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## SCHEDULES

### SCHEDULE 3

Section 4.

#### CHURCH REPRESENTATION RULES

##### Modifications etc. (not altering text)

**C1** Sch. 3 modified by Cathedrals Measure 1963 (No. 2), s. 12(3) (as substituted (1.6.1992) by Church of England (Miscellaneous Provisions) Measure 1992 (No. 1), s. 17(1), Sch. 3 para. 10; Instrument dated 27.5.1992 made by Archbishops of Canterbury and York.

Sch. 3 modified (30.6.1999) by 1999 No. 1, ss. 12(4), 38(2)(3) (with ss. 33, 37, 38(5)(6))

#### PART I

##### CHURCH ELECTORAL ROLL

###### *Formation of Roll*

1 (1) There shall be a church electoral roll (in these rules referred to as “the roll”) in every parish, on which the names of lay persons shall be entered as hereinafter provided. The roll shall be available for inspection by bona-fide inquirers.

[<sup>F1</sup>(2) A lay person shall be entitled to have his name entered on the roll of a parish if he is baptised, of sixteen years or upwards, has signed an application form for enrolment set out in Appendix I of these rules and declares himself either—

- (a) to be a member of the Church of England or of a Church in communion therewith resident in the parish; or
- (b) to be such a member and, not being resident in the parish, to have habitually attended public worship in the parish during a period of six months prior to enrolment; or
- (c) to be a member in good standing of a Church which subscribes to the doctrine of the Holy Trinity (not being a Church in communion with the Church of England) and also prepared to declare himself to be a member of the Church of England having habitually attended public worship in the parish during a period of six months prior to enrolment.

Provided that where a lay person will have his sixteenth birthday after the intended revision of the electoral roll or the preparation of a new roll but on or before the date of the annual parochial church meeting, he may complete a form of application for enrolment and his name shall be enrolled but with effect from the date of his birthday.

(3) Where a person resides in an extra-parochial place he shall be deemed for the purposes of these rules to reside in the parish which it abuts, and if there is any doubt in the matter a determination shall be made by the bishop’s council and standing committee.]

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[<sup>F2</sup>] A person shall be entitled to have his name on the roll of each of any number of [<sup>F3</sup>(4)] parishes if he is entitled by virtue of [<sup>F4</sup> . . . [<sup>F5</sup> paragraphs (2) and (3)] of this rule to have his name entered on each roll; but a person whose name is entered on the roll of each of two or more parishes must choose one of those parishes for the purpose of the provisions of these rules which prescribe the qualifications for election to a deanery synod, a diocesan synod or the General Synod or for membership [<sup>F6</sup> of a parochial church council under rule [<sup>F7</sup> . . . [<sup>F8</sup> 14(1)(f)] or] of a deanery synod under rule [<sup>F9</sup> 24(6)(b)].]

[<sup>F3</sup>(5)] The roll shall, until a parochial church council has been constituted in a parish, be formed and revised by the minister and churchwardens (if any), and shall, after such council has been constituted, be kept and revised by or under the direction of the council. Reference in this rule to a parochial church council shall, so far as may be necessary for giving effect to these rules, be construed as including references to the minister and churchwardens (if any).

[<sup>F10</sup>] Where a new parish is created by a pastoral scheme, the roll of that parish shall in [<sup>F3</sup>(6)] the first instance consist—

- (a) in the case of a parish created by the union of two or more former parishes, of the rolls of those parishes combined to form one roll;
- (b) in any other case, of the names of the persons whose names are at the date of the coming into existence of the new parish entered on the roll of a parish the whole or any part of which forms part of the new parish and who are either resident in the new parish or have habitually attended public worship therein.]

[<sup>F3</sup>(7)] The parochial church council shall appoint [<sup>F11</sup> a church electoral roll officer] to act under its directions for the purpose of carrying out its functions with regard to the electoral roll.

[<sup>F3</sup>(8)] The names of persons who are entitled to have their names entered upon the roll of the parish shall, subject to the provisions of these rules, be from time to time added to the roll. [<sup>F12</sup> . . . [<sup>F13</sup> It shall be the duty of the electoral roll officer to keep the roll constantly up to date by the addition and removal of names as from time to time required by these rules and to report such additions and removals at the next meeting of the parochial church council.]] [<sup>F14</sup> When additions and removals have been made by the electoral roll officer a list of such amendments shall be published by being exhibited continuously for not less than fourteen days on or near the principal door of every church in the parish and every building in the parish licensed for public worship in such manner as the Council may appoint and the list shall contain notification of the right of appeal referred to in rule 43.]

[<sup>F3</sup>(9)] Subject to the provisions of this rule, a person’s name shall, as the occasion arises, be removed from the roll, if he:—

- (a) has died; or
- (b) becomes a clerk in Holy Orders; or
- (c) signifies in writing his desire that his name should be removed; or
- [<sup>F15</sup>(d) . . . . .]

[<sup>F16</sup>(d)] ceases to reside in the parish, unless after so ceasing he continues, in any period of six months [<sup>F17</sup> habitually], to attend public worship in the parish, unless prevented from doing so by illness or other sufficient cause; or]

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[<sup>F18</sup>(e)] is not resident in the parish and has not [<sup>F19</sup>habitually]attended public worship in the parish during the preceding six months, not having been prevented from doing so by illness or other sufficient cause; or

[<sup>F15</sup>(g)] .....

[<sup>F18</sup>(f)] was not entitled to have his name entered on the roll at the time when it was entered.

[<sup>F3</sup>(10)] The removal of a person's name from the roll under any of the provisions of these rules shall be without prejudice to his right to have his name entered again, if he [<sup>F20</sup>has or acquires that right].

[<sup>F3</sup>(11)] The roll shall where practicable contain a record of the address of every person whose name is entered on the roll, but a failure to comply with this requirement shall not prejudice the validity of any entry on the roll.

#### Textual Amendments

- F1** Sch. 3 rule 1 para. (2)(3) substituted for (2) (1.1.1995) by virtue of S.I. 1994/3118, **para. 1.**
- F2** Rule 1(3) (now renumbered (4)) substituted by S.I. 1973/1865, **para. 1(2)**
- F3** Sch. 3 rule 1 paras. (3) to (9) renumbered (4)-(11) (1.1.1995) by S.I. 1994/3118, **para. 1.**
- F4** Words in Sch. 3 rule 1 para. 1(4) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 2.**
- F5** Words in Sch. 3 rule 1 para. (4) substituted (1.1.1995) by virtue of S.I. 1994/3118, **para. 2.**
- F6** Words inserted by S.I. 1980/178, **para. 1(2)**
- F7** Words in Sch. 3 rule 1 para. (4) omitted (1.1.1996) by virtue of S.I. 1995/3243, **para. 1**
- F8** Words in Sch. 3 rule 1 para. (4) inserted (1.1.1996) by virtue of S.I. 1995/3243, **para. 1**
- F9** Words in Sch. 3 rule 1 para. (4) (originally (3)) amended (1.1.1995) by S.I. 1994/3118, **para. 63, Sch.**
- F10** Rule 1(4A) (now renumbered (6)) inserted by S.I. 1981/959, **para. 1**
- F11** Words substituted by S.I. 1973/1865, **para. 1(3)**
- F12** Words in Sch. 3 rule 1 para. (8) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 3**
- F13** Words in Sch. 3 rule 1 para. (8) inserted (1.1.1995) by S.I. 1994/3118, **para. 3**
- F14** Words in Sch. 3 rule 1(8) inserted (with proviso) (1.1.2000) by The Church Representation Rules (Amendment) Resolution 1999 (S.I. 1999/2112), **paras. 1, 24(3)**
- F15** Rule 1(7)(d)(g) (as originally enacted) repealed by S.I. 1973/1865, **para. 1(4)**
- F16** Rule 1(7)(d) (now renumbered 1(9)(d)) substituted by S.I. 1984/1039, **para. 1(2)**
- F17** Word in Sch. 3 rule 1 para. (9)(d) inserted (1.1.1995) by S.I. 1994/3118, **para. 4**
- F18** Rule 1(7)(d)(e)(f) (originally (e)(f)(h)) re-lettered by S.I. 1973/1865, **para. 1(4)**
- F19** Word in Sch. 3 rule 1 para. (9)(e) inserted (1.1.1995) by S.I. 1994/3118, **para. 4**
- F20** Words substituted by S.I. 1973/1865, **para. 1(5)**

#### *Revision of Roll and Preparation of New Roll*

- 2 (1) Except in a year in which a new roll is prepared, the roll of a parish shall be revised annually by or under the direction of the council. Notice of the intended revision in the form set out in section 2 of Appendix I to these rules shall be affixed by the minister or under his direction on or near the principal door of every church in the parish and every building in the parish licensed for public worship and remain so affixed for a period of not less than fourteen days before the commencement of the revision. The revision shall be completed not less than fifteen days or more than twenty-eight days before the annual parochial church meeting.
- (2) Upon every revision all enrolments or removals from the roll which have been effected since the date of the last revision (or since the formation of the roll, if there

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has been no previous revision) shall be reviewed, and such further enrolments or removals from the rolls as may be required shall be effected.

- (3) After the completion of the revision, a copy of the roll as revised shall, together with a list of the names removed from the roll since the last revision (or since the formation of the roll, if there has been no previous revision), be published by being exhibited continuously for not less than fourteen days before the annual parochial church meeting on or near the principal door of the parish church in such manner as the council shall appoint. <sup>F21</sup> . . . [<sup>F22</sup>During the period while the copy is so exhibited any errors and omissions in the roll may be corrected but subject thereto and to the provisions of rule 1(2), no names shall be added to or removed from the roll during the period in any year between the completion of the revision and the close of the annual parochial church meeting.]
- (4) Not less than two months before the annual parochial church meeting in the year [<sup>F23</sup>1990] and every succeeding sixth year notice in the form set out in section 3 of Appendix 1 to these rules shall be affixed by the minister or under his direction on or near the principal door of every church in the parish and every building in the parish licensed for public worship and remain so affixed for a period of not less than fourteen days. On the affixing of the notice a new roll shall be prepared.
 

