



Priests (Ordination of Women) Measure 1993 (No. 2)

1993 No. 2

A Measure passed by the General Synod of the Church of England to make provision for the ordination of women as priests, and for connected purposes. [5th November 1993]

PART I

POWER TO LEGISLATE BY CANON

1 Provision for ordination of women as priests

- (1) It shall be lawful for the General Synod to make provision by Canon for enabling a woman to be ordained to the office of priest if she otherwise satisfies the requirements of Canon Law as to the persons who may be ordained as priests.
- (2) Nothing in this Measure shall make it lawful for a woman to be consecrated to the office of bishop.

PART II

DISCHARGE OF FUNCTIONS

2 Bishops

- (1) A bishop of a diocese in office at the relevant date may make any one or more of the following declarations—
 - (a) that a woman is not to be ordained within the diocese to the office of priest; or
 - (b) that a woman is not to be instituted or licensed to the office of incumbent or priest-in-charge of a benefice, or of team vicar for a benefice, within the diocese; or

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- (c) that a woman is not to be given a licence or permission to officiate as a priest within the diocese.
- (2) A declaration by a bishop under subsection (1) above shall be contained in a written notice signed by him.
- (3) A bishop who has made a declaration under subsection (1) above may by written notice signed by him withdraw the declaration.
- (4) A copy of any notice given under subsection (2) or (3) above shall be sent to the following—
 - (a) Her Majesty;
 - (b) the Duke of Cornwall;
 - (c) the Lord Chancellor;
 - (d) the archbishop of the province concerned;
 - (e) the secretary of the diocesan synod of the diocese concerned;
 - (f) the registrar of the province concerned;
 - (g) the registrar of the diocese concerned;
 - (h) the designated officer for the diocese concerned, within the meaning of section 7(5) of the Patronage (Benefices) Measure 1986.
- (5) Where the bishop of a diocese who has made a declaration under subsection (1) above and not withdrawn it ceases to hold that office, the declaration shall continue to be in force until the expiry of a period of six months beginning with the date on which another person becomes the bishop of that diocese.
- (6) Where a declaration by a bishop under this section is in force, a bishop discharging any functions of the bishop of the diocese (including functions by virtue of an instrument under section 10 of the Dioceses Measure 1978 or a scheme under section 11 of that Measure) shall not act in contravention of the declaration.
- (7) A declaration under subsection (1)(c) above shall not prevent a woman from being allowed under any Canon of the Church of England to officiate as a priest in a church or chapel for one period of not more than seven days in any period of three months without reference to the bishop or other Ordinary.
- (8) In this section “relevant date” means the date on which the Canon enabling a woman to be ordained to the office of priest is promulgated.

3 Parishes

- (1) Subject to the following provisions of this section the parochial church council of a parish may pass either or both of the resolutions set out as Resolution A and Resolution B in Schedule 1 to this Measure.
- (2) Subject to the following provisions of this section a parochial church council which has passed a resolution under subsection (1) above may by resolution rescind it, and the first-mentioned resolution shall continue in force until rescinded.
- (3) A motion for a resolution in the form set out as Resolution A in Schedule 1 to this Measure shall not be considered by a parochial church council if the incumbent or priest-in-charge of the benefice concerned, or any team vicar or assistant curate for that benefice, is a woman ordained to the office of priest.

