shall not be approved by the Assembly, the matter shall be remitted forthwith to the Ecclesiastical Court which shall make such order as it thinks just.

7. Nothing in these Canons shall affect the duties and obligations of churchwardens under the civil law.

D2 OF ALMONERS (*COLLECTEURS D'AUMÔNES*)

1. Each of the Ancient Parishes shall elect not less than two almoners at an Ecclesiastical Assembly of the parish to be held at a convenient time and place prior to the 31st May. Each of the District Churches shall elect not less than two almoners at a Congregational Meeting to be held at a convenient time and place prior to the 31st May.

2. The oaths of office shall be administered to all almoners by the Ecclesiastical Court as soon as conveniently possible after 1st June in each year.

3. It shall be the duty of almoners to give churchwardens such assistance as may be required in the discharge of their duties and to fulfil their other functions and duties in accordance with the law and custom of the Island.

D3 OF SUSPENSION AND DISMISSAL OF CHURCHWARDENS AND ALMONERS

1. The Dean as President of the Ordinary Division of the Ecclesiastical Court may suspend a person from office of churchwarden or almoner if –

- (a) the Dean has reason to believe that the person has acted in a manner contrary to the oath of churchwarden or almoner (as the case may be), or that the person has done any act in contravention of the laws ecclesiastical of Jersey, or neglected or failed to do any act required of a churchwarden or almoner (as the case may be) by the laws ecclesiastical of Jersey, or otherwise engaged in conduct likely to bring the Church of England in Jersey into disrepute;
- (b) the person has been arrested on suspicion of committing any offence at customary law or any *infracion* involving a child, young person or vulnerable adult; or
- (c) upon due inquiry the Dean is satisfied, on the basis of information provided by the police or by an appropriate officer of a government body with responsibility for the welfare of children or vulnerable adults or both, that the person presents a significant risk of harm.

2. The Dean must serve written notice on the person; and the notice must specify the Dean's reasons for imposing the suspension. Before serving a notice in a case falling within paragraph 1(c) above, the Dean shall consult with the Jersey Safeguarding Adviser.

3. The Dean may at any time, after consultation with the Bishop and, in a case falling within paragraph 1(c) above, the Jersey Safeguarding Adviser, revoke a suspension under this Canon by serving written notice on the person.

4. For the purposes of this Canon, a person presents a significant risk of harm if there is a significant risk that the person may –

- (a) harm a child or vulnerable adult;
- (b) cause a child or vulnerable adult to be harmed;
- (c) put a child or vulnerable adult at risk of harm;
- (d) attempt to harm a child or vulnerable adult; or
- (e) incite another person to harm a child or vulnerable adult.

5. In this Canon “child” means a person under 18 and “vulnerable adult” has the same meaning as in Canon C9 above.

6. A person who has been suspended from the office of Church Warden or Almoner in accordance with this Canon may appeal to the Disciplinary Division of the Ecclesiastical Court which may –

- (a) confirm the suspension, whether or not for a fixed period;
- (b) reinstate the person to office;
- (c) dismiss the person from office; or
- (d) make such other order as it thinks fit.

7. If a person who has the right to appeal under paragraph 6 above does not do so within three months of the notice of suspension having been served, the Dean may refer the matter to the Disciplinary Division of the Ecclesiastical Court, which may dismiss the person from office or make such other order as it thinks fit.

D4 OF SIDESMEN OR ASSISTANTS TO THE CHURCHWARDENS

1. The sidesmen of the Ancient Parish Churches and the District Churches are elected at Congregational Meetings held in the same period. The churchwardens in consultation with the incumbent may appoint additional sidesmen to take office until the next following Congregational Meeting.

2. No person whose name is not on the Deanery Electoral Roll is eligible as a sidesman, but all persons whose names are on the roll are so eligible.

3. It shall be the duty of the sidesmen to promote the cause of true religion in the parish and to assist the churchwardens in the discharge of their duties in maintaining order and decency in the church and churchyard, especially during the time of divine service.

D5 OF OTHER OFFICERS

In any benefice in which the services of a clerk, administrator, sexton, vergers or other officer are required, the minister and the parish authorities or other Church Officers, as the case may be,

shall appoint some fit and proper person to these offices upon such terms and conditions as may be appropriate in accordance with custom.

D6 OF READERS

1. A lay person who is baptised and confirmed and who satisfies the Bishop that he is a regular communicant of the Church of England may be admitted by the Bishop, in consultation by the Dean, to the office of Reader in the Church and licensed by him to perform any duty or duties which may lawfully be performed by a reader according to the provisions of paragraph 2.

2. It shall be lawful for a reader –

- (a) to visit the sick, to read and pray with them, to teach in Sunday school and elsewhere, and generally to undertake such pastoral and educational work and to give such assistance to any minister as the Bishop may direct;
- (b) during the time of divine service to read Morning and Evening Prayer (save for the Absolution), to publish banns of marriage at Morning and Evening Prayer, to read the Word of God, to preach, to catechise the children, and to receive and present the offerings of the people;
- (c) to distribute the holy sacrament of the Lord's Supper to the people.

3.(1) The Bishop, in consultation with the Dean (unless sub-paragraph (2) applies), may also authorise a reader to bury the dead or read the burial service before, at or after a cremation; but only, in each case, with the goodwill of the persons responsible and at the invitation of the minister of the parish concerned.

(2) When a cure is vacant, the reference in sub-paragraph (1) to the minister of a parish shall be construed as a reference to the Dean.

4. The Canons and procedure for the nomination, admission and licensing of readers resident in Jersey shall be the same as they would have been had those readers been resident in England.

5. A reader shall be under a duty to have due regard to the House of Bishops' guidance, and to the Jersey law and practice, on safeguarding children and vulnerable adults.

D7 OF LAY WORKERS

1. A lay person who satisfies the Bishop that he –

- (a) is baptised and confirmed and a regular communicant of the Church of England;
- (b) has had the proper training; and
- (c) possesses the other necessary qualifications,

may be admitted by the Bishop as a lay worker of the Church.

2. A lay worker may perform the duties set out in this Canon or any of them, if authorised to do so by licence or permission of the Bishop.
3. A lay worker may in the place where he is licensed to serve, and under the direction of the minister, lead the people in public worship, exercise pastoral care, evangelise, instruct the people in Christian faith, and prepare them for the reception of the sacraments.
4. A lay worker may –
 - (a) in accordance with Canon B10, paragraph 4, be authorised and invited to say or sing Morning or Evening Prayer (save for the Absolution); and
 - (b) distribute the holy sacrament of the Lord’s Supper to the people and to read the Epistle and the Gospel.
5. The Bishop may also authorise a lay worker to perform any of the following duties at the invitation of the minister of the parish concerned –
 - (a) to preach at divine service;
 - (b) with the goodwill of the person responsible, to bury the dead or read the burial service before, at or after a cremation;
 - (c) to publish banns of marriage at Morning and Evening Prayer in accordance with the relevant general law.
6. When a cure is vacant the reference in paragraph 5 to the minister of a parish shall be construed as a reference to the Dean.
7. A lay worker shall be under a duty to have due regard to the House of Bishops’ guidance, and to the Jersey law and practice, on safeguarding children and vulnerable adults.

D8 OF THE ADMISSION AND LICENSING OF LAY WORKERS

1. The Bishop shall give to every person admitted by him as a lay worker of the Church a certificate of admission as a lay worker.
2. No person who has been admitted as a lay worker of the Church shall serve as such unless he has a licence so to do from the Bishop:

Provided that, when any lay worker is to serve for not more than 3 months, the written permission of the Dean shall suffice.

3. Every person who is to be admitted or licensed as a lay worker shall, in the presence of the Bishop or the Dean as his Commissary, make and subscribe the declarations set out below, the preface which precedes the Declaration of Assent in paragraph 1(1) of Canon C16 (with the appropriate adaptations) having first been spoken by the Bishop or the Dean as his Commissary:

“I, A B, do so affirm and accordingly declare my belief in the faith which is revealed in the Holy Scriptures and set forth in the catholic creeds and to which the historic formularies of the Church of England bear witness; and in public prayer I will use only the forms of service which are authorized or allowed by Canon.”

“I, A B, will give due obedience to the [Lord] Bishop of [.....] and his successors in all things lawful and honest.”