<sup>F24</sup>At every service held on each of the two Sundays within the period of fourteen days beginning with the date of the affixing of the notice or, in the case of a church in which no service is held on either of those Sundays, at every service held in that church on the first Sunday after that date the person conducting the service shall inform the congregation of the preparation of the new roll.]
- <sup>F25</sup>(5) The parochial church council shall take reasonable steps to inform every person whose name is entered on the previous roll that a new roll is being prepared and that if he wishes to have his name entered on the new roll he must apply for enrolment. No such steps need be taken with respect to any person whose name could be removed from the previous roll under rule [<sup>F26</sup>1(9)].]
- (6) The new roll shall be prepared by entering upon it the names of persons entitled to entry under rule 1(2), and a fresh application shall be required from persons whose names were entered on the previous roll. A person whose name was so entered shall not be disqualified for entry on the new roll by reason only of his failure to comply with the conditions specified in rule [<sup>F27</sup>1(2)(b) and (c)], if he was prevented from doing so by illness or other sufficient cause, and the circumstances shall be stated on the application form. The preparation of the new roll shall be completed not less than fifteen days or more than twenty-eight days before the annual parochial church meeting.
- (7) After the completion of the new roll, a copy shall be published by being exhibited continuously for not less than fourteen days before the annual parochial church meeting on or near the principal door of the parish church in such manner as the council shall appoint. <sup>F28</sup> . . . [<sup>F29</sup>During the period while the copy is so exhibited any errors and omissions in the roll may be corrected but subject thereto and to the provisions of rule 1(2) no names may be added to or removed from the roll during the period in any year between the completion of the new roll and the close of the annual parochial church meeting.]On the publication of the new roll the previous roll shall cease to have effect

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- (8) Upon the alteration of the boundaries of any parishes the parochial church council of the parish from which any area is transferred shall enquire from the persons resident in that area whose names are entered on the roll of the parish, whether they wish to have their names transferred to the roll of the other parish. The parochial church council shall remove the names of persons answering in the affirmative from its own roll and shall inform the parochial church council of the parish in which such persons now reside, which shall enter the names on its roll without any application for enrolment being required.

#### Textual Amendments

- F21** Words in [Sch. 3 rule 2](#) para. (3) omitted (1.1.1995) by virtue of [S.I. 1994/3118, para. 5](#).
- F22** Words in [Sch. 3 rule 2](#) para. (3) inserted (1.1.1995) by [S.I. 1994/3118, para. 5](#).
- F23** Words “1990” substituted (in place of “1972”) by virtue of [S.I. 1984/1039, para. 2\(2\)](#) (where the substitution is expressed as follows: In rule 2(4) for the word “1978” there shall be substituted the word “1990”)
- F24** Para. inserted by [S.I. 1973/1865, para. 2\(1\)](#)
- F25** [Rule 2\(5\)](#) substituted by [S.I. 1973/1865, para. 2\(2\)](#)
- F26** Words in [Sch. 3 rule 2](#) para. (5) amended (1.1.1995) by [S.I. 1994/3118, para. 63, Sch.](#)
- F27** Words in [Sch. 3 rule 2](#) para. (6) amended (1.1.1995) by [S.I. 1994/3118, para. 63, Sch.](#)
- F28** Words in [Sch. 3 rule 2](#) para. (7) omitted (1.1.1995) by virtue of [S.I. 1994/3118, para. 6](#).
- F29** Words in [Sch. 3 rule 2](#) para. (7) inserted (1.1.1995) by [S.I. 1994/3118, para. 6](#).

#### *Procedural provisions relating to entry and removal of names*

- 3 (1) When a person applying for enrolment on the roll of any parish signifies his desire that his name should be removed from the roll of any other parish, notice of that fact shall be sent by the parochial church council receiving the application to the parochial church council of that other parish.
- (2) When the name of any person is removed from the roll of the parish owing to his having become resident in another parish, notice of that fact shall, whenever possible, be sent by the parochial church council of the first mentioned parish to the parochial church council of the last mentioned parish.
- (3) .....

F30

#### Textual Amendments

- F30** [Sch. 3 rules 3\(3\)–\(5\), 4\(3\)\(4\)](#), repealed by [S.I. 1984/1039, para. 4\(b\)](#)

#### *Certification of Numbers on Rolls*

- [<sup>F314</sup> Not later than the 1st June the chairman, vice-chairman, secretary or church electoral roll officer of the parochial church council shall notify in writing the secretary of the diocesan synod of the number of names on the roll of each parish as at the date of the annual meeting and a copy of such notification shall be affixed at or near to the principal door of every church in the parish and every building licensed for public worship in the parish when notification is sent to the secretary of the diocesan synod, and shall remain so affixed for a period of not less than fourteen days.]

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### Textual Amendments

**F31** Sch. 3 rule 4 substituted (1.1.1995) by virtue of S.I. 1994/3118, para. 7.

- [<sup>F32</sup>  
F33] (1) A person whose name is entered on the roll of a guild church shall for the purpose of the provisions of these rules which prescribe the qualifications for election to a deanery synod, a diocesan synod or the House of Laity of the General Synod, or for membership of a deanery synod under rule [<sup>F34</sup>24(6)(b)], be deemed to be a person whose name is on the roll of the parish in which the guild church is, and references in those provisions or in rule [<sup>F34</sup>1(4)] to a person whose name is on the roll of a parish or on the roll of each of two or more parishes, and in rule [<sup>F34</sup>46] to entry on the roll of a parish, shall be construed accordingly.
- (2) In this rule “guild church” means a church in the City of London designated and established as a guild church under the City of London (Guild Churches) Acts 1952 and 1960.]

### Textual Amendments

**F32** Rule 4A added by S.I. 1973/1865, para. 5.

**F33** Rule 5 (originally 4A) renumbered (1.1.1995) by S.I. 1994/3118, para. 8.

**F34** Words in Sch. 3 rule 5 para. (1) (originally 4A para. (1)) amended (1.1.1995) by S.I. 1994/3118, para. 63, Sch.

## PART II

### PAROCHIAL CHURCH MEETINGS AND COUNCILS ANNUAL MEETINGS

- [<sup>F35</sup>6] (1) In every parish there shall be held not later than the 30th April in each year the annual parochial church meeting (hereafter in these rules referred to as “the annual meeting”).
- (2) All lay persons whose names are entered on the roll of the parish shall be entitled to attend the annual meeting and to take part in its proceedings, and no other lay person shall be so entitled.
- (3) A clerk in Holy Orders shall be entitled to attend the annual meeting of a parish and take part in its proceedings—
- (a) if he is either beneficed in or licensed to the parish or any other parish in the area of the benefice to which the parish belongs; or
  - (b) .....<sup>F36</sup>
  - [<sup>F37</sup>(b)] if he is resident in the parish and is not beneficed in or licensed to any other parish.
  - [<sup>F38</sup>(c)] if he is not resident in the parish and is not beneficed or licensed to any other parish, the parochial church council with the concurrence of the minister has declared him to be a habitual worshipper in the parish, such declaration being effective until the conclusion of the annual meeting in the year in which a new roll is prepared under rule 2 or his ceasing to be a habitual worshipper in the parish whichever is the earlier, but without prejudice to a renewal of such declaration; or

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- (d) if he is a co-opted member of the parochial church council in accordance with rule <sup>F39</sup> . . . [<sup>F40</sup>14(1)(h)].]
- [<sup>F41</sup>(4) Without prejudice to paragraphs (2) and (3) of this rule—
- (a) all the members of the team of a team ministry shall be entitled to attend, and take part in the proceedings of, the annual meeting of the parish or each of the parishes in the area of the benefice for which the team ministry is established, and where the area of a group ministry includes the area of a benefice for which a team ministry is established, all the vicars in that ministry shall be entitled to attend, and take part in the proceedings of, the annual meeting of each of the other parishes in the area for which the group ministry is established;
- (b) all the incumbents and priests in charge in a group ministry shall be entitled to attend, and take part in the proceedings of, the annual meeting of each of the parishes in the area for which the group ministry is established.
- (5) Where two or more benefices are held in plurality and a team ministry is, or is to be, established for the area of one of those benefices, then, if a pastoral scheme provides for extending the operation of the team ministry, so long as the plurality continues, to the area of any other benefice so held, paragraph (4) of this rule shall have effect as if the references to the area of the benefice were references to the combined area of the benefices concerned.]

#### Textual Amendments

- F35** Rule 6 (originally 5) renumbered (1.1.1995) by S.I. 1994/3118, **para. 8**.
- F36** Rule 5(3)(b) (as originally enacted) repealed by S.I. 1981/959, **para. 2(1)**.
- F37** Rule 5(3)(c) re-lettered “b” by S.I. 1984/1039, **para. 4**.
- F38** Rule 5(3)(c)(d) inserted by S.I. 1984/1039, **para. 4**.
- F39** Words in Sch. 3 rule 6 para (3)(d) omitted (1.1.1996) by virtue of S.I. 1995/3243, **para. 1**.
- F40** Words in Sch. 3 rule 6 para (3)(d) inserted (1.1.1996) by S.I. 1995/3243, **para. 1**.
- F41** Rule 5(4)(5) inserted by S.I. 1981/959, **para. 2(2)**.