- (4) A resolution shall not be passed by a parochial church council under subsection (1) or (2) above unless—
- (a) except where notice of a vacancy has been sent to the secretary of the council under section 7(4) of the Patronage (Benefices) Measure 1986, the secretary of the council has given to the members of the council at least four weeks' notice of the time and place of the meeting at which the motion proposing the resolution is to be considered; and
 - (b) the meeting is attended by at least one half of the members of the council entitled to attend.
- (5) A copy of any resolution passed by a parochial church council under subsection (1) or (2) above shall be sent to the following—
- (a) the bishop of the diocese concerned;
 - (b) the rural dean of the deanery concerned;
 - (c) the lay chairman of the deanery synod concerned;
 - (d) the registrar of the diocese concerned;
 - (e) the designated officer for the diocese concerned, within the meaning of section 7(5) of the Patronage (Benefices) Measure 1986;
 - (f) the registered patron of the benefice concerned, within the meaning of section 39(1) of that Measure.
- (6) Where a resolution under subsection (1) above is in force a person discharging any function in relation to the parish or benefice concerned shall not act in contravention of the resolution:
- Provided that this subsection shall not apply in relation to a service held in a parish church cathedral on the direction of the bishop of the diocese.
- (7) The Patronage (Benefices) Measure 1986 shall have effect as if in section 11 (requirements as to meetings of parochial church council) there were inserted at the end of subsection (1) the word “and” and the following paragraph—
- “(f) deciding whether to pass a resolution under section 3(1) or (2) of the Priests (Ordination of Women) Measure 1993.”
- (8) Subsections (1) to (6) above and Schedule 1 to this Measure shall apply in relation to a guild church designated and established under section 4 of the City of London (Guild Churches) Act 1952 as they apply in relation to a parish, but as if the references to the parochial church council of the parish were references to the guild church council of the guild church.
- (9) In the case of a parish in which there is a parish church cathedral and in respect of which functions of the parochial church council have been transferred to the administrative body of the cathedral in pursuance of section 12 of the Cathedrals Measure 1963, this section shall have effect as if the references to the parochial church council of the parish were references to the administrative body of the cathedral or any other body to whom functions under this section have been delegated in pursuance of subsection (6) of the said section 12.
- (10) In this section “parish” means—
- (a) an ecclesiastical parish; and
 - (b) a district which is constituted a conventional district for the cure of souls.

4 Cathedrals

- (1) The administrative body of a cathedral church other than a parish church cathedral may pass either or both of the resolutions set out as Resolution A and Resolution B in Schedule 2 to this Measure.
- (2) An administrative body which has passed a resolution under subsection (1) above may by resolution rescind it, and the first-mentioned resolution shall continue in force until rescinded.
- (3) A motion for a resolution under subsection (1) above in respect of a cathedral church shall not be considered by an administrative body if the dean or any of the residentiary canons of the cathedral church is a woman ordained to the office of priest.
- (4) A copy of any resolution passed under subsections (1) or (2) above shall be sent to the following—
 - (a) Her Majesty;
 - (b) the bishop of the diocese concerned;
 - (c) the secretary of the diocesan synod of the diocese concerned;
 - (d) the registrar of the diocese concerned.
- (5) Where a resolution under subsection (1) above is in force in respect of a cathedral church a person discharging any function in relation to the conduct of services in the cathedral church or in relation to the appointment of the dean shall not act in contravention of the resolution.

5 Ecclesiastical offences

It shall be an offence against the laws ecclesiastical, for which proceedings may be taken under the Ecclesiastical Jurisdiction Measure 1963—

- (a) for any bishop to act in contravention of a declaration under section 2(1) above; or
- (b) for any bishop, priest or deacon to act in contravention of a resolution under section 3(1) above or to permit any act in contravention of such a resolution to be committed in any church or any building licensed for public worship according to the rites and ceremonies of the Church of England; or
- (c) for any bishop, priest or deacon to act in contravention of a resolution under section 4(1) above or to permit any act in contravention of such a resolution to be committed in any cathedral church.

6 Discriminatory discharge of certain functions

Without prejudice to section 19 of the Sex Discrimination Act 1975, nothing in Part II of that Act shall render unlawful sex discrimination against a woman in respect of—

- (a) her ordination to the office of priest in the Church of England;
- (b) the giving to her of a licence or permission to serve or officiate as such a priest;
- (c) her appointment as dean, incumbent, priest-in-charge or team vicar or, in the case of a woman ordained to the office of priest, as assistant curate.

7 Benefices in the patronage of the Crown etc

- (1) Sections 2 and 3 above shall apply in relation to a Crown benefice and to a benefice the patronage or a share of the patronage of which is vested in the Lord Chancellor as they apply in relation to any other benefice.
- (2) Section 4(5) above, in so far as it relates to the appointment of the dean of a cathedral church, shall apply in respect of the appointment of any dean by Her Majesty.
- (3) In this section “Crown benefice” has the same meaning as in the Patronage (Benefices) Measure 1986.

8 Interpretation of Part II

In this Part—

“administrative body” has the same meaning as in the Cathedrals Measure 1963;

“benefice” includes—

- (a) the office of incumbent of a parish church cathedral but does not include any other office in a cathedral church; and
- (b) the office of priest-in-charge of a district which is constituted a conventional district for the cure of souls;

“cathedral church” means any cathedral church in England except the cathedral church of Christ in Oxford;

“parish church cathedral” means any cathedral church other than a cathedral church in respect of which there is a corporate body known as the dean and chapter.