D9 DISQUALIFICATION, SUSPENSION AND DISMISSAL OF READERS AND LAY WORKERS

1.(1) The Bishop may not license a person resident in Jersey as a reader or lay worker unless the Bishop is satisfied that the person has undergone suitable training in matters relating to the safeguarding of children and vulnerable adults.

(2) The Bishop shall ensure that there are arrangements in place in Jersey for providing persons licensed as readers and lay workers with suitable training in matters relating to the safeguarding of children and vulnerable adults.

2.(1) No person resident in Jersey may be licensed as a reader or lay worker if the person –

- (a) has been convicted of an offence specified in paragraph 2 of Schedule 4 to the Children (Jersey) Law 2002; or
- (b) is included in a barred list within the meaning of the Safeguarding Vulnerable Groups Act 2006 of the United Kingdom.

(2) Accordingly, the Bishop may not license a person who is disqualified under sub-paragraph (1) to exercise the office of reader or lay worker, and where a person is so licensed is disqualified under sub-paragraph (1), the Bishop shall revoke the licence by giving the person notice in writing.

(3) The Bishop may waive a person’s disqualification under sub-paragraph (1)(a) by giving the person notice in writing; and where the Bishop does so, sub-paragraph (2) does not apply in that person’s case to the extent necessary for giving effect to the notice.

(4) A notice under sub-paragraph (3) must specify the Bishop’s reasons for giving the waiver.

(5) A waiver under sub-paragraph (3) is of unlimited duration and has effect in every diocese.

(6) Before giving a waiver under sub-paragraph (3) the Bishop must consult –

- (a) the Dean;
- (b) the Jersey Safeguarding Adviser; and
- (c) such other persons as the Bishop considers appropriate.

(7) On giving notice under sub-paragraph (3), the Bishop shall give a copy –

- (a) to the Registrar of the diocese; and
- (b) to the Greffier of the Ecclesiastical Court.

3.(1) This paragraph applies where –

- (a) a person resident in Jersey who is licensed to exercise the office of reader or lay worker is arrested on suspicion of committing an offence specified in paragraph 2 of Schedule 4 to the Children (Jersey) Law 2002, or has been charged with such an offence; or
 - (b) the Bishop is satisfied, on the basis of information provided by the Dean, the police, or some other authority, that a person resident in Jersey who is so licensed presents a significant risk of harm.
- (2) The Bishop may suspend the person's licence by giving the person notice in writing.
- (3) The Bishop may revoke a suspension by giving the person notice in writing.
- (4) For the purpose of sub-paragraph (1)(b) above, a person presents a significant risk of harm if there is a significant risk that the person may –
- (a) harm a child or vulnerable adult;
 - (b) cause a child or vulnerable adult to be harmed;
 - (c) put a child or vulnerable adult at risk of harm;
 - (d) attempt to harm a child or vulnerable adult; or
 - (e) incite another person to harm a child or vulnerable adult.
- (5) Before suspending a person in reliance on sub-paragraph (1)(b) or revoking a suspension made in reliance on sub-paragraph (1)(b), the Bishop must consult –
- (a) the Dean;
 - (b) the Jersey Safeguarding Adviser; and
 - (c) such other persons as the Bishop considers appropriate.
- (6) Where, in reliance on sub-paragraph (1)(a), a notice of suspension is given under sub-paragraph (2) and the suspension has not been revoked under sub-paragraph (3), the suspension continues until the earlier of –
- (a) the expiry of three months beginning with the day on which the notice is given; and
 - (b) the conclusion of the matter.
- (7) If, in the case of a suspension made in reliance on sub-paragraph (1)(a), the matter is not concluded before the expiry of the period referred to in sub-paragraph (6)(a), a further notice of suspension under sub-paragraph (2) may be given to the person; and sub-paragraph (6) and this paragraph apply to the further suspension as they applied to the earlier suspension or suspensions.
- (8) Where, in reliance on sub-paragraph (1)(b), a notice of suspension is given under sub-paragraph (2) and the suspension has not been revoked under sub-paragraph (3), the suspension continues until the expiry of three months beginning with the day on which the notice is given.

(9) In the case of a suspension made in reliance on sub-paragraph (1)(b), a further notice of suspension may be given under sub-paragraph (2) to the person; and sub-paragraph (8) and this paragraph apply to the further suspension as they applied to the earlier suspension or suspensions.

(10) For the purpose of this paragraph, a matter is concluded when –

- (a) a decision is taken not to charge the person with the offence in question; or
- (b) where the person is charged with the offence, the proceedings for the offence are concluded.

(11) In this paragraph –

- (a) “child” means a person aged under 18; and
- (b) “vulnerable adult” has the same meaning as in Canon C9.

4.(1) The Bishop may, after consultation with the Dean, by notice in writing revoke summarily, and without further process, any licence granted to a reader or lay worker resident in Jersey for any cause which appears to him to be good and reasonable, after having given the reader or lay worker sufficient opportunity of showing reason to the contrary.

(2) The Bishop, after consulting the Dean, or on the request of the Dean, may suspend a licence granted to a reader or lay worker by giving the person notice in writing, pending a decision on whether to revoke the licence under sub-paragraph (1).

5.(1) A person who receives notice of suspension under paragraph 3(2) or notice of revocation under paragraph 4(1) may appeal within one month to the Disciplinary Division of the Ecclesiastical Court on the ground that the suspension or revocation was unreasonable in all the circumstances of the case.

(2) On an appeal under sub-paragraph (1) the Disciplinary Division may confirm, vary or cancel the suspension or revocation of the licence as the case may be.

(3) There shall be no appeal from the decision of the Disciplinary Division.

6.(1) Having given notice of suspension or revocation under paragraph 3(2) or 4(1), the Bishop shall give each of the following written notification –

- (a) the Dean;
- (b) the clergy who hold office in each parish in which the person is so licensed;
- (c) the Church Officers of each parish in which the person is so licensed;
- (d) each suffragan bishop of the diocese;
- (e) the Registrar of the diocese;
- (f) the Jersey Safeguarding Adviser;
- (g) the Greffier of the Ecclesiastical Court; and
- (h) such other persons as the Bishop considers appropriate.

(2) The Registrar shall file the notification given under sub-paragraph (1)(e) in the diocesan registry and the Greffier of the Ecclesiastical Court shall file the notification given under sub-paragraph (1) (g) in the Rolls of the Court.

7. The power of the Deanery Synod under Section G of these Canons to make Regulations includes power to make further provision in matters relating to the disqualification, suspension and dismissal of readers and lay workers.

8. The Ordinary Division of the Ecclesiastical Court may, pursuant to Canon F1.3, make Rules of Court regulating or making provision for any matters relevant to the conduct of any appeal to the Court under this Canon.

SECTION E THINGS APPERTAINING TO CHURCHES

E1 OF THE FONT

1. In every church and chapel where baptism is to be administered, there shall be provided a decent font with a cover for the keeping clean thereof which shall be set in as spacious and well-ordered surroundings as possible.

2. The font bowl shall only be used for the water at the administration of Holy Baptism and for no other purpose whatsoever.

E2 OF THE HOLY TABLE

1. In every church and chapel a convenient and decent table, of wood, stone, or other suitable material, shall be provided for the celebration of the Holy Communion, and shall stand in the main body of the church or in the chancel where Morning and Evening Prayer are appointed to be said. Any dispute as to the position where the table shall stand shall be determined by the Dean.

2. The table, as becomes the table of the Lord, shall be kept in a sufficient and seemly manner, and from time to time repaired, and shall be covered in the time of divine service with a covering of silk or other fabric, and with a fair white linen cloth at the time of the celebration of the Holy Communion.

E3 OF THE COMMUNION PLATE

1. To every church and chapel there shall be provided, for the celebration of the Holy Communion, a chalice for the wine and a paten or other vessel for the bread, of gold, silver, or other suitable metal. There shall also be provided a suitable receptacle for the collection of the alms of the people, and a convenient cruet or flagon for bringing the wine to the communion table.

2. It is the duty of the minister of every church or chapel to see that the communion plate is kept washed and clean, and ready for the celebration of the Holy Communion.

E4 OF THE COMMUNION LINEN

In every church and chapel there shall be provided and maintained a sufficient number of fair white linen cloths for the covering of the communion table and of other fair linen cloths for the use of the priest during the celebration of Holy Communion.