#### *Convening of Meeting*

- [<sup>F42</sup>7] (1) The annual meeting shall be convened by the minister of the parish by a notice in the form set out in section 4 of Appendix 1 to these rules affixed on or near to the principal door of every church in the parish and every building licensed for public worship in the parish, for a period including the last two Sundays before the day of the meeting.
- (2) The annual meeting shall be held at such place on such date and at such hour as shall be directed by the previous annual meeting, or by the parochial church council (which may vary any direction given by a previous annual meeting) or in the absence of any such direction as shall be appointed by the minister.
- (3) During the vacancy of the benefice or curacy or when the minister is absent or incapacitated by illness or any other cause, the vice-chairman of the parochial church council, or if there is no vice-chairman, or if he is unable or unwilling to act, the secretary of or some other person appointed by that council shall have all the powers vested in the minister under this rule.

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- (4) The annual meeting shall be held at a place within the parish unless the parochial church council decide otherwise.
- [<sup>F43</sup>(5) The minister of a new parish created by a pastoral scheme, or, in the absence of the minister, a person appointed by the bishop, shall as soon as possible after the scheme comes into operation convene a special parochial church meeting, and, subject to paragraph (6) of this rule, the provisions of these rules relating to the convening and conduct of the annual general meeting shall apply to a special meeting convened under this paragraph.
- (6) A special meeting so convened and held in the month of November or the month of December may, if the meeting so resolves, be for all purposes under these rules the annual meeting for the succeeding year, and a special meeting so convened shall in any event be for all such purposes the annual meeting for the year in which it is so convened and held.]

#### Textual Amendments

- F42** Rule 7 (originally 6) renumbered (1.1.1995) by S.I. 1994/3118, **para. 8**.  
**F43** Rule 6(5)(6) inserted by S.I. 1981/959, **para. 3**

#### *Chairman*

- [<sup>F44</sup>8]  
 [<sup>F45</sup>(1) The minister, if present, or, if he is not present, the vice-chairman of the parochial church council, or, subject to paragraph (2) of this rule, if he also is not present, a chairman chosen by the annual meeting shall preside thereat.
- (2) Where a parish is in the area of a benefice for which a team ministry is established, and a vicar in that ministry is entitled to preside at an annual meeting of that parish by virtue of a provision in a pastoral scheme or the bishop's licence assigning to the vicar the duties, or a share in the duties, of the chairmanship of the annual meeting of that parish, then, if both he and the vice-chairman of the parochial church council are not present at that meeting, but the rector in that ministry is present, the rector shall preside thereat.]
- [<sup>F46</sup>(3)] In case of an equal division of votes, the chairman of the meeting shall have a second or casting vote [<sup>F47</sup>unless it is a case where rule [<sup>F48</sup>11(8)] applies]; but no clerical chairman shall have a vote in the election of the parochial representatives of the laity.

#### Textual Amendments

- F44** Rule 8 (originally 7) renumbered (1.1.1995) by S.I. 1994/3118, **para. 8**.  
**F45** Rule 7(1)(2) substituted for first sentence of rule 7 by S.I. 1981/959, **para. 4(1)**  
**F46** Second sentence of rule 7 numbered para. (3) by S.I. 1981/959, **para. 4(2)**  
**F47** Words inserted by S.I. 1973/1865, **para. 6**  
**F48** Words in Sch. 3 rule 8 para. (3) (originally 7(3)) amended (1.1.1995) by S.I. 1994/3118, **para. 63, Sch.**

#### *Business*

- [<sup>F49</sup>9] (1) The annual meeting shall receive from the parochial church council and shall be free to discuss:—



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- <sup>F50</sup>(a) .....
- [<sup>F51</sup>(a) a report on changes in the roll since the last annual parochial church meeting or, in a year in which a new roll is prepared, a report on the numbers entered on the new roll;]
- <sup>F52</sup>(b) .....
- <sup>F52</sup>(c) .....
- <sup>F52</sup>(d) .....
- <sup>F52</sup>(e) .....
- [<sup>F53</sup>(b) an annual report on the proceedings of the parochial church council and the activities of the parish generally;

  - (c) the financial statements of the parochial church council for the year ending on the 31st December immediately preceding the meeting, independently examined or audited as provided by paragraph (3) hereof;]
- [<sup>F54</sup>(d)] a report upon the fabric, goods and ornaments of the church or churches of the parish [<sup>F55</sup>, under section 5 of the Care of Churches and Ecclesiastical Jurisdiction Measure 1991]; and
- [<sup>F54</sup>(e)] a report on the proceedings of the deanery synod.
- <sup>F56</sup>(2) .....
- <sup>F56</sup>(3) .....
- [<sup>F57</sup>(2) The council shall cause a copy of the said roll to be available for inspection at the meeting.
- <sup>F57</sup>(3) The said financial statements shall—

  - (a) be independently examined or audited in such manner as shall be prescribed in accordance with rule 54(8);
  - (b) be considered and, if thought fit, approved by the parochial church council and signed by the chairman presiding at the meeting of the council; and
  - (c) be displayed for a continuous period of at least seven days before the annual meeting, including at least one Sunday when the church is used for worship, on a notice-board either inside or outside the church.
- <sup>F57</sup>(4) The annual report referred to in paragraph (1)(b) above and the said financial statements shall be prepared in such form as shall be prescribed in accordance with rule 54(8) hereof for consideration by the annual meeting. Following such meeting the council shall cause the annual report and statements to be published and displayed in the parish in such manner as may be prescribed in accordance with rule 54(8) and shall cause copies to be sent within twenty eight days of the annual meeting to the secretary of the diocesan board of finance for retention by the board.]
- <sup>F58</sup>(4) .....
- <sup>F59</sup>(5) .....
- [<sup>F60</sup>] The annual meeting shall in the manner provided by rule 11—
- <sup>F61</sup>(5)] (a) elect in every third year parochial representatives of the laity to the deanery synod;

  - (b) elect parochial representatives of the laity to the parochial church council;
  - (c) appoint sidesmen;

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- <sup>F62</sup>(d) . . . . .
- [ appoint the independent examiner or auditor to the council for a term of
- <sup>F63</sup>(d) office ending at the close of the next annual meeting, provided that such person shall not be a member of the council.]
- and the elections and appointments shall be carried out in the above order.]

[<sup>F64</sup>[ Without prejudice to the foregoing provisions and rule [<sup>F66</sup>7(6)], a special parochial

<sup>F65</sup>(6)] church meeting convened under rule [<sup>F66</sup>7(5)] shall, in addition to other business,—

(a) decide on the number of members of the parochial church council who are to be the elected representatives of the laity;

(b) elect in the manner provided by rule [<sup>F66</sup>11] parochial representatives of the laity to the deanery synod, if such representatives are required to be elected in the year for which that meeting is the annual meeting by virtue of rule [<sup>F66</sup>7(6)].]

[<sup>F61</sup>(7)] Any person entitled to attend the annual meeting may ask any question about parochial church matters, or bring about a discussion of any matter of parochial or general interest, by moving a general resolution or by moving to give any particular recommendation to the council in relation to its duties.

[<sup>F61</sup>(8)] The annual meeting shall have power to adjourn and to determine its own rules of procedure.

[<sup>F61</sup>(9)] The secretary of the parochial church council (or another person appointed by the meeting in his place) shall act as a clerk of the annual meeting, and shall record the minutes thereof.

#### Textual Amendments

- F49** Rule 9 (originally 8) renumbered (1.1.1995) by S.I. 1994/3118, **para. 8**.
- F50** Sch. 3 rule 9(1)(a) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 8**.
- F51** Sch. 3 rule 9 para. 1(a) inserted (1.1.1995) by S.I. 1994/3118, **para. 8**.
- F52** Sch. 3 rule 9 paras. (1)(b)-(e) omitted (1.5.1997) by virtue of S.I. 1995/3243, **para. 2**.
- F53** Sch. 3 rule 9 paras. (1)(b)(c) inserted (1.5.1997) by S.I. 1995/3243, **para. 2**.
- F54** Sch. 3 rule 9 paras. (1)(d)(e) (previously (1)(f)(g)) renumbered (1.5.1997) by S.I. 1995/3243, **para. 2**.
- F55** Words in Sch. 3 rule 8(1)(f) inserted (1.3.1993) by Care of Churches and Ecclesiastical Jurisdiction Measure 1991 (No. 1, SIF 28:1), s. 32(1), **Sch. 7 para. 4(a)** (with s. 31(6)); Instrument dated 16.2.1993 made by the Archbishops of Canterbury and York
- F56** Sch. 3 rule 9 paras. (2)(3) omitted (1.5.1997) by virtue of S.I. 1995/3243, **para. 3**.
- F57** Sch. 3 rule 9 paras. (2)-(4) inserted (1.5.1997) by S.I. 1995/3243, **para. 3**.
- F58** Sch. 3 rule 9(4) (originally 8(4)) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 10**.
- F59** Sch. 3 rule 9(5) (originally 8(5)) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 10**.
- F60** Sch. 3 rule 9(4) inserted (1.1.1995) by S.I. 1994/3118, **para. 10**.
- F61** Sch. 3 rule 9 paras. (5)-(9) (previously (4)-(8)) renumbered (1.5.1997) by S.I. 1995/3243, **para. 3**.
- F62** Sch. 3 rule 9 para. (4)(d) omitted (1.5.1996) by virtue of S.I. 1995/3243, **para. 4**.
- F63** Sch. 3 rule 9 para. (4)(d) inserted (1.5.1996) by virtue of S.I. 1995/3243, **para. 4**.
- F64** Rule 8(6) inserted by S.I. 1981/959, **para. 5**
- F65** Sch. 3 rule 8(6) renumbered as 9(5) (1.1.1995) by S.I. 1994/3118, **para. 10** and renumbered (1.5.1997) as rule 9(6) by S.I. 1995/3243, **para. 3**.
- F66** Words in Sch. 3 rule 9 para. (5) (originally 8(6)) amended (1.1.1995) by S.I. 1994/3118, **para. 63, Sch.**

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### *Qualifications of persons to be chosen or elected by annual meetings*

[<sup>F67</sup>10]<sup>F68</sup>(1) .....