PART III

GENERAL

9 General interpretation

In any Canon, order, rule or regulation relating to priests, words importing the masculine gender include the feminine, unless the contrary intention appears.

10 Minor and consequential amendments

The enactments specified in Schedule 3 to this Measure shall have effect subject to the amendments specified in that Schedule, being minor amendments or amendments consequential on the provisions of this Measure.

11 Amendment etc. of Measure or Canon

A motion for the final approval of a Measure or Canon of the Church of England which amends or repeals any provision of this Measure or of any Canon promulgated under section 1 above shall not be deemed to be carried unless it receives the assent of a majority in each House of the General Synod of not less than two-thirds of those present and voting.

12 Short title, commencement and extent

- (1) This Measure may be cited as the Priests (Ordination of Women) Measure 1993.
- (2) This Measure shall come into force on such day as the Archbishops of Canterbury and York may jointly appoint, but they shall not appoint a day for the purpose of this subsection unless a Measure of the General Synod making provision as to the relief of hardship incurred by persons resigning from ecclesiastical service by reason of opposition to the promulgation of a Canon under section 1 above has been enacted.
- (3) Subject to the following provisions of this section this Measure shall extend to the whole of the provinces of Canterbury and York except the Channel Islands.
- (4) This Measure may be applied to the Channel Islands, as defined in the Channel Islands (Church Legislation) Measures 1931 and 1957, or either of them, in accordance with those Measures.
- (5) This Measure shall apply to the Isle of Man in accordance with the provisions of Schedule 4 to this Measure.

SCHEDULES

SCHEDULE 1

Section 3(1).

FORMS OF PARISH RESOLUTION

RESOLUTION A

That this parochial church council would not accept a woman as the minister who presides at or celebrates the Holy Communion or pronounces the Absolution in the parish.

RESOLUTION B

That this parochial church council would not accept a woman as the incumbent or priest-in-charge of the benefice or as a team vicar for the benefice.

SCHEDULE 2

Section 4(1).

FORMS OF DEAN AND CHAPTER CATHEDRAL RESOLUTION

RESOLUTION A

That the administrative body would not accept a woman as the minister who presides at or celebrates the Holy Communion or pronounces the Absolution in the cathedral church at any service other than a service held on the direction of the bishop of the diocese.

RESOLUTION B

That the administrative body would not accept a woman as the dean of this cathedral church.

SCHEDULE 3

Section 10.

MINOR AND CONSEQUENTIAL AMENDMENTS

Pluralities Act 1838

- 1 In section 36 of the Pluralities Act 1838—
 - (a) for the word “he” there shall be substituted the words “such spiritual person”;
 - (b) after “widow” there shall be inserted the words “or widower”.
- 2 In section 43 of that Act for the word “wife” in both places where it appears there shall be substituted the word “spouse”.

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Synodical Government Measure 1969

- 3 In Schedule 3 to the Synodical Government Measure 1969 (Church Representation Rules)—
- (a) in rule 16(3) there shall be inserted at the end the words “or section 3 of the Priests (Ordination of Women) Measure 1993”;
 - (b) in rule 17—
 - (i) in paragraph (1)(c) after “1983” there shall be inserted the words “and its functions under section 3 of the Priests (Ordination of Women) Measure 1993”;
 - (ii) in paragraph (2) after “Part I” there shall be inserted the words “and its functions under section 3 of the Priests (Ordination of Women) Measure 1993”;
 - (c) in rule 17A—
 - (i) in paragraph (1)(c) there shall be inserted at the end the words “and its functions under section 3 of the Priests (Ordination of Women) Measure 1993, as may be so specified”;
 - (ii) in paragraph (2) after “Part I” there shall be inserted the words “and its functions under section 3 of the Priests (Ordination of Women) Measure 1993”;
 - (d) in rule 17B—
 - (i) in paragraph (1)(c) after “1986” there shall be inserted the words “and section 3 of the Priests (Ordination of Women) Measure 1993”;
 - (ii) in paragraph (3) after “1986” there shall be inserted the words “and section 3 of the Priests (Ordination of Women) Measure 1993”.