E5 OF ROBES FOR THE MINISTER

In every church and chapel appropriate robes for the minister or ministers shall be provided and maintained at the cost of the church or chapel.

E6 OF THE READING DESKS AND PULPIT

In every church and chapel there shall be provided convenient desks for the reading of Prayers and God's word, and, unless it be not required, a decent pulpit for the sermon, to be set in a convenient place; which place, in the case of any dispute, shall be determined by the Dean, and where the Rector of the place is the Dean, by the Vice Dean in the Ecclesiastical Court.

E7 OF SEATS IN CHURCH

1. In every church and chapel there shall be provided seats for the use of the parishioners and others who attend divine service.
2. In every church and chapel it shall be the duty of the churchwardens to allocate the seats amongst the parishioners and others in such manner as the service of God may be best celebrated in the church or chapel; saving the right of the minister to allocate seats in the chancel and the rights of any person to a seat or to allocate seats confirmed by faculty, prescription, or statutory authority.
3. Such allocation of seats to non-parishioners shall not interfere with the rights of the parishioners to have seats in the main body of the church.

E8 OF CHURCH BELLS

1. To every church and chapel there shall be provided at least one bell to ring the people to divine service.
2. Save in accordance with ancient custom, no bell in any church or chapel shall be rung contrary to the direction of the minister.

E9 OF THE BIBLE AND THE BOOK OF COMMON PRAYER FOR THE USE OF THE MINISTER

In every church and chapel there shall be provided for the use of the minister a Bible, including the Apocrypha, and a Book of Common Prayer, both of large size; a convenient Bible to be kept in the pulpit for the use of the preacher; and a service book, together with a cushion or desk, for use at the communion table

E10 OF THE ALMS BOX

In every church and chapel there shall be provided in a convenient place a box for the alms of the people; which alms are to be applied to such uses as the minister and Church Officers shall think fit; wherein if they disagree, the Dean shall determine the disposal thereof.

E11 OF THE REGISTER BOOKS AND THEIR CUSTODY

1. In every church and chapel where baptism is to be administered or matrimony solemnised there shall be provided register books of baptism, banns, and marriage respectively, and, if a churchyard or burial ground belonging to such church or chapel is used for burials, a register book of burials.

2. Register books shall be provided, maintained, and kept in accordance with the laws relating thereto, and the rules and regulations made thereunder and from time to time in force.
3. In every church and chapel there shall also be provided a register book of confirmations.

E12 OF THE REGISTER BOOK OF SERVICES

1. A register book of services shall be provided in all churches and chapels.
2. In the said register book shall be recorded every service of public worship, together with the name of the officiating minister and of the preacher (if he be other than the officiating minister), the number of communicants, and the amount of any alms or other collection and, if desired, notes of significant events.

E13 OF THE CARE AND REPAIR OF CHURCHES

1. The churches and chapels in every parish shall be decently kept and from time to time, as occasion may require, shall be well and sufficiently repaired and all things therein shall be maintained in such an orderly and decent fashion as best becomes the House of God.
2. The same shall apply to the fencing (*la clôture*) of the churchyards which shall be at the charge of those to whom by law or custom the liability belongs; and the churchyards shall be kept in such an orderly and decent manner as becomes consecrated ground.
3. It shall be the duty of the minister and churchwardens, if any alterations, additions, removals or repairs are proposed to be made in the fabric, ornaments, or furniture of the church, to obtain the faculty or licence of the Ecclesiastical Court before proceeding to execute the same.
4. In the case of every church and chapel, a record of all alterations, additions, removals, or repairs so executed shall be kept in a book to be provided for the purpose and the record shall indicate where specifications and plans may be inspected if not deposited with the book.

E14 OF CHURCHES NOT TO BE PROFANED

1. The churchwardens and their assistants shall not suffer the church or chapel to be profaned by any meeting therein for temporal objects inconsistent with the sanctity of the place, nor the bells to be rung at any time contrary to the direction of the minister, save in accordance with ancient custom.
2. They shall not suffer any person so to behave in the church, church porch, or churchyard during the time of divine service as to create disturbance. They shall also take care that nothing be done therein contrary to the law of the Church or of the Island.
3. If any person be guilty of riotous, violent, or indecent behaviour in any church, chapel, or churchyard, whether in any time of divine service or not, or of disturbing, vexing, troubling, or misusing any minister officiating therein, the said churchwardens or their assistants shall take care to restrain the offender and if necessary proceed against him according to law.

E15 OF PLAYS, CONCERTS AND EXHIBITIONS OF FILMS AND PICTURES IN CHURCHES

1. When any church or chapel is to be used for a play, concert, or exhibition of films or pictures, the minister shall take care that the words, music, and pictures are such as befit the House of God, are consonant with sound doctrine, and make for the edifying of the people.

2. The minister shall obey any general directions relating to such use of a church or chapel issued from time to time by the Dean.

3. No play, concert, or exhibition of films or pictures shall be held in any church or chapel except the minister have first consulted the authorities concerned with the precautions against fire and other dangers required by the law to be taken in the case of performances of plays, concerts, or exhibitions of cinematograph films, and the said authorities have signified that the proposed arrangements are a sufficient compliance with the regulations in force as to precautions against fire or other dangers.

4. If any doubt arises as to the manner in which the preceding clauses of this Canon are to be observed, the minister shall refer the matter to the Dean and obey his directions therein.

E16 OF KEEPING A RECORD OF THE PROPERTY OF CHURCHES

1. The Dean shall procure so far as he is able that a full note and terrier of all lands, goods, and other possessions of the churches and chapels of the Island be compiled and kept by the minister and churchwardens in accordance with his instructions from time to time.

2. The Dean shall at least once in three years, either in person or by a Vice Dean satisfy himself that the directions of paragraph 1 have been carried out in all the Ecclesiastical Parishes.

E17 OF THE SURVEY OF CHURCHES

It shall be the responsibility of the Minister and churchwardens of every church and chapel in the Island at least once in every five years to procure that the church buildings within their jurisdiction are inspected by one or more persons with skill and expertise for that purpose who shall give a written report on the defects, if any, in the church fabric, ornaments and furniture of the same and a copy of such report shall be furnished by the minister –

- (a) to the Dean; and
- (b) in the case of Ancient Parishes, also to the Connétable of the Parish.

SECTION F THE ECCLESIASTICAL COURT

F1 OF THE ECCLESIASTICAL COURT

1. *The Ecclesiastical Court Divisions*

There shall be two divisions of the Ecclesiastical Court –

- (a) The Ordinary Division; and
- (b) The Disciplinary Division.

2. *Court Officers*

- (1) There shall be not less than two advocates, one of whom shall be the Proctor, duly sworn to the Court to assist the Court in the performance of its duties.
- (2) The Court may also appoint a Proctor substitute to assist the Proctor or attend Court in the absence of the Proctor or to exercise any of the functions of the Proctor under this Canon.
- (3) It shall be the responsibility of the Proctor to present appropriate business for consideration by the Court in accordance with established custom.
- (4) There shall also be a Greffier duly sworn to the Court to keep a record of the Acts and decisions of the Court from time to time and generally to carry out all the duties of clerk.
- (5) The Court may also appoint a Greffier substitute to assist the Greffier or attend Court in the absence of the Greffier.
- (6) All Acts and decisions recorded in accordance with sub-paragraph (4) shall be authenticated by the signature or initials of the Greffier or the Greffier Substitute, as the case may be, and shall be entered in the appropriate register.
- (7) The Court Officers shall be appointed to office by the Ordinary Division on the recommendation of the Dean after consultation with the Bailiff; and may be removed from office in like manner.

3. *Rules of Court*

- (1) Rules of Court may be made from time to time by the Ordinary Division –
 - (a) for regulating and prescribing the procedure and practice of the respective Divisions of the Court, including matters relating to costs of proceedings, in all causes or matters whatsoever in respect of which the such Division of the Court has jurisdiction and any matters incidental thereto and for regulating the sittings of the Court from time to time;
 - (b) for regulating or making provision with respect to any other matters which may require to be regulated or with respect to which provision may require to be made for the purposes of these Canons.
- (2) Rules of Court which relate to a matter within the jurisdiction of the Disciplinary Division may only be made after consultation with the Bishop and the President of the Disciplinary Division.

4. *Costs*

- (1) The costs of and incidental to all proceedings in the Ecclesiastical Court shall be in the discretion of the Court and the Court shall have full power to determine by whom and to what extent the costs are to be paid.