[<sup>F69</sup>(1) Subject to the provisions of rule 1(4) and paragraph (3) of this rule, the qualifications of a person to be elected a parochial representative of the laity to either the parochial church council or the deanery synod are that—

- (a) his name is entered on the roll of the parish;
- (b) he is an actual communicant as defined in rule 54(1); and
- (c) in the case of election to the parochial church council, he is of sixteen years or upwards, and in the case of his election to the deanery synod, he is of eighteen years or upwards.]

<sup>F68</sup>(1A) .....

<sup>F68</sup>(1B) .....

(2) The qualification of a person to be <sup>F70</sup> . . . [<sup>F71</sup>appointed] a sidesman is that his name is entered on the roll of the parish.

<sup>F72</sup>(3) .....

[<sup>F73</sup>(3) No person shall be nominated for election under rule 9—

- (a) to serve on either the parochial church council, or the deanery synod unless he has signified his consent to serve, or there is in the opinion of the meeting sufficient evidence of his willingness to serve;
- (b) to serve on the parochial church council, if he has been disqualified [<sup>F74</sup>under rule 46A];
- (c) <sup>F75</sup> .....

#### **Textual Amendments**

- F67** Sch. 3 rule 10 (originally 9) renumbered (1.1.1995) by S.I. 1994/3118, para. 11.
- F68** Sch. 3 rule 10 paras. (1)(1A)(1B) omitted (1.1.1995) by virtue of S.I. 1994/3118, para. 11.
- F69** Sch. 3 rule 10 para. (1) inserted (1.1.1995) by S.I. 1994/3118, para. 11.
- F70** Word in Sch. 3 rule 10 para. (2) omitted (1.1.1995) by virtue of S.I. 1994/3118, para. 12.
- F71** Word in Sch. 3 rule 10 para. (2) inserted (1.1.1995) by S.I. 1994/3118, para. 12.
- F72** Sch. 3 rule 10 para. (3) omitted (1.1.1995) by virtue of S.I. 1994/3118, para. 12.
- F73** Sch. 3 rule 10 para. (3) inserted (1.1.1995) by virtue of S.I. 1994/3118, para. 13.
- F74** Words in Sch. 3 rule 10(3)(b) substituted (1.1.2000) by virtue of The Church Representation Rules (Amendment) Resolution 1999 (S.I. 1999/2112), paras. 2(a), 24(3)
- F75** Sch. 3 rule 10(3)(c) omitted (1.1.2000) by virtue of The Church Representation Rules (Amendment) Resolution 1999 (S.I. 1999/2112), paras. 2(b), 24(3)

### *Conduct of Elections at Annual Meetings*

[<sup>F76</sup>11](1) [<sup>F77</sup> . . . [<sup>F79</sup>Subject to the provisions of any resolution under rule 12]for the time being in force] this rule shall apply to all elections at annual meetings.

(2) All candidates for election at an annual meeting must be nominated and seconded by persons entitled to attend the annual meeting, and in the case of parochial representatives of the laity, by persons whose names are entered on the roll of the

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parish. A candidate shall be nominated or seconded either before the meeting in writing or at the meeting.

- (3) If the number of candidates nominated is not greater than the number of seats to be filled, the candidates nominated shall forthwith be declared elected.
- (4) If more candidates are nominated than there are seats to be filled, the election shall take place at the annual meeting.
- (5) No clerk in Holy Orders shall be entitled to vote in the election of any parochial representatives of the laity.
- (6) Each person entitled to vote shall have as many votes as there are seats to be filled but may not give more than one vote to any one candidate.
- (7) Votes may be given:—
  - (a) on voting papers, which must be signed by the voter [<sup>F80</sup>on the reverse thereof]; or
  - (b) if no person present objects thereto, by show of hands.
- (8)<sup>F81</sup>(a) Where owing to an equality of votes an election is not decided, the decision between the persons for whom the equal numbers of votes have been cast shall be taken by lot.
  - <sup>F82</sup>(b) When an election or any stage of an election is recounted, either on appeal or at the request of the presiding officer or of a candidate, if the original count and the re-count are identical at the point when a lot must be drawn to resolve a tie, the original lot shall be used to make the determination.]
- (9) The result of any election by an annual meeting shall be announced as soon as practicable by the person presiding over the election, and a notice of the result shall in every case be affixed on or near the principal door of every church in the parish and every building licensed for public worship in the parish, and shall bear the date on which the result is declared. The notice shall remain affixed for not less than fourteen days. [<sup>F83</sup>Thereafter the secretary of the parochial church council shall hold a list of the names and addresses of the members of the council which shall be available for inspection on reasonable notice being given by any person who either is resident in the parish or has his name on the electoral roll, but the secretary shall not be bound to provide a copy of such list.]
- <sup>F84</sup>(10) Names and addresses, of parochial representatives of the laity elected to the deanery synod shall be sent by the secretary of the parochial church council to the diocesan electoral registration officer appointed in accordance with rule [<sup>F85</sup>29] and to the secretary of the deanery synod.]

#### Textual Amendments

- F76** Sch. 3 rule 11 (originally 10) renumbered (1.1.1995) by S.I. 1994/3118, para. 14.
- F77** Words inserted by S.I. 1980/178, para. 3(1).
- F78** Words in Sch. 3 rule 11 para. (1) omitted (1.1.1995) by virtue of S.I. 1994/3118, para. 14.
- F79** Words in Sch. 3 rule 11 para. (1) inserted (1.1.1995) by S.I. 1994/3118, para. 14.
- F80** Words inserted by S.I. 1980/178, para. 3(2).
- F81** Sch. 3 rule 11 para. (8)(a) (originally (8)) renumbered (1.1.1995) by S.I. 1994/3118, para. 14.
- F82** Sch. 3 rule para. (8)(b) inserted (1.1.1995) by S.I. 1994/3118, para. 14.
- F83** Words added by S.I. 1989/2094, para. 1(1).

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- F84** Sch. 3 rule 10(10) substituted by S.I. 1989/2094, **para. 1(2)**.  
**F85** Words in Sch. 3 rule 11 para. (10) amended (1.1.1995) by S.I. 1994/3118, para. 63, **Sch.**

### *[<sup>F86</sup> Variation of method of election by scheme*

#### **Textual Amendments**

- F86** Rule 10A and heading inserted by S.I. 1980/178, **para. 3(1)**

[<sup>F87</sup> 12] (1) The annual meeting may <sup>F88</sup> . . . [<sup>F89</sup> pass a resolution] which provides that the election of parochial representatives of the laity to the parochial church council or to the deanery synod or to both that council and that synod shall be conducted [<sup>F90</sup> by the method of the single transferable vote] under rules, with the necessary modifications, made by the General Synod under rule [<sup>F91</sup> 39(7)] and for the time being in force.

[<sup>F92</sup> (2) The annual meeting may <sup>F88</sup> . . . [<sup>F89</sup> pass a resolution] which provides that any person entitled to attend the annual meeting and vote in the elections of parochial representatives of the laity to the parochial church council or to the deanery synod or to both that council and that synod may make application in the form set out in section 4A of Appendix I for a postal vote.

(3) Where applications for postal votes have been received by the date specified in the notice convening the annual meeting and where the number of candidates nominated for an election referred to in paragraph (2) of this rule is greater than the number of seats to be filled, the annual meeting shall appoint a presiding officer who shall not be a candidate in the election. Voting papers shall be distributed to each person present at the meeting entitled to vote and completed papers shall be returned into the custody of the presiding officer before the close of the meeting. The presiding officer shall ensure that persons who have made application for a postal vote shall be sent or have delivered a voting paper within 48 hours of the close of the meeting such paper to be returned to the presiding officer within such period of not less than 7 days nor more than 14 days from the date of the meeting as the presiding officer shall specify.]

<sup>F93</sup> (4) . . . . .

[<sup>F94</sup> (4) A resolution passed under this rule shall be invalid unless approved by at least two thirds of the persons present and voting at the annual meeting nor shall it be operative until the next ensuing annual meeting. Such resolution may be rescinded by a subsequent resolution passed in the same manner.]]

#### **Textual Amendments**

- F87** Sch. 3 rule para. 12 (originally 10A) renumbered (1.1.1995) by S.I. 1994/3118, **para. 15**.  
**F88** Words in Sch. 3 rule 12 para. (1)(2) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 15**.  
**F89** Words in Sch. 3 rule 12 para. (1)(2) inserted (1.1.1995) by S.I. 1994/3118, **para. 15**.  
**F90** Words substituted by S.I. 1984/1039, **para. 6(1)**.  
**F91** Words in Sch. 3 rule 12 para. (1) (originally 10A(1)) amended (1.1.1995) by S.I. 1994/3118, para. 63, **Sch.**  
**F92** Sch. 3 rule 10A(2)(3) inserted by S.I. 1989/2094, **para. 1(3)**.  
**F93** Sch. 3 rule 12 para. (4) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 16**.  
**F94** Sch. 3 rule 12 para. (4) inserted (1.1.1995) by S.I. 1994/3118, **para. 16**.

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### *Conduct of Elections of Churchwardens*

- [<sup>F95</sup>13](1) If elections of churchwardens take place at meetings of parishioners under section 3 of the <sup>M1</sup>Churchwardens (Appointment and Resignation) Measure 1964 either because there has been no joint consent under section 2 of that Measure or because there is no minister, the elections shall be conducted, announced and notified in the same manner as elections under [<sup>F96</sup>rule [<sup>F97</sup>11]] except that all persons entitled to attend the meeting of parishioners other than the minister shall be entitled to nominate and vote at such elections of churchwardens.
- (2) The Churchwardens (Appointment and Registration) Measure 1964 shall be amended as follows:—
- (a) in section 2(1) for words “not later in the year than during the week following Easter week” there shall be substituted the words “not later than the 30th April in each year”;
  - (b) sections 4, 5, 6 and 11(3) shall be repealed; and
  - (c) section 3(6) shall not apply to elections of churchwardens.