Dioceses Measure 1978

- 4 In section 10(1) of the Dioceses Measure 1978 there shall be inserted at the end the words “, except functions under section 2 of the Priests (Ordination of Women) Measure 1993”.
- 5 In section 11(2) of that Measure there shall be inserted at the end the words “, except functions under section 2 of the Priests (Ordination of Women) Measure 1993”.

Pastoral Measure 1983

- 6 In section 20(8) of the Pastoral Measure 1983 there shall be inserted at the end the words “Provided that a woman who is a vicar in a team ministry shall not by virtue of this subsection have authority to preside at or celebrate the Holy Communion or pronounce the Absolution in a parish to which a resolution in the form set out as Resolution A in Schedule 1 to the Priests (Ordination of Women) Measure 1993 applies”.
- 7 In section 21(1) of that Measure there shall be inserted at the end the words “Provided that a woman who is the incumbent of a benefice shall not by virtue of paragraph (a) above have authority to preside at or celebrate the Holy Communion or to pronounce the Absolution in a parish to which a resolution under section 3(1) of the Priests (Ordination of Women) Measure 1993 applies”.
- 8 In Schedule 4 to that Measure in paragraph 13(1)(c) and (3) for the word “widow” whenever it appears there shall be substituted the words “surviving spouse”.

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Church of England (Miscellaneous Provisions) Measure 1983

- 9 In section 8(1) of the Church of England (Miscellaneous Provisions) Measure 1983 there shall be inserted at the end the words “and functions under section 2 of the Priests (Ordination of Women) Measure 1993”.

Patronage (Benefices) Measure 1986

- 10 In section 11 of the Patronage (Benefices) Measures 1986—
(a) in subsection (1) the word “and” after paragraph (d) shall be omitted;
(b) in subsection (2)(a) for the word “wife” there shall be substituted the word “spouse”.
- 11 In section 12(4) of that Measure for the word “wife” there shall be substituted the word “spouse”.
- 12 In section 13(5) of that Measure at the end there shall be inserted the words “Provided that this subsection shall not apply in respect of—
(a) a parish in a diocese to which a declaration under section 2(1)(b) of the Priests (Ordination of Women) Measure 1993 applies; or
(b) a benefice comprising a parish to which a resolution under section 3(1) of that Measure applies,

where the refusal is made solely on grounds of gender”.
- 13 In section 35(7) of that Measure after the words “traditions of the parish” there shall be inserted the words “(including the terms of any resolution under section 3(1) of the Priests (Ordination of Women) Measure 1993 affecting the benefice in question)”.

SCHEDULE 4

Section 12(5).

APPLICATION TO THE ISLE OF MAN.

In its application to the Isle of Man, this Measure shall have effect as if—

- (a) in section 2(4), paragraphs (b), (c) and (h) were omitted;
(b) in section 3—
(i) in subsection (5), for paragraphs (e) and (f) there were substituted—
“*(e) the patron of the benefice*”;
(ii) for subsections (7), (8), (9) and (10) there were substituted—

“(7) Where a chapelry or part of a chapelry is situated within the boundary of a parish, the functions of the parochial church council under this section shall be exercised by the parochial church council of the parish (excluding the chapelry or part thereof) and the parochial church council of the chapelry acting jointly, in accordance with rules made for the purpose of this subsection by the standing committee of the diocesan synod.

- (8) In this section—

“chapel” means a chapel for the time being specified in Part I of Appendix III to Schedule 3 to the Synodical Government Measure 1969 as that Schedule has effect in

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the Isle of Man (“the Isle of Man Church Representation Rules”);

“chapelry” means a district assigned to a chapel in accordance with the Isle of Man Church Representation Rules;

“parish” means an ecclesiastical parish.”;

- (c) section 4 (together with Schedule 2) were omitted;
- (d) in section 5, the word “or” (where it appears after paragraph (b)) and paragraph (c) were omitted;
- (e) section 6 were omitted;
- (f) for section 7 there were substituted—
 - “7 Sections 2 and 3 shall apply to a benefice the patronage of which is vested in or exercisable by Her Majesty as they apply in relation to any other benefice.”;
- (g) in section 8, for the definition of “benefice” there were substituted—
 - ““benefice” includes the office of incumbent of the parish of German, but does not include any other office in the cathedral church of St German;”;
- (h) in Schedule 3, paragraphs 1, 2 3(a) and 10, 11, 12 and 13 were omitted.