(2) Costs ordered to be paid under this paragraph are recoverable as a civil debt; and the relevant Act of the Ecclesiastical Court, or a copy of the Act certified by the Greffier of the Court as a true copy, shall be sufficient evidence of the debt.

F2 OF THE ORDINARY DIVISION

1. President of the Ordinary Division

The Dean or in his absence a Vice Dean shall preside over sittings of the Ordinary Division. All incumbents of the Ancient Parishes and the Vice Deans shall be members in the Ordinary Division and sit as Assessors to advise the President.

2. Quorum

The Quorum for any sitting of the Ordinary Division shall be a President sitting with three Assessors.

3. Jurisdiction and proceedings

(1) Subject to these Canons, the jurisdiction of the Ordinary Division shall extend in Jersey to the following matters –

- (a) the consideration of applications for Faculties and matters relating thereto;
- (b) the administration of oaths to Church and Court Officers and members of the Disciplinary Division;
- (c) the admission of Notaries Public;
- (d) such matters as are expressed in these Canons to be within its jurisdiction; and
- (e) such other matters not within the jurisdiction of the Disciplinary Division as by the laws and customs of Jersey fell within the jurisdiction of the Ecclesiastical Court.

(2) All those entitled to sit shall be given reasonable notice of a sitting of the Ecclesiastical Court.

(3) At every sitting the names of those in attendance shall be enrolled.

(4) The Court shall sit in public save in cases of non-contentious business specified in Rules of Court when the Dean may sit in chambers with or without assessors.

(5) All causes and matters before the Court shall be determined by the President of the Court after he shall have sought the advice and opinion of the members of the Court at the sitting.

4. Appeals

(1) Appeals in matters which fall within the jurisdiction of the Ordinary Division under paragraph 3 above shall be heard and determined by the Royal Court.

(2) Every appeal shall be entered by notice in writing to the Judicial Greffier with a copy to the Dean, within fifteen days of the decision to be appealed.

(3) Any such appeal shall not take place by way of rehearing *de novo* but the Royal Court may consider fresh or further evidence as it thinks fit and generally may determine procedures on the appeal as it thinks fit, subject to Rules of Court made under Article 13 of the Royal Court (Jersey) Law 1948.

F3 OF THE DISCIPLINARY DIVISION

1. Due regard to the role of the Bishop and jurisdiction of the Dean

Any body or person on whom functions in connection with the discipline of persons in Holy Orders are conferred by this Canon shall, in exercising those functions, have due regard to the role in that connection of the Bishop by virtue of his office and consecration and the jurisdiction vested in the Dean by virtue of his Letters Patent from the Sovereign.

2. Composition of the Disciplinary Division

(1) This paragraph and paragraphs 3 to 31 below are subject to paragraph 33 below as regards proceedings on an alleged contravention involving doctrine, ritual or ceremonial.

(2) The Disciplinary Division shall comprise the following persons –

- (a) the President (hereinafter referred to as “the President”), who shall be –
 - (i) a Royal Court Commissioner, or
 - (ii) a person who holds or has held judicial office in the Commonwealth, appointed in either case by the Dean after consultation with the Bailiff and the Bishop; and
- (b) a panel of members as follows –
 - (i) a person from each Ancient Parish and Ecclesiastical District and a person from the Proprietary Chapel of St Paul, both being resident in Jersey and on the Deanery Electoral Roll, appointed by the President in consultation with the incumbent of the Ecclesiastical Parish or of the Proprietary Chapel of St Paul, as the case may be, to serve for not more than six years (but who may be re-appointed),
 - (ii) twelve Clerks in Holy Orders who have served at least seven years in Holy Orders, not being resident in Jersey, appointed by the Bishop, and
 - (iii) five persons being –
 - (A) Commissioners of the Royal Court, or
 - (B) advocates or solicitors of the Royal Court of at least ten years standing,
 appointed by the President in consultation with the Bailiff.

(3) Rules of Court may provide for the Disciplinary Division to be constituted by the President sitting alone (whether or not in chambers) for specified interlocutory matters or non-contentious business.

(4) No person who is not a communicant of the Church of England shall be nominated to serve on the panel appointed under sub-paragraph (2)(b).

(5) Where the period of service of a person nominated to serve on the panel appointed under sub-paragraph (2)(b) expires while he is a member of the Court to which proceedings under this Canon are referred, he shall continue to be a member of the Court until the completion of the said proceedings.

(6) Where a casual vacancy occurs on the panel appointed under sub-paragraph (2)(b), the President or the Bishop, as the case may be, may nominate a person to fill the vacancy, and the above provisions relating to qualifications and consultations shall apply for the purpose of the nomination of the person whose place he takes on the panel.

(7) Any person nominated to fill a casual vacancy shall serve only for the unexpired term of service of the person whose place he takes on the panel.

(8) The President or in his absence one of the advocates appointed pursuant to sub-paragraph (2)(b)(iii) above will preside at all sittings of the Disciplinary Division.

3. *Functions of the Division*

The Disciplinary Division shall exercise the functions conferred on it by this Canon and in addition shall have a duty to make itself familiar with codes of practice and general policy guidance to persons exercising functions in the wider Church of England in connection with clergy discipline.

4. *Jurisdiction in disciplinary proceedings – Clerks in Holy Orders*

The Disciplinary Division has jurisdiction to hear and determine disciplinary proceedings under these Canons against a Clerk in Holy Orders –

- (a) who, when the misconduct complained of was alleged to have been committed, held preferment or the Bishop's licence in the Deanery or was resident therein; or
- (b) who is alleged to have officiated as a minister in the Deanery without authority.

5. *Misconduct*

(1) Disciplinary proceedings under this Canon may be instituted against any Clerk in Holy Orders alleging any of the following acts or omissions –

- (a) doing any act in contravention of the laws ecclesiastical of Jersey;
- (b) failing to do any act required by the laws ecclesiastical of Jersey;
- (c) neglect or inefficiency in the performance of the duties of his office;
- (d) conduct unbecoming or inappropriate to the office and work of a Clerk in Holy Orders;
- (e) failing to comply with the duty to have due regard to House of Bishops' guidance on safeguarding children and vulnerable adults set out in Canon C9.

(2) In the case of a minister licensed to serve in the Deanery by the Bishop the licence shall not be terminated by reason of that person's misconduct otherwise than by way of such proceedings.

6. *Jurisdiction in disciplinary proceedings – Church Officers*

- (1) The Disciplinary Division has jurisdiction to hear and determine disciplinary proceedings under these Canons against churchwardens and almoners.
- (2) Regulations made by the Deanery Synod shall make provision (which must be consistent with these Canons) in relation to –
- (a) the acts and omissions in respect of which disciplinary proceedings under sub-paragraph (1) may be instituted;
 - (b) the persons by whom such proceedings may be brought, and the mode of bringing such proceedings;
 - (c) the practice and procedure to be followed in such proceedings; and
 - (d) the imposition of penalties or other action on a finding of misconduct.

7. *Limitation of time for institution of proceedings*

- (1) No disciplinary proceedings under this Canon shall be instituted unless the misconduct in question, or the last instance of it in the case of a series of acts or omissions, occurred within the period of the one year ending with the date on which proceedings are instituted:

Provided that, when the misconduct is one for which the person concerned has been convicted of a criminal offence, proceedings may be instituted within twelve months of the conviction becoming conclusive, notwithstanding that the aforesaid period of one year has elapsed:

And provided further that the President may, if he considers that there was good reason why the complainant did not institute proceedings at an earlier date, after consultation with the complainant and the respondent give his written permission for the proceedings to be instituted after the expiry of the said period of one year.

- (2) Sub-paragraph (1) does not apply where the misconduct in question is conduct of a sexual nature –
- (a) towards a child; or
 - (b) towards an adult if the President considers that the adult was a vulnerable adult at the time of the conduct, having taken into account such representations as the complainant and respondent each make on the issue of vulnerability.
- (3) Where, in a case within sub-paragraph (2)(b) above, the President does not consider that the adult was a vulnerable adult at the time of the conduct in question, the President may nonetheless decide to give permission under sub-paragraph (1) for the proceedings to continue; and for that purpose, the second proviso to sub-paragraph (1) has effect as if for the words “to be instituted” there were substituted the words “to continue despite having been instituted”.
- (4) Sub-paragraphs (2) and (3) above apply to conduct occurring before the coming into force of these Canons as well as to conduct occurring afterwards.