#### **Textual Amendments**

**F95** Sch. 3 rule 13 (originally 11) renumbered (1.1.1995) by S.I. 1994/3118, para. 17.

**F96** Words substituted by S.I. 1984/1039, para. 7

**F97** Words in Sch. 3 rule 13 para. (1) (originally 11(1)) amended (1.1.1995) by S.I. 1994/3118, para. 63, Sch.

#### **Modifications etc. (not altering text)**

**C2** The text of s. 6 and Sch. 3 rule 11(2) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### **Marginal Citations**

**M1** 1964 No. 3 (21:6).

### *Parochial Church Council Members*

- [<sup>F98</sup>14](1) [<sup>F99</sup>Subject to the provisions of rule [<sup>F100</sup>1(4)] [<sup>F101</sup>and paragraph (3) of this rule,]] the parochial church council shall consist of:—
- (a) all clerks in Holy Orders beneficed in or licensed to the parish, . . . <sup>F102</sup>
  - [<sup>F103</sup>(b) any deaconess or lay worker licensed to the parish;]
  - [<sup>F104</sup>(c) in the case of a parish in the area of a benefice for which a team ministry is established, all the members of the team of that ministry;]
  - [<sup>F105</sup>(d) the churchwardens [<sup>F106</sup>and any deputy churchwardens who are ex officio members of the parochial church council by virtue of a scheme made under rule 18(4) of these rules,] being <sup>F107</sup> . . . [<sup>F108</sup>actual communicants] whose names are on the roll of the parish;
  - <sup>F109</sup>(d) . . . . .
  - [<sup>F110</sup>(e) such, if any, of the readers who are licensed to that parish or licensed to an area which includes that parish and whose names are on the roll of the parish as the annual meeting may determine.]

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- [<sup>F105</sup>(f)] all persons whose names are on the roll of the parish and who are lay members of any deanery synod, diocesan synod or the General Synod;
- [(g)] such number of representatives of the laity as the annual meeting may decide, and so that the number determined may be altered from time to time by a resolution passed at any annual meeting, but such resolution shall not take effect before the next ensuing annual meeting; and
- [<sup>F105</sup>(h)] co-opted members, if the parochial church council so decides, not exceeding in number one-fifth of the representatives of the laity elected under the last preceding sub-paragraph of this paragraph [<sup>F111</sup>or two persons whichever shall be the greater,], and being either clerks in Holy Orders or <sup>F112</sup>. . . [<sup>F113</sup>actual lay communicants of sixteen] years of age or upwards. The term of office of a co-opted member shall be until the conclusion of the next annual meeting; but without prejudice to his being co-opted on subsequent occasions for a similar term, subject to and in accordance with the provisions of these rules.
- [<sup>F114</sup> Any person chosen, appointed or elected as a churchwarden of a parish, being an  
<sup>F115</sup>(2) <sup>F116</sup>. . . [<sup>F117</sup>actual communicant]whose name is on the roll of the parish, shall as from the date on which the choice, appointment or election, as the case may be, is made be a member of the parochial church council of the parish by virtue of this paragraph until he is admitted to the office of churchwarden, and he shall thereafter continue to be a member of that council by virtue of [<sup>F118</sup>paragraph 1(d)] of this rule unless and until he ceases to be qualified for membership by virtue of that sub-paragraph.]
- [<sup>F119</sup>(3)] . . . . .
- [<sup>F120</sup>(3) A person shall cease to be a member of a parochial church council—
- (a) if his name is removed from the roll of the parish under rule 1, on the date on which his name is removed;
- (b) if he refuses or fails to apply for enrolment when a new roll is being prepared, on the date on which the new roll is completed;
- [<sup>F121</sup>(c) if he is or becomes disqualified under rule 46A, from the date on which the disqualification takes effect];
- but, so far as the provisions of (a) and (b) above are concerned, shall be without prejudice to any right which that council may have to make that person a co-opted member.]
- [<sup>F115</sup>(4) Where a group ministry is established the incumbents of all benefices in the group [<sup>F122</sup>every priest in charge of any benefice therein and where the area of the group ministry includes the area of a benefice for which a team ministry is established, all the vicars in that ministry] shall be entitled to attend meetings of the parochial church councils of all the parishes in the area for which the group ministry is established. They shall be entitled to receive documents circulated to members of councils of which they are not themselves members and to speak but not to vote at meetings of such councils.
- [<sup>F123</sup> Where two or more benefices are held in plurality and a team ministry is, or is to be,  
<sup>F115</sup>(5) established for the area of one of those benefices, then, if a pastoral scheme provides for extending the operation of the team ministry, so long as the plurality continues, to the area of any other benefice so held, paragraphs [<sup>F124</sup>1(c) and (4)]of this rule shall have effect as if the references to the area of the benefice were references to the combined area of the benefices concerned.]

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### Textual Amendments

- F98** Sch. 3 rule 14 (originally 12) renumbered (1.1.1995) by S.I. 1994/3118, **para. 17**.
- F99** Words inserted by S.I. 1980/178, **para. 4(1)**.
- F100** Words in Sch. 3 rule 14(1) (originally 12(1)) amended (1.1.1995) by S.I. 1994/3118, para. 63, **Sch.**
- F101** Words in Sch. 3 rule 14 para. (1) inserted (1.1.1995) by S.I. 1994/3118, **para. 17(a)**.
- F102** Words repealed by S.I. 1981/959, **para. 6(1)**.
- F103** Rule 12(1)(b) substituted by S.I. 1984/1039, **para. 8**.
- F104** Rule 12(1)(bb) inserted by S.I. 1981/959, **para. 6(1)**.
- F105** Sch. 3 rule 14 para. (1)(c)-(h) (originally (1)(bb)-(g)) relettered (1.1.1996) by S.I. 1995/3243, **para. 5**.
- F106** Words in Sch. 3 rule 14(1)(d) inserted (1.1.2000) by The Church Representation Rules (Amendment) Resolution 1999 (S.I. 1999/2112), **paras. 3(a), 24(3)**
- F107** Words in Sch. 3 rule 14(1)(c) (originally 12(1)(c)) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para.17(b)**.
- F108** Words in Sch. 3 rule 14(1)(c) inserted (1.1.1995) by S.I. 1994/3118, **para. 17(b)**.
- F109** Sch. 3 rule 14 para. (1)(d) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 18(a)**.
- F110** Sch. 3 rule 14 para. (1)(d) inserted (1.1.1995) by S.I. 1994/3118, **para. 18(a)**.
- F111** Words inserted by S.I. 1989/2094, **para. 2**.
- F112** Words in Sch. 3 rule 14 para. (1)(g) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 18(b)**.
- F113** Words in Sch. 3 rule 14 para. (1)(g) inserted (1.1.1995) by S.I. 1994/3118, 18(b).
- F114** Rule 12(1A) inserted by S.I. 1980/178, **para. 4(2)**.
- F115** Words in Sch. 3 rule 14 paras. (2)-(5) (originally (1A)-(4)) renumbered (1.1.1995) by S.I. 1994/3118, **para. 18(b)**.
- F116** Words in Sch. 3 rule 14 para. (2) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 18(b)**.
- F117** Words in Sch. 3 rule 14 para. (2) inserted (1.1.1995) by S.I. 1994/3118, **para. 18(b)**.
- F118** Words in Sch. 3 rule 14(1A) (originally 12(1A)) amended (1.1.1995) by S.I. 1994/3118, para. 63, **Sch.**
- F119** Sch. 3 rule 14 para. (2) renumbered (3) and omitted (1.1.1995) by virtue of S.I. 1994/3118, **paras. 18, 19**.
- F120** Sch. 3 rule 14 para. (3) inserted (1.1.1995) by S.I. 1994/3118, **para. 19**.
- F121** Sch. 3 rule 14(3)(c) substituted (1.1.2000) by virtue of The Church Representation Rules (Amendment) Resolution 1999 (S.I. 1999/2112), **paras. 3(b), 24(3)**
- F122** Words inserted by S.I. 1981/959, **para. 6(2)**.
- F123** Rule 12(4) inserted by S.I. 1981/959, **para. 6(3)**.
- F124** Words in Sch. 3 rule 14(4) (originally 12(4)) amended (1.1.1995) by S.I. 1994/3118, para. 63, **Sch.**

### *General Provisions relating to Parochial Church Councils*

[<sup>F125</sup>15] The provisions in Appendix II to these rules shall have effect with respect to parochial church councils, and with respect to the officers, the meetings and the proceedings thereof:

Provided that a parochial church council may, with the consent of the diocesan synod, vary the said provisions, in their application to the council.

### Textual Amendments

- F125** Sch. 3 rule 15 (originally 13) renumbered (1.1.1995) by S.I. 1994/3118, **para. 20**.



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### *Term of office*

[<sup>F127</sup>16(1)] Representatives of the laity on the parochial church council of a parish shall hold office from the conclusion of the annual meeting until the conclusion of the next annual meeting of the parish:

Provided that the annual meeting may decide that [<sup>F128</sup>, with effect from the date of that meeting,] one-third only (or the number nearest to one-third) of the representatives of the laity elected to the council shall retire from office in every year. In any case where it is so decided, the representatives of the laity to retire from office at each annual meeting shall be those who have been longest in office since last elected, and as between representatives of the laity elected on the same day, those to retire shall (unless they otherwise agree among themselves) be selected by lot. A representative of the laity shall in any event retire at the conclusion of the third annual meeting after that at which he was elected.

[<sup>F127</sup>(2)] Persons who are members of a parochial church council by virtue of their election as lay members of a deanery synod shall hold office for a term beginning with the date of their election and ending with the 31st May next following the election of their successors.]