8. *Institution of proceedings*

- (1) Disciplinary proceedings under these Canons may be instituted against any Clerk in Holy Orders who is subject to the jurisdiction of the Ecclesiastical Court by virtue of paragraph 4 above, by way of complaint made in writing, only as follows by –
- (a) a person nominated by a Congregational Meeting of any parish or district church or of the Proprietary Chapel of St Paul which has a

proper interest in making the complaint, if not less than two-thirds of the lay members present and voting pass a resolution to the effect that the proceedings be instituted; or

- (b) a Church Officer of any such parish; or
- (c) any other person who has a proper interest in making the complaint.

(2) A complaint made under this paragraph shall be accompanied by written particulars of the alleged misconduct, and written evidence in support of the complaint shall be sent to the Proctor of the Ecclesiastical Court (or to a substitute appointed to assist the Proctor under Canon F1.2(2)) either with the complaint or at such later time as he may allow.

(3) Where a complaint is made against a bishop in respect of a matter arising in Jersey, the matter shall be dealt with under the provisions of the English Clergy Discipline Measure or statute in force from time to time; and, for the avoidance of doubt, each of –

- (a) the Proctor of the Ecclesiastical Court; and
- (b) the Lay Chair of the Deanery Synod,

has *locus standi* to lodge a complaint against the bishop.

9. *Preliminary scrutiny of complaint*

(1) When a complaint in writing has been made in accordance with paragraph 8 above it shall be considered in the first instance by the Proctor who shall thereupon scrutinise the complaint in consultation with the complainant with a view to –

- (a) forming a view as to whether or not the person making the complaint has a proper interest in doing so or, if the complainant purports to be a Church Officer, establishing that he is such; and
- (b) forming a view as to whether or not there is sufficient substance in the complaint to justify proceeding with it in accordance with the following provisions of this Canon,

and the Proctor shall notify the Bishop and the President that the complaint has been referred to him, and the Bishop shall cause the respondent to be promptly informed (unless requested not to do so by the proper law enforcement body where a criminal offence is alleged, in which event proceedings on the complaint shall be stayed).

(2) Having scrutinised the complaint the Proctor shall, within the period of twenty-eight days following its receipt by him or such longer period as he considers to be justified in the particular circumstances of the case, send a written report to the Bishop setting out the Proctor's views and thereupon the Bishop shall deal with the complaint in accordance with the following provisions of these Canons, having regard to the Proctor's report:

Provided that the period of twenty-eight days referred to above shall not be extended as aforesaid more than once.

(3) On receipt of the Proctor's report the Bishop may dismiss the complaint and, if he does so, shall give written notice of the dismissal to the complainant and the respondent, together with a copy of the report.

(4) Within fourteen days of receipt of a notice of dismissal the complainant may request the President to review the dismissal, and the President may then uphold the dismissal or, if he considers the dismissal to be plainly wrong, he may –

- (a) reverse it and direct the Bishop to deal with the complaint in accordance with paragraph 10 below, or
- (b) remit the complaint to the Bishop and direct the Bishop to reconsider the dismissal.

(5) On a reconsideration following a direction under sub-paragraph (4)(b) the Bishop may nonetheless exercise the power under sub-paragraph (3) and, if the Bishop does so, must give notice in accordance with that paragraph; and sub-paragraph (4) and this paragraph apply accordingly.

(6) Where the Proctor proposes to extend the period of twenty-eight days referred to in sub-paragraph (2) above, he shall, before doing so, consult the complainant and the respondent.

(7) The Proctor will inform the Dean of each action taken in the course of the scrutiny on a complaint under this paragraph, not being a complaint to which the Dean is the respondent.

10. *Courses available to the Bishop*

(1) The Bishop shall, within the period of twenty-eight days following the receipt by him of the Proctor's report under paragraph 9(2) above or the President's direction under paragraph 9(4)(a) above, or such longer period as may be reasonable, determine which of the following courses is to be pursued –

- (a) he may take no further action, in which case the provisions of paragraph 11 below apply; or
- (b) he may, if the respondent consents, direct that the matter remain on the record conditionally, in which case the provisions of paragraph 12 below apply; or
- (c) he may direct that an attempt to bring about conciliation in accordance with paragraph 13 below is to be made; or
- (d) he may impose a penalty by consent in accordance with paragraph 14 below; or
- (e) he may direct that the complaint is to be formally investigated by the Proctor of the Ecclesiastical Court in accordance with paragraph 15 below.

(2) Where the Bishop proposes to extend the period of twenty-eight days referred to in sub-paragraph (1) above he shall, before doing so, consult the complainant and the respondent.

(3) The Bishop shall notify the complainant and the respondent forthwith of any decision made by him pursuant to sub-paragraph (1) above.

11. *No further action*

(1) Where the Bishop determines that there is to be no further action the following provisions of this paragraph shall apply.

(2) He shall reduce his determination to writing and shall give a copy of it to the complainant and the respondent.

(3) On receipt of a notice of no further action the complainant may within fourteen days of receiving the notice request the President to review the decision. Within twenty-eight days of receipt of the complainant's referral, or such longer period as may be reasonable, the President's decision shall be given in writing with reasons and sent to the complainant, the respondent and the Bishop. The President may uphold the decision or, if he considers the decision to be plainly wrong, he may –

- (a) direct the Bishop to pursue such of the courses in paragraph 10(1) (b) to (e) above as he considers appropriate; or
 - (b) remit the matter to the Bishop and direct the Bishop to reconsider the determination that there is to be no further action.
- (4) On a reconsideration following a direction under sub-paragraph 3(b), the Bishop may nonetheless decide under paragraph 10(1)(a) to take no further action; and, if the Bishop does so, his decision is final.

12. *Conditional deferment*

- (1) Where the Bishop, with the consent of the respondent, determines that the matter is to be recorded conditionally the following provisions of this paragraph shall apply.
- (2) The complaint and the Bishop's determination shall be notified to the Archbishop and remain on a record maintained by the Greffier of the Ecclesiastical Court for such period not exceeding five years as the Bishop may determine and, subject to sub-paragraph (3) below, no further action shall be taken.
- (3) Notwithstanding the provisions of paragraph 7 above, if another complaint is made under paragraph 8 above against the respondent and that complaint is dealt with under sub-paragraph (c), (d) or (e) of paragraph 10(1) above, the recorded complaint may be dealt with under any of those sub-paragraphs together with the other complaint.
- (4) The Bishop shall reduce his determination to writing and give a copy of it to the complainant and the respondent. He shall also supply them with a statement explaining the effect of sub-paragraphs (2) and (3) above.
- (5) Within fourteen days of receipt of the determination the complainant may refer the complaint to the Greffier with a request that the President review the decision. If the President considers that the determination was plainly wrong, he may direct the Bishop to pursue such of the courses specified in paragraph 10(1)(c), (d) and (e) above as he considers appropriate, in which case the Bishop shall proceed accordingly.

13. *Conciliation*

- (1) Where the Bishop determines that an attempt to bring about conciliation is to be made he shall afford the complainant and the respondent an opportunity to make representations and, if both of them agree to the appointment of a conciliator, an appointment shall be made under sub-paragraph (2) below.
- (2) The appointment of a conciliator shall be by the Bishop with the agreement of the complainant and the respondent.
- (3) He shall not appoint any person to be a conciliator unless he is satisfied that there is no reason to question the impartiality of that person.
- (4) A conciliator appointed under this paragraph shall use his best endeavours to bring about a conciliation between the complainant and the respondent and –
- (a) if, within the period of three months following his appointment or such further period as he may, with the agreement of the complainant and the respondent, allow a conciliation is brought about, he shall submit a report on the case to the Bishop, together with such recommendations as he may wish to make;

- (b) if a conciliation is not brought about but the complainant and the respondent agree that another conciliator should be appointed, the Bishop may appoint that other person as the conciliator for the purposes of this paragraph;
 - (c) if a conciliation is not brought about and the complainant and the respondent do not agree as aforesaid, he shall refer the matter back to the Bishop.
- (5) If –
- (a) the complainant and the respondent do not agree to the appointment of a conciliator or as to the person to be appointed; or
 - (b) the matter is referred back to the Bishop by the conciliator under sub-paragraph 4(c) above,

the Bishop shall proceed to deal with the complaint under sub-paragraph (a), (b), (d) or (e) of paragraph 10(1) above.

14. *Penalty by consent*

(1) Where the Bishop considers that the imposition of a penalty by consent might be appropriate, he shall, subject to consulting with the President, afford the complainant and the respondent an opportunity to make representations and, if the respondent consents to the imposition of a penalty under this paragraph and he and the Bishop agree as to the penalty, the Bishop shall, subject to consulting with the President and subject to sub-paragraph (2) below, proceed accordingly and thereafter no further step shall be taken in regard thereto.

(2) Where it is agreed that prohibition for life or resignation is the appropriate course the respondent or the Bishop may, within the period of seven days following the date of the agreement, withdraw his agreement and the prohibition or resignation shall not be implemented in pursuance of this paragraph.

(3) If the consent of the respondent to the imposition of a penalty under this paragraph is not obtained or they are unable to reach agreement as to the nature of the penalty, the Bishop shall proceed to deal with the complaint under paragraph 10(1)(e) above.

(4) The Bishop shall notify –

- (a) the Archbishop;
- (b) the Registrar of the Diocese;
- (c) the Greffier of the Ecclesiastical Court; and
- (d) the complainant,

of any penalty agreed in pursuance of sub-paragraph (1) above.

15. *Formal investigation*

(1) Where the Bishop directs that the complaint is to be formally investigated, he shall refer the matter to the Proctor of the Ecclesiastical Court and it shall then be the duty of the Proctor to appoint an advocate to cause inquiries to be made into the complaint.

(2) After due inquiries have been made into the complaint a report shall be made to the Proctor who shall decide whether there is a case to answer.

(3) If the Proctor decides that there is a case for the respondent to answer he shall declare that as his decision and refer the complaint to the Disciplinary Division for adjudication.

(4) If the Proctor decides that there is no case for the respondent to answer he shall in the first instance refer his decision to the President who shall review the decision; and, if the President approves the same, the Proctor shall declare his decision, and thereafter no further steps shall be taken in regard thereto.

(5) The Proctor shall reduce his decision to writing and shall give a copy of it to the complainant, the respondent and the Bishop.

16. *Conduct of proceedings and constitution*

(1) In disciplinary proceedings under these Canons it shall be the duty of the Proctor or an advocate duly authorised by him to present the case against the respondent.

(2) In any such proceedings the Disciplinary Division shall be constituted as follows –

- (a) the President or a Commissioner or an advocate nominated from the panel appointed under paragraph 2(1)(b)(iii) who shall preside; and
- (b) two members from each of the panels nominated under paragraph 2(b)(i) and (ii).

(3) The President or the Commissioner or advocate presiding may direct –

- (a) that the complaint is to be withdrawn, whereupon no further action shall be taken in the proceedings; or
- (b) that an attempt or further attempt to bring about conciliation is to be made, whereupon the provisions of paragraph 13 above shall apply.

(4) In any such proceedings –

- (a) the standard of proof to be applied by the Court shall be the same as in proceedings in the Royal Court exercising civil jurisdiction;
- (b) the determination of any matter before the Court shall be according to the opinion of the majority of the members thereof and shall be pronounced in public together with its reasons therefor;
- (c) the hearing shall be in private except that the Court, if satisfied that it is in the interests of justice to do so or the respondent so requests, shall direct that the hearing shall be in public in which case the Court may, during any part of the proceedings, exclude such person or persons as it may determine.

17. *Imposition of penalty*

(1) Upon a finding by the Disciplinary Division that the respondent committed the misconduct complained of, the Disciplinary Division may –

- (a) impose on the respondent any one or more of the penalties mentioned in paragraph 19 below; or
- (b) defer consideration of the penalty and for that purpose may adjourn the proceedings; or
- (c) impose no penalty.

(2) Before imposing a penalty the Court may invite the Bishop to express in writing his views as to the appropriate penalty and the Court may have regard to any such views in imposing the penalty, if any and the views of the Bishop shall be conveyed in writing to the respondent:

Provided that, if the Bishop has given evidence in the proceedings, he shall not be consulted.

(3) In this paragraph any reference to a penalty includes a reference to an order for conditional discharge under paragraph 20 below.

18. *Right of appeal*

- (1) In disciplinary proceedings under these Canons –
- (a) the respondent may appeal against any penalty imposed on him; and
 - (b) the respondent on a question of law or fact, and the Proctor, on a question of law, may appeal against any finding of the Disciplinary Division.
- (2) Appeals from the Disciplinary Division shall be heard and determined by the Royal Court.
- (3) Every appeal shall be entered by notice in writing to the Judicial Greffier with a copy to the Bishop and to the Greffier of the Ecclesiastical Court within fifteen days of the decision to be appealed.
- (4) Any such appeal shall be dealt with and determined by the Royal Court in substantially the same manner as an appeal to the Court of Appeal in a civil matter, as the Court shall deem just in the circumstances of the case.
- (5) The Superior Number of the Royal Court may make Rules of Court for regulating and prescribing the procedure and the practice to be followed in appeals under this paragraph.

19. *Types of penalty*

- (1) One or more of the following penalties may be imposed on a respondent upon a finding that he has committed any misconduct, namely –
- (a) prohibition for life, that is to say prohibition without limit of time from exercising any of the functions of his Orders;
 - (b) limited prohibition, that is to say prohibition for a specific time from exercising any of the functions of his Orders;
 - (c) removal from office, that is to say, removal from any preferment which he then holds;
 - (d) in the case of a minister licensed to serve in the Deanery by the Bishop, revocation of the licence;
 - (e) injunction, that is to say, an order to do or to refrain from doing a specified act;
 - (f) a public rebuke.
- (2) No penalty of removal from office imposed on any person holding any preferment the right to appoint to which is vested in Her Majesty (not being a benefice) shall have effect unless and until Her Majesty by Order in Council confirms the penalty.
- (3) Any penalty imposed on a respondent by the Disciplinary Division shall be notified by the Greffier to the Bishop and to the Diocesan Registrar.

20. *Conditional discharge*

- (1) Where, upon a finding that the respondent has committed any misconduct, the Disciplinary Division is of opinion, having regard to the circumstances including the nature of the misconduct and the character of the respondent, that it is inexpedient to impose a penalty it may make an order discharging him subject to the condition that he commits no misconduct during such period not exceeding two years from the date of the order as may be specified in the order.

(2) Before making an order under sub-paragraph (1) above the Disciplinary Division shall explain to the respondent in ordinary language that if he commits further misconduct during the period specified in the order a penalty may be imposed for the original misconduct.

(3) Where, under sub-paragraph (4) below, a penalty is imposed on a person conditionally discharged under sub-paragraph (1) above for the misconduct in respect of which the order for conditional discharge was made, that order shall cease to have effect.

(4) If a person in whose case an order has been made under sub-paragraph (1) above is found, in disciplinary proceedings under these Canons, to have committed misconduct during the period specified in the order, the Disciplinary Division may deal with him for the misconduct for which the order was made in any manner in which it could deal with him if it had just found that he had committed that misconduct.

21. *Removal of prohibition for life*

(1) Where by virtue of anything done under these Canons a priest or deacon is prohibited for life he may make an application to the Archbishop for the prohibition to be nullified on the grounds –

- (a) that new evidence has come to light affecting the facts on which the prohibition was based; or
- (b) that the proper legal procedure leading to the prohibition was not followed.

(2) If the Archbishop, on an application made in accordance with sub-paragraph (1) above, considers that the prohibition was not justified he may, after consultation with the Bishop and the Attorney General, declare that the prohibition be nullified, whereupon it shall be treated for all purposes in law as never having been imposed.

22. *Removal of limited prohibition*

Where by virtue of anything done under these Canons a priest or deacon is prohibited from exercising functions for a specific time he and the Bishop acting jointly may make an application to the Disciplinary Division for the removal of the prohibition; and on receiving such an application the Disciplinary Division may make an order removing the prohibition, whereupon he shall be eligible for any preferment.

23. *Restoration on pardon*

Where by virtue of anything done under these Canons a priest or deacon is prohibited from exercising functions or removed from office his incapacities shall cease if he receives a free pardon from the Crown and he shall be restored to any preferment he previously held if it has not in the meantime been filled.