#### **Textual Amendments**

**F126** Sch. 3 rule 16 (originally 14) renumbered (1.1.1995) by S.I. 1994/3118, para. 20.

**F127** “(1)” inserted, and rule 14(2) added by S.I. 1973/1865, para. 9

**F128** Words in Sch. 3 rule 16(1) proviso inserted (1.1.2000) by The Church Representation Rules (Amendment) Resolution 1999 (S.I. 1999/2112), paras. 4, 24(3)

### *Limitation on years of service*

[<sup>F129</sup>17] The annual meeting may decide that no representative of the laity [<sup>F130</sup>being a member of the parochial church council by virtue of rule 14(1)(g) may hold office after the date of that meeting] for more than a specified number of years continuously and may also decide that after a specified interval a person who has ceased to be eligible by reason of such decision may again stand for election as a representative of the laity on the council.

#### **Textual Amendments**

**F129** Sch. 3 rule 17 (originally 15) renumbered (1.1.1995) by S.I. 1994/3118, para. 20.

**F130** Words in Sch. 3 rule 17 substituted (1.1.2000) by virtue of The Church Representation Rules (Amendment) Resolution 1999 (S.I. 1999/2112), paras. 5, 24(3)

### *Parishes with more than one Place of Worship*

[<sup>F131</sup>18(1)] In any parish where there are two or more churches or [<sup>F132</sup>places of worship] the annual meeting may make a scheme, [<sup>F133</sup>which makes provision for either or both of the following purposes, that is to say]:—

- (a) for the election of representatives of the laity to the parochial church council in such manner as to ensure due representation of the congregation of each such church or [<sup>F134</sup>place][<sup>F135</sup>and]

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- [<sup>F136</sup>(b) for the election by the annual meeting for any district in the parish in which a church or place of worship is situated of a district church council for that district]
- (2) A scheme for the election of any district church council or councils under the preceding paragraph shall provide for the election of representatives of the laity on to such council, for ex-officio members and for the chairmanship of such council and shall contain such other provisions as to membership and procedure as shall be considered appropriate by the annual meeting.
- <sup>F137</sup>(3) . . . . .
- [<sup>F138</sup>(3) Such a scheme may also provide for the delegation by the parochial church council to a district church council of such functions as may be specified in the scheme and, subject to the provisions of the scheme, the parochial church council may by resolution also delegate to a district church council such of its functions as it shall think fit but not including (in either case) the functions of the parochial church council—
- (i) in respect of producing the financial statement of the parish including the accounts of all districts of the parish unless any or all of the districts have been so designated under paragraph (5A) of this rule;
  - (ii) as an interested party under Part I of the Pastoral Measure 1983;
  - (iii) under Part II of the Patronage (Benefices) Measure 1986;
  - (iv) under section 3 of the Priests (Ordination of Women) Measure 1993.]
- (4) [<sup>F139</sup>A scheme may] provide for the election or choice of one or two deputy churchwardens . . . <sup>F140</sup>, and for the delegation to him or them of such functions of the churchwardens relating to [<sup>F141</sup>any church or place] as the scheme may specify, and the churchwardens may, subject to the scheme, delegate such of their said functions as they think fit to the deputy churchwarden or churchwardens. [<sup>F142</sup>The scheme may also provide for the deputy churchwardens to be ex officio members of the parochial church council.]
- [<sup>F143</sup>(5) No scheme under this rule shall be valid unless approved by at least two-thirds of the persons present and voting at the annual meeting nor shall the scheme provide for it to come into operation until such date as the bishop's council and standing committee may determine being a date not later than the next ensuing annual meeting. Every such scheme shall on its approval be communicated to the bishop's council and standing committee of the diocesan synod which may determine—
- (a) that the scheme shall come into operation; or
  - (b) that the scheme shall not come into operation; or
  - (c) that the scheme shall come into operation with specified amendments, if such amendments are approved by an annual or special parochial church meeting and the scheme as amended is approved by at least two-thirds of the persons present and voting at that meeting.]
- [<sup>F144</sup>(5A) A parochial church council may, after consultation with the district church councils and with the approval of at least two-thirds of the persons present and voting at the annual meeting, apply to the bishop's council and standing committee for designation of any or all of the district church councils formed by scheme under this rule to be deemed to be separate parishes for the purpose of producing financial statements in respect of that district for presentation at the annual meeting. Where the bishop's council agrees to such a designation it shall take effect in respect of the financial

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statements to be presented at the next annual meeting and notice in writing of the designation shall be sent to the diocesan secretary with copies to the relevant archdeacon and to the secretaries of the parochial church council and the district church councils concerned.]

[<sup>F145</sup> A special parochial church meeting of a parish to which this rule applies may be <sup>F146</sup>(6) convened for the purpose of deciding whether to make such a scheme [<sup>F147</sup> or to apply for a designation referred to in paragraph (5A) above], and where such a meeting is convened the foregoing provisions shall have effect with the substitution for references to the annual meeting of references to the special meeting.]

[<sup>F148</sup>(6) ..... <sup>F149</sup>

[ Where a pastoral scheme establishing a team ministry, or an instrument of the bishop <sup>F146</sup>(7) made by virtue of that scheme, makes, in relation to a parish in the area of the benefice for which the team ministry is established, any provision which may be made by a scheme under this rule, no scheme under this rule relating to that parish shall provide for the scheme to come into operation until on or after the date on which the provisions in question of the pastoral scheme or of the instrument, as the case may be, cease to have effect.

[ A scheme under this rule may by [<sup>F150</sup> amended] or revoked by a subsequent scheme <sup>F146</sup>(8) [<sup>F151</sup> passed in accordance with the provisions of paragraph (4) of this rule].

[ Every member of the team of a team ministry shall have a right to attend the meetings <sup>F146</sup>(9) of any district church council elected for any district in a parish in the area of the benefice for which the team ministry is established.

[ This rule shall be without prejudice to the appointment, in parishes with more than <sup>F146</sup>(10) one parish church, of two church-wardens for each church under section [<sup>F152</sup> 27(5) of the <sup>M2</sup>Pastoral Measure 1983].

[ In this rule “place of worship” means a building or part of a building licensed for <sup>F146</sup>(11) public worship.]

#### Textual Amendments

- F131** Sch. 3 rule 18 (originally 16) renumbered (1.1.1995) by [S.I. 1994/3118, para. 20](#).
- F132** Words substituted by [S.I. 1981/959, para. 7\(1\)](#).
- F133** Words substituted by [S.I. 1973/1865, para. 10\(a\)](#).
- F134** Word substituted by [S.I. 1981/959, para. 7\(1\)](#).
- F135** Word substituted by [S.I. 1973/1865, para. 10\(b\)](#).
- F136** Rule 16(1)(b) substituted by [S.I. 1981/959, para. 7\(2\)](#).
- F137** Sch. 3 Rule 18 para. (3) omitted (1.3.1998) by virtue of [S.I. 1998/319, arts. 1, 5\(3\)](#).
- F138** Sch. 3 Rule 18 para. (3) inserted (1.3.1998) by [S.I. 1998/319, art. 1](#).
- F139** Words substituted by [S.I. 1984/1039, para. 9\(2\)](#).
- F140** Words repealed by [S.I. 1984/1039, para. 9\(3\)](#).
- F141** Words substituted by S.I. by virtue of [S.I. 1984/1039, para. 9\(4\)](#).
- F142** Words in Sch. 3 rule 18(4) added (1.1.2000) by [The Church Representation Rules \(Amendment\) Resolution 1999 \(S.I. 1999/2112\), paras. 6\(a\), 24\(3\)](#)
- F143** Rule 16(5) substituted by [S.I. 1984/1039, para. 9\(5\)](#).
- F144** [Sch. 3 Rule 18](#) para. (5A) inserted (1.3.1998) by [S.I. 1998/319, art. 2](#).
- F145** Sch. 3 rule 16(5A) inserted by [S.I. 1989/2094, para. 3](#).
- F146** Sch. 3 rule 18 paras. (6)-(11) formerly (5A)-(10) (1.1.1995) by [S.I. 1994/3118, para. 20\(a\)](#)

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- F147** Words in Sch. 3 rule 18 para. (6) inserted (1.3.1998) by S.I. 1998/319, art. 3.
- F148** Rule 16(6)–(11) substituted for rule 16(6) by S.I. 1981/959, para. 7(5).
- F149** Sch. 3 rule 16(6) repealed by S.I. 1984/1039, para. 9(6).
- F150** Word in Sch. 3 rule 18(8) substituted (1.1.2000) by virtue of The Church Representation Rules (Amendment) Resolution 1999 (S.I. 1999/2112), paras. 6(b), 24(3)
- F151** Words in Sch. 3 rule 18(8) substituted (1.1.2000) by virtue of The Church Representation Rules (Amendment) Resolution 1999 (S.I. 1999/2112), paras. 6(b), 24(3)
- F152** Words substituted by S.I. 1984/1039, para. 9(7).

#### Marginal Citations

- M2** 1983 No. 1 (21:4).