24. *Disobedience to penalty etc.*

Any person who in Jersey performs in the Church of England any function which, under a penalty imposed on him under these Canons, he is not permitted to perform commits an act of misconduct under these Canons, and in the case of a person deposed from Holy Orders, disciplinary proceedings under these Canons may be instituted against him in respect of the misconduct as if he had not been deposed.

25. *Sentences, orders etc. of secular courts: priests and deacons*

(1) If a person who is a priest or deacon –

- (a) is convicted (in Jersey or elsewhere) of an offence and a sentence of imprisonment (including one which is not implemented immediately) is passed on him; or
- (b) has a decree of divorce or an order of judicial separation (in Jersey or elsewhere) made against him following a finding of adultery, behaviour in such a way that the petitioner cannot reasonably be expected to live with the respondent or desertion and, in the case of divorce, the decree has been made absolute,

he shall be liable without further proceedings to a penalty of removal from office or prohibition (whether for life or limited) or both.

(2) Where a person is liable to a penalty of removal from office or prohibition by virtue of sub-paragraph (1) above and the Bishop is considering the imposition of such a penalty, he shall, after consultation with the President, inform that person in writing of the proposal, and invite him to send representations in writing to the Bishop within the period of twenty-eight days. On the expiry of that period the Bishop shall decide whether or not to impose the penalty and shall inform that person in writing of the decision. If the decision is to impose the penalty, that person may request the Archbishop to review the decision and upon such a review the Archbishop may uphold or reverse the decision after consideration of all the circumstances, including any representations made under this sub-paragraph.

(3) A penalty shall not be imposed under this paragraph after the expiry of the period of two years beginning with the date on which the sentence becomes conclusive or, as the case may be, the decree absolute or order is made.

(4) Where a penalty is to be imposed under this paragraph, it shall be imposed by the Bishop, and before imposing it the Bishop shall require the Greffier to give (if it is practicable to do so) not less than fourteen days' notice in writing to the priest or deacon concerned of the time and place at which the penalty will be imposed and if the priest or deacon appears at that time and place he shall be entitled to be present when the penalty is imposed.

(5) When imposing a penalty under this paragraph the Bishop shall be attended by the Greffier. The penalty shall be reduced to writing and a copy thereof shall be sent to the Archbishop and to the Registrar of the diocese.

(6) The functions exercisable under this paragraph by the Archbishop shall, during the absence abroad or incapacity through illness of the Archbishop or a vacancy in the see, be exercised by the other archbishop.

26. *Consequences of penalties imposed under paragraph 25*

Where a penalty of removal from office or prohibition is imposed on any person pursuant to the provisions of paragraph 25 above the penalty shall have effect subject to the provisions of paragraphs 19 to 24 above, and the like consequences shall ensue in all respects as if such person had been found to have committed misconduct under these Canons and such a penalty had been imposed on him.

27. *Duty to disclose criminal convictions and arrests*

(1) A person in Holy Orders who (whether in Jersey or elsewhere) is convicted of an offence or is arrested on suspicion of committing an offence shall be under a duty, within the period of twenty-eight days following the conviction or arrest in the case of a priest or deacon, to inform

the Bishop and the Dean and, in the case of the Dean, to inform the Bishop of the conviction or arrest.

(2) Failure to comply with the requirements of sub-paragraph (1) above shall be regarded as a failure to do an act required by the laws ecclesiastical for the purposes of paragraph 6 above.

28. *Duty to disclose divorce and separation orders*

Paragraph 27 above shall apply to a person in Holy Orders in respect of whose marriage a decree nisi of divorce has been made absolute or an order of judicial separation has been made as it applies to a person who is convicted of an offence.

29. *Suspension of priest or deacon*

(1) Where –

- (a) a complaint in writing is made under paragraph 8 above against a priest or deacon holding any preferment in the Deanery;
- (b) a priest or deacon holding any preferment in the Deanery is arrested on suspicion (in Jersey or elsewhere) of committing a criminal offence;
- (c) a priest or deacon holding any preferment in the Deanery is convicted of an offence (in Jersey or elsewhere) and a sentence of imprisonment (including one which is not implemented immediately) is passed on him; or
- (d) the Bishop is satisfied, on the basis of information provided by any person in authority or the police, that a priest or deacon holding any preferment in the Deanery, presents a significant risk of harm,

the Bishop may, by notice in writing served on him, suspend him from exercising or performing without the leave of the Bishop any right or duty of or incidental to his office:

Provided that, in the case of a complaint made as aforesaid, the priest or deacon shall not be suspended under this sub-paragraph unless and until the complaint falls to be considered under paragraph 10 above.

(2) For the purpose of sub-paragraph (1)(d) above, a person presents a significant risk of harm if there is a significant risk that the person may –

- (a) harm a child or vulnerable adult;
- (b) cause a child or vulnerable adult to be harmed;
- (c) put a child or vulnerable adult at risk of harm;
- (d) attempt to harm a child or vulnerable adult; or
- (e) incite another person to harm a child or vulnerable adult.

(3) In this paragraph “child” means a person under 18 and “vulnerable adult” has the same meaning as in Canon C9 above.

(4) The Bishop may, at any time, by notice in writing served on the priest or deacon concerned, revoke a notice of suspension served under sub-paragraph (1) above.

(5) Where a notice of suspension is served under sub-paragraph (1) above and it has not been revoked under sub-paragraph (4) the suspension shall continue until the expiry of the period of three months following service of the notice or until the proceedings under these Canons or for the criminal offence are concluded, whichever occurs earlier, but if the proceedings are not concluded before the expiry of that period a further notice of suspension under sub-paragraph (1)

above may be served, and this sub-paragraph shall apply in relation to the further suspension as it applied to the earlier suspension or suspensions.

(6) Where a notice of suspension is served under sub-paragraph (1) above the Dean may, after consultation with the Bishop and churchwardens, make such arrangements as he thinks fit for the ministrations of the church or churches concerned while the suspension remains in force.

(7) While a notice of suspension under sub-paragraph (1) above remains in force in relation to a priest or deacon he shall not interfere with any person performing the services of a church in pursuance of arrangements made under sub-paragraph (5) above, and any such interference shall be regarded as an act in contravention of the laws ecclesiastical for the purposes of paragraph 6 above.

(8) A priest or deacon on whom a notice of suspension is served under sub-paragraph (1) above may appeal against the suspension to the Disciplinary Division and on any such appeal the Disciplinary Division may, within twenty-eight days following the lodging of the appeal, either confirm or revoke the suspension.

30. *Suspension of priest or deacon pending determination of application to bring proceedings out of time*

(1) This paragraph applies where a complainant applies to the President for permission under paragraph 7 for disciplinary proceedings against a priest or deacon holding any preferment in the Deanery to be instituted after the expiry of the period provided for by that paragraph.

(2) The Bishop may, by notice in writing served on the priest or deacon, suspend the priest or deacon from exercising or performing without the leave of the Bishop any right or duty of or incidental to the priest or deacon's office.

(3) The Bishop may not exercise the power under sub-paragraph (2) unless the Bishop is satisfied that the suspension is necessary in all the circumstances of the case.

(4) Before exercising the power under sub-paragraph (2), the Bishop must refer the matter to the Attorney General for advice on –

- (a) whether or not the complainant has a proper interest in instituting the proceedings;
- (b) whether or not there is sufficient substance in the complaint to justify proceeding with it in accordance with this Canon; and
- (c) whether or not the suspension is necessary in all the circumstances of the case.

(5) Having considered the matter referred under sub-paragraph (4), the Attorney General must send a written report to the Bishop setting out his advice; and the Bishop must, in deciding whether to exercise the power, have regard to the Attorney General's report.

(6) The Bishop may, at any time, by notice in writing served on the priest or deacon, revoke the notice of suspension under sub-paragraph (2).

(7) Where a notice of suspension is served under sub-paragraph (2) and has not been revoked under sub-paragraph (6), the suspension continues until –

- (a) the expiry of the period of three months following service of the notice; or
- (b) if the application for permission is determined before the expiry of that period, the time determined in accordance with sub-paragraph (8) or (10) (as the case may be).