#### Joint Parochial Church Councils

- <sup>F153</sup>[ (1) Where there are two or more parishes within the area of a single benefice or two  
<sup>F154</sup>19] or more benefices are held in plurality, the annual meetings of all or some of the parishes in the benefice or benefices may make a joint scheme to provide—
- (a) for establishing a joint parochial church council (hereinafter referred to as “the joint council”) comprising the ministers of the parishes and such numbers of representatives of each of those parishes elected by and from among the other members of the parochial church council of the parish as may be specified in the scheme;
  - (b) for the chairmanship, meetings and procedure of the joint council;
  - (c) [<sup>F155</sup>subject to paragraph 20 of Schedule 2 to the Patronage (Benefices) Measure 1986] for the delegation by the parochial church council of each such parish to the joint council of such of its functions, other than its functions as an interested party under Part I of the Pastoral Measure [<sup>F156</sup>1983][<sup>F157</sup>and its functions under section 3 of the Priests (Ordination of Women) Measure 1993], as may be so specified.
- (2) Subject to the scheme and to any pastoral scheme or order made under paragraph 13 of Schedule 3 to the said Measure [<sup>F158</sup>and to paragraph 20 of Schedule 2 to the Patronage (Benefices) Measure 1986], the parochial church council of any such parish may delegate to the joint council such of its functions, other than its functions as an interested party under the said Part I [<sup>F159</sup>and its functions under section 3 of the Priests (Ordination of Women) Measure 1993], as it thinks fit.
- (3) The joint council shall meet from time to time for the purpose of consulting together on matters of common concern.
- [ No scheme under this rule shall be valid unless approved by at least two-thirds of  
<sup>F160</sup>(4) the persons present and voting at the annual meeting nor shall the scheme provide for it to come into operation until such date as the bishop’s council and standing committee may determine being a date not later than the next ensuing annual meeting. Every such scheme shall on its approval be communicated to the bishop’s council and standing committee of the diocesan synod which may determine—
- (a) that the scheme shall come into operation; or
  - (b) that the scheme shall not come into operation; or
  - (c) that the scheme shall come into operation with specified amendments, if such amendments are approved by an annual or special parochial church meeting and the scheme as amended is approved by at least two-thirds of the persons present and voting at the meeting.]

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(5) ..... **F161**

[ A special parochial church meeting of a parish to which this rule applies may be **F162**(5)] convened for the purpose of deciding whether to join in making such a scheme, and where such a meeting is convened the foregoing provisions shall have effect with the substitution for references to the annual meeting of references to the special meeting.

[ Where a pastoral scheme or order, or any instrument of the bishop made by virtue of **F162**(6)] such a scheme or order, establishes a joint parochial church council for two or more of the parishes in a single benefice or two or more of the parishes in benefices held in plurality, no scheme under this rule relating to those parishes shall provide for the scheme to come into operation until on or after the date on which the provisions of the pastoral scheme, pastoral order or instrument, as the case may be, establishing the joint parochial church council cease to have effect.

[ Where the provisions of a pastoral scheme or order for the holding of benefices **F162**(7)] in plurality are terminated under section [**F163**18(2) of the Pastoral Measure 1983], any provision of a scheme under this rule establishing a joint parochial church council for all or some of the parishes of those benefices and the other provisions thereof affecting that council shall cease to have effect on the date on which the first mentioned provisions cease to have effect.

[ A scheme under this rule may be [**F164** amended] or revoked by a subsequent scheme **F162**(8)] [**F165** passed in accordance with the provisions of paragraph (4) of this rule] to be.]

#### Textual Amendments

- F153** Rule 17 substituted by S.I. 1981/959, **para. 8**.
- F154** Sch. 3 rule 19 (originally 17) renumbered (1.1.1995) by S.I. 1994/3118, **para. 20**.
- F155** Words inserted by Patronage (Benefices) Measure 1986 (No. 3, SIF 21:4), s. 41(1), **Sch. 4 para. 13(b)(i)**.
- F156** Word substituted by S.I. 1984/1039, **para. 10(1)**.
- F157** Words in Sch. 3 rule 17(1)(c) inserted (1.2.1994) by 1993 Measure No. 2, s. 10, **Sch. 3 para. 3(b)(i)**; Instrument dated 31.1.1994 made by Archbishops of Canterbury and York.
- F158** Words inserted by Patronage (Benefices) Measure 1986 (No. 3, SIF 21:4), s. 41(1), **Sch. 4 para. 13(b)(ii)**.
- F159** Words in Sch. 3 rule 17(2) inserted (1.2.1994) by 1993 Measure No. 2, s. 10, **Sch. 3 para. 3(b)(ii)**; Instrument dated 31.1.1994 made by Archbishops of Canterbury and York.
- F160** Rule 17(4) substituted by S.I. 1984/1039, **para. 10(2)**.
- F161** Rule 17(5)(6) (as substituted by S.I. 1981/959, **para. 8**) repealed by S.I. 1984/1039, **para 10(3)**.
- F162** Rule 17(5) to (8) (originally (7) to (10)) renumbered by S.I. 1984/1039, **para. 10(3)**.
- F163** Words substituted by S.I. 1984/1039, **para. 10(4)**.
- F164** Word in Sch. 3 rule 19(8) substituted (1.1.2000) by virtue of The Church Representation Rules (Amendment) Resolution 1999 (S.I. 1999/2112), **paras. 7(b), 24(3)**
- F165** Words in Sch. 3 rule 19(8) substituted (1.1.2000) by virtue of The Church Representation Rules (Amendment) Resolution 1999 (S.I. 1999/2112), **paras. 7(b), 24(3)**

**F166** Team councils

#### Textual Amendments

- F166** Rules 17A, 17B inserted by S.I. 1981/959, **para. 9(1)**

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[<sup>F167</sup>20] (1) Where a team ministry is established for the area of a benefice which comprises more than one parish the annual meetings of the parishes in that area may make a joint scheme to provide—

<sup>F168</sup>(a) .....

[ for establishing a team council comprising—

- <sup>F169</sup>(a) (i) the team rector;  
(ii) the members of the team other than the team rector;  
(iii) every assistant curate, deaconess and lay worker licensed to a parish within the team who are not members of the team;  
(iv) such number of lay representatives elected by and from among the lay representatives of the parochial church council of each parish in the area as may be specified in the scheme.

Provided that where the total number of persons in sub-paragraphs (ii) and (iii) above would otherwise number more than one quarter of the total membership of the team council they may, and where those persons number more than one third they shall select among themselves which members shall be members of the team council so that the total number of those persons shall not exceed more than one third of the council.]

(b) for the chairmanship, meetings and procedure of the team council; and

(c) [<sup>F170</sup>subject to paragraph 19 of Schedule 2 to the Patronage (Benefices) Measure 1986] for the delegation by the parochial church council of each such parish to the team council of such functions, other than its functions as an interested party under Part I of the Pastoral Measure [<sup>F171</sup>1983][<sup>F172</sup>as may be so specified][<sup>F173</sup>and its functions under section 3 of the Priests (Ordination of Women) Measure 1993, as may be so specified]

(2) Subject to the scheme and to any pastoral scheme relating to the team council made under [<sup>F174</sup>paragraph 4(3)] of Schedule 3 to the said Measure [<sup>F175</sup>and to paragraph 19 of Schedule 2 to the Patronage (Benefices) Measure 1986], the parochial church council of any such parish may delegate to the team council such of its functions, other than its functions as an interested party under the said Part I [<sup>F176</sup>and its functions under section 3 of the Priests (Ordination of Women) Measure 1993], as it thinks fit.

(3) The team council shall meet from time to time for the purpose of consulting together on matters of common concern.

[ No scheme under this rule shall be valid unless approved by at least two-thirds of  
<sup>F177</sup>(4) the persons present and voting at the annual meeting nor shall the scheme provide for it to come into operation until such date as the bishop's council and standing committee may determine being a date not later than the next ensuing annual meeting. Every such scheme shall on its approval be communicated to the bishop's council and standing committee of the diocesan synod which may determine—

- (a) that the scheme shall come into operation; or  
(b) that the scheme shall not come into operation; or  
(c) that the scheme shall come into operation with specified amendments, if such amendments are approved by an annual or special parochial church meeting and the scheme as amended is approved by at least two-thirds of the persons present and voting at that meeting.]

(5) ..... <sup>F178</sup>

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[ A special parochial church meeting of a parish to which this rule applies may be <sup>F179</sup>(5)] convened for the purpose of deciding whether to join in making such a scheme, and where such a meeting is convened the foregoing provisions shall have effect with the substitution for references to the annual meeting of references to the special meeting.

[ Where a pastoral scheme establishing a team ministry, or an instrument of the bishop <sup>F179</sup>(6)] made by virtue of that scheme, establishes a team council for that ministry, no scheme under this rule relating to that ministry shall provide for the scheme to come into operation until on or after the date on which the provisions of the pastoral scheme or of the instrument, as the case may be, establishing the team council to have effect.

[ A scheme under this rule may be <sup>F180</sup>amended] or revoked by a subsequent scheme <sup>F179</sup>(7) [<sup>F181</sup>passed in accordance with the provisions of paragraph (4) of this rule] to be.]

#### Textual Amendments

- F167** Sch. 3 rule 20 (originally 17A) renumbered (1.1.1995) by S.I. 1994/3118, **para. 20**.  
**F168** Sch. 3 rule 20 para. 1(a) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 20(b)**.  
**F169** Sch. 3 rule 20 para. 1(a) inserted (1.1.1995) by S.I. 1994/3118, **para. 20(b)**.  
**F170** Words inserted by Patronage (Benefices) Measure 1986 (No. 3, SIF 21:4), s. 41(1), **Sch. 4 para. 13(c)(i)**.  
**F171** Word substituted by S.I. 1984/1039, **para. 11(1)**.  
**F172** Words inserted by S.I. 1989/2094, **para. 4(1)**.  
**F173** Words in Sch. 3 rule 17A(1)(c) inserted (1.2.1994) by 1993 Measure No. 2, s. 10, **Sch. 3 para. 3(e)(i)**; Instrument dated 31.1.1994 made by Archbishops of Canterbury and York.  
**F174** Words substituted by S.I. 1989/2094, **para. 4(2)**.  
**F175** Words inserted by Patronage (Benefices) Measure 1986 (No. 3, SIF 21:4), s. 41(1), **Sch. 4 para. 13(c)(ii)**.  
**F176** Words in Sch. 3 rule 17A(2) inserted (1.2.1994) by 1993 Measure No. 2, s. 10, **Sch. 3 para. 3(c)(ii)**; Instrument dated 31.1.1994 made by Archbishops of Canterbury and York.  
**F177** Rule 17A(4) substituted by S.I. 1984/1039, **para. 11(2)**.  
**F178** Rule 17A(5)(6) (as inserted by S.I. 1981/959, **para. 9(1)**) repealed by S.I. 1984/1039, **para. 11(3)**.  
**F179** Rule 17A(5) to (7) (originally (7) to (9)) renumbered by S.I. 1984/1039, **para. 11(3)**.  
**F180** Word in Sch. 3 rule 20(7) substituted (1.1.2000) by virtue of The Church Representation Rules (Amendment) Resolution 1999 (S.I. 1999/2112), **paras. 8, 24(3)**.  
**F181** Words in Sch. 3 rule 20(7) substituted (1.1.2000) by virtue of The Church Representation Rules (Amendment) Resolution 1999 (S.I. 1999/2112), **paras. 8, 24(3)**.