- (8) If the application for permission is granted –
- (a) paragraph 29(1), in its application to the complaint, has effect as if the words “Provided that” to the end were omitted; and
 - (b) the suspension continues until whichever is the first of the events mentioned in sub-paragraph (9) to occur.
- (9) Those events are –
- (a) the expiry of the period of fourteen days beginning with the day on which the disciplinary proceedings are instituted;
 - (b) the expiry of the period within which permission was given for the proceedings to be instituted (without them having been instituted);
 - (c) the service of a notice of suspension under paragraph 29 on the priest or deacon.
- (10) If the application for permission is refused, the suspension ends with the refusal.
- (11) If the application for permission is not determined before the end of the period mentioned in paragraph 7(a), a further notice of suspension under sub-paragraph (2) may be served; and –
- (a) sub-paragraphs (7) to (10) and this paragraph apply in relation to the further suspension as they applied to the earlier suspension or suspensions; but
 - (b) sub-paragraph (4) does not apply in relation to the power to give further notice.
- (12) Sub-paragraphs (4) to (6) of paragraph 29 apply in relation to a notice of suspension under sub-paragraph (2) of this paragraph as they apply in relation to a notice of suspension under sub-paragraph (1) of that paragraph.

31. *When convictions etc. are to be deemed conclusive*

- (1) Proceedings under these Canons and a conviction by a secular court shall become conclusive for the purposes of these Canons –
- (a) where there has been an appeal, upon the date on which the appeal is dismissed or abandoned or the proceedings on appeal are finally concluded, but, if varied on appeal, shall be conclusive only as so varied, and so far as it is reversed on appeal shall cease to have effect;
 - (b) if there is no such appeal, upon the expiration of the time limited for such appeal, or in the case of a conviction where no time is so limited, of two months from the date of the conviction; and
 - (c) in the case of a conviction against which there is no right of appeal from the date of the conviction.
- (2) After the conviction of a clerk in Holy Orders by a secular court becomes conclusive a certificate of such conviction shall, for the purposes of these Canons, be conclusive proof that he has committed the act therein specified.

32. *Transitional provisions*

- (1) Nothing in these Canons affects proceedings instituted under the Canons registered by the Royal Court 23rd March 2012, the provisions of which shall continue to apply in relation to any such proceedings or declaration as if these Canons had not been passed.

(2) Proceedings under these Canons may be instituted in relation to misconduct committed before the date on which paragraph 6 above comes into operation.

(3) Paragraph 25 above shall apply in relation to sentences of imprisonment passed before, as well as after, the date on which that paragraph comes into operation.

33. *Proceedings on alleged contraventions involving doctrine, ritual or ceremonial*

(1) The Disciplinary Division shall also have jurisdiction to hear proceedings on a complaint against a priest or deacon who is alleged to have contravened the laws ecclesiastical involving a matter of doctrine, ritual or ceremonial.

(2) A complaint referred to in sub-paragraph (1) is admissible only on the authority of the Bishop.

(3) The Disciplinary Division when hearing proceedings under this paragraph shall, subject to sub-paragraph (4) comprise –

- (a) two judges (one of whom shall be designated president of the Disciplinary Division for this purpose) each of whom shall be –
 - (i) a Royal Court Commissioner who is a communicant member of the Church of England, or
 - (ii) a person who holds or has held judicial office in the Commonwealth, and who is a communicant member of the Church of England, appointed in either case by the Dean after consultation with the Bailiff and the Bishop; and
- (b) three diocesan bishops or retired diocesan bishops appointed by the Dean on the recommendation of the Dean of the Arches and Auditor.

(4) If the complaint alleges that the Dean has contravened the laws ecclesiastical involving a matter of doctrine, ritual or ceremonial, the Disciplinary Division when hearing the proceedings shall comprise –

- (a) two judges (one of whom shall be designated president of the Disciplinary Division for this purpose) each of whom shall be –
 - (i) a Royal Court Commissioner who is a communicant member of the Church of England, or
 - (ii) a person who holds or has held judicial office in the Commonwealth, and who is a communicant member of the Church of England, appointed in either case by the Bailiff after consultation with the Bishop; and
- (b) three diocesan bishops or retired diocesan bishops appointed by the Bishop on the recommendation of the Dean of the Arches and Auditor.

(5) In the exercise of the Disciplinary Division's jurisdiction in proceedings under this paragraph –

- (a) the procedure shall so far as circumstances admit be the same as at the trial of a person by the Royal Court exercising criminal jurisdiction;
- (b) the rules as to the admissibility of evidence and as to whether a witness is competent or compellable to give evidence shall be the same as those observed at the trial of a person by the Royal Court;

- (c) the Disciplinary Division, if satisfied that it is in the interests of justice so to do, may give directions that during any part of the proceedings such person or persons as it may determine shall be excluded;
 - (d) the determination of any matter shall be according to the opinion of the majority of the members of the Disciplinary Division;
 - (e) if the contravention charged is found to have been committed, the Disciplinary Division shall decide such censure as would be warranted for the like offence in England and Wales under Part VIII of the Ecclesiastical Jurisdiction Measure 1963;
 - (f) the censure shall be reduced to writing by the Disciplinary Division, shall be pronounced in open court by the person presiding over the court and shall not be invalid by reason only that it is not pronounced in the presence of the priest or deacon concerned.
- (6) Subject to the requirements of sub-paragraph (5), Rules of Court may make further provision with respect to proceedings under this paragraph.
- (7) The right of appeal against a finding, judgment or order in proceedings under this paragraph lies to the Archbishop, who may convene an advisory Commission to assist him and whose decision shall be final.
- (8) In any case in which an appeal is lodged under sub-paragraph (7), the censure or award of the Disciplinary Division in question shall be suspended until the appeal is determined.
- (9) Paragraph 19(2) above (confirmation of penalty by Her Majesty in Council) applies to a censure of deprivation in pursuance of proceedings under this paragraph as it applies to a penalty of removal from office in pursuance of other proceedings under these Canons.
- (10) Paragraph 23 above (restoration on pardon) applies in relation to anything done under this paragraph as it applies in relation anything done under any other provision of these Canons.

SECTION G

THE DEANERY SYNOD

1. The establishment of the Deanery Synod of Jersey pursuant to the Channel Islands (Representation) Measure 1931 and the Synodical Government (Channel Islands) Order 1970 is affirmed under these Canons; and the Deanery Synod is constituted with the functions and powers set out hereunder.
2. It shall be the duty of the incumbent and churchwardens of each Ecclesiastical Parish to ensure that an Ecclesiastical Assembly or Congregational Meeting as appropriate of their church elects such number of representatives to the Deanery Synod as their church is entitled to have pursuant to the rules applicable to the Deanery Synod from time to time.
3. It shall be the duty of the Deanery Synod to ensure that it elects such representatives to the Diocesan and General Synods as it is entitled to have pursuant to the rules applicable to such synods from time to time.

4. The Deanery Synod may make Regulations for any purpose for which it is empowered or required under these Canons to make Regulations.
5. The Deanery Synod may also make Regulations to amend these Canons or to make provision incidental or supplementary to these Canons, but not so as to affect the doctrine of the Church of England in Jersey.
6. The Deanery Synod may also make provision by Regulations for such matters in relation to the Church of England in Jersey as the Archbishops' Council may for the time being make Regulations or Orders in relation to the Church of England elsewhere, provided that such provision is consistent with provision made by the Archbishops' Council.
7. Regulations of the Deanery Synod under these Canons must be approved by –
- (a) two-thirds of both Houses of the Deanery Synod present and voting; and
 - (b) the Bishop.
8. The power of the Deanery Synod (referred to as the Decanal Conference) to make rules under section 7 of the Channel Islands (Representation) Measure 1931 is affirmed and is exercisable under these Canons; and is extended to include power to make rules for all procedural purposes, subject to the approval of the Bishop.
9. Any Regulations or rules made under these Canons form part of Jersey law in the same manner as these Canons, and accordingly a court or person acting judicially must take judicial notice of them.
10. Despite paragraph 9 above, any Regulations or rules made under these Canons are not to be treated as Jersey subordinate legislation for the purpose of the Legislation (Jersey) Law 2021.

SECTION H THE CESSATION OF THE 2012 CANONS

The Canons of the Church of England in Jersey annexed to the Order in Council of the 14th day of March 2012 registered by the Royal Court of Jersey on the 23rd day of March 2012 shall cease to have effect on the commencement of these Canons in accordance with Section I.

SECTION I THE COMMENCEMENT OF THESE CANONS

These Canons shall commence on the 28th day after the day on which the Order of Her Majesty in Council giving effect to these Canons is registered by the Royal Court.