#### Modifications etc. (not altering text)

- C3** In rule 17A(2) as originally passed the reference to the said measure was a reference to the Pastoral Measure 1968.

#### <sup>F182</sup> Group councils

#### Textual Amendments

- F182** Crossheading and rules 17A, 17B inserted by S.I. 1981/959, **para. 9(1)**

[ <sup>F183</sup>21] (1) Where a pastoral scheme establishes a group ministry, the annual meetings of the parishes in the area for which the group ministry is established may make a joint scheme to provide—

- (a) for establishing a group council comprising—

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- (i) all the members of the group ministry,
  - (ii) every assistant curate, deaconess, and lay worker licensed to any such parish, and
  - (iii) such number of lay representatives elected by and from among the lay members of the parochial church council of each such parish as may be specified in the scheme;
- (b) for the chairmanship, meetings and procedure of the group council; and
  - (c) for the delegation by the parochial church council of each such parish to the group council of such functions, other than its functions as an interested party under Part I of the Pastoral Measure [F1841983][F185] and its functions under Part II of the Patronage (Benefices) Measure 1986[F186] and section 3 of the Priests (Ordination of Women) Measure 1993] as may be so specified.
- (2) If the area of a group ministry includes the area of a benefice for which a team ministry is established, a scheme under this rule shall provide for the vicars in that ministry, as well as the rector, and all the other members of the team to be members of the group council.
- (3) Paragraphs (2) to [F187(7)] of rule [F18820] shall apply in relation to a scheme under this rule as they apply in relation to a scheme under this rule as they apply in relation to a scheme under that rule with the modification that for the references to a team ministry and a team council there shall be substituted references to a group ministry and a group council respectively [F189] except that the functions of a parochial church council under Part II of the Patronage (Benefices) Measure 1986 [F190] and section 3 of the Priests (Ordination of Women) Measure 1993] may not be delegated to a group council.]

#### Textual Amendments

- F183** Sch. 3 rule 21 (originally 17B) renumbered (1.1.1995) by S.I. 1994/3118, para. 21
- F184** Word substituted by S.I. 1984/1039, para. 12(1).
- F185** Words inserted by Patronage (Benefices) Measure 1986 (No. 3, SIF 21:4), s. 41(1), Sch. 4 para. 13(d)(i).
- F186** Words in Sch. 3 rule 17B(1)(c) inserted (1.2.1994) by 1993 Measure No. 2, s. 10, Sch. 3 para. 3(d)(i); Instrument dated 31.1.1994 made by Archbishops of Canterbury and York.
- F187** Word substituted by S.I. 1984/1039, para. 12(2).
- F188** Words in Sch. 3 rule 17B para. (3) amended (1.1.1995) by S.I. 1994/3118, para. 63, Sch.
- F189** Words added by Patronage (Benefices) Measure 1986 (No. 3, SIF 21:4), s. 41(1), Sch. 4 para. 13(d)(ii).
- F190** Words in Sch. 3 rule 17B(3) inserted (1.2.1994) by 1993 Measure No. 2, s. 10, Sch. 3 para. 3(d)(ii); Instrument dated 31.1.1994 made by Archbishops of Canterbury and York.

#### [F191] Special Meetings

#### Textual Amendments

- F191** Sch. 3 rules 18 and 18A substituted for rule 18 by S.I. 1989/2094, para. 5

- [F19222] (1) In addition to the annual meeting the minister of a parish may convene a special parochial church meeting, and he shall do so on a written representation by not less than one-third of the lay members of the parochial church council; and the provisions



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of these rules relating to the convening and conduct of the annual meeting shall, with the necessary modifications, apply to a special parochial church meeting.

- (2) All lay persons whose names are entered on the roll of the parish on the day which is twenty-one clear days before the date on which any special parochial church meeting is to be held shall be entitled to attend the meeting and to take part in its proceedings, and no other lay person shall be so entitled.
- (3) A clerk in Holy Orders shall be entitled to attend any such meeting and to take part in its proceedings if by virtue of rule <sup>F193</sup>6(3), (4) or (5) he would have been entitled to attend the annual meeting of the parish had it been held on the same date, and no other such clerk shall be so entitled.]

#### Textual Amendments

**F192** Sch. 3 rule 22 (originally 18) renumbered (1.1.1995) by S.I. 1994/3118, para. 21

**F193** Words in Sch. 3 rule 6(3) amended (1.1.1995) by S.I. 1994/3118, para. 63, Sch.

#### *Extraordinary Meetings*

- <sup>F194</sup>23(1) On a written representation made to the archdeacon by not less than one-third of the lay members of the parochial church council, or by one tenth of the persons whose names are on the roll of the parish, and deemed by the archdeacon to have been made with sufficient cause, the archdeacon shall convene an extraordinary meeting of the parochial church council or an extraordinary parochial church meeting, and shall either take the chair himself or shall appoint a chairman to preside. The chairman, not being otherwise entitled to attend such meeting, shall not be entitled to vote upon any resolution before the meeting.
- (2) In any case where the archdeacon is himself the minister, any representation under paragraph (1) of this rule shall be made to the bishop, and in any such case the references to the archdeacon in paragraph (1) of this rule shall be construed as references to the bishop, or to a person appointed by him to act on his behalf.
  - (3) Paragraphs (2) and (3) of rule <sup>F195</sup>22] shall apply in relation to an extraordinary parochial church meeting under this rule as they apply in relation to a special parochial church meeting under that rule with the modification that for the word “special” in <sup>F195</sup>paragraph (2) of that rule] there shall be substituted the word “extraordinary”.

#### Textual Amendments

**F194** Sch. 3 rule 23 (originally 18A) renumbered (1.1.1995) by S.I. 1994/3118, para. 21.

**F195** Words in Sch. 3 rule 18A(3) amended (1.1.1995) by S.I. 1994/3118, para. 63, Sch.

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### PART III

#### DEANERY SYNODS

##### *Membership*

- [<sup>F196</sup>24](1) A deanery synod shall consist of a house of clergy and a house of laity.
- (2) The members of the house of clergy of a deanery synod shall consist of—
- (a) the clerks in Holy Orders beneficed in or licensed to any parish in the deanery;
  - (b) any clerks in Holy Orders licensed to institutions in the deanery under the <sup>M3</sup>Extra-Parochial Ministry Measure 1967;
  - (c) any clerical members of the General Synod or diocesan synod resident in the deanery;
  - <sup>F197</sup>(d) .....
  - <sup>F197</sup>(e) .....
  - [<sup>F198</sup>(d)] such other clerks in Holy Orders holding the bishop's licence to work throughout the diocese or in more than one deanery and resident in the deanery subject to any direction which may be given by the members of the House of Clergy of the bishop's council that, having regard to the number of parochial and non-parochial clergy in the deanery, such clerk shall have membership of a specified deanery synod other than the deanery where he resides provided that no person shall thereby be a member of more than one deanery synod in the diocese.
  - (e) one or more retired clerks in Holy Orders who are in receipt of a pension in accordance with the provisions of the Clergy Pensions Measure 1961 at the relevant date. One clerk may be elected or chosen for every ten retired clerks or part thereof, elected or chosen in such manner as may be approved by the bishop by and from the retired clerks who are in receipt of such a pension, are resident in the deanery and do not hold the licence of the bishop.]
- [<sup>F199</sup> Where an extra parochial place is not in a deanery it shall be deemed for the purposes  
<sup>F200</sup>(3)] of these rules to belong to the deanery which it abuts and if there is any doubt in the matter a determination shall be made by the bishop's council and standing committee.]
- [<sup>F201</sup> For the purposes of [<sup>F202</sup>paragraph [<sup>F203</sup>(2)(e) of this rule]] the relevant date shall be  
<sup>F200</sup>(4)] the 31st December in the year immediately preceding any election of the parochial representatives of the laity, and as soon as possible after that date the rural dean of the deanery shall inform the bishop of the number of clerks in Holy Orders who are qualified for membership of the deanery synod by virtue of that sub-paragraph.]
- [<sup>F204</sup> Not later than 1st July following the election of parochial representatives of the  
<sup>F200</sup>(5)] laity to the deanery synod the secretary of the said synod shall send to the diocesan electoral registration officer appointed in accordance with rule [<sup>F205</sup>29] a list of the names and addresses of the members of the house of clergy, specifying the class of membership, and shall keep the said officer informed of subsequent changes in membership.]
- [<sup>F200</sup>(6)] [<sup>F206</sup>Subject to the provisions of rule [<sup>F207</sup>1(4)]] the members of the house of laity of a deanery synod shall consist of [<sup>F208</sup>the following persons, that is to say]—

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- (a) the parochial representatives elected to the synod by the annual meetings of the parishes of the deanery;
  - (b) any lay members of the General Synod [<sup>F209</sup>a diocesan synod or an area synod constituted in accordance with section 17 of the <sup>M4</sup>Dioceses Measure 1978] whose names are entered on the roll of any parish in the deanery;
  - [<sup>F210</sup>(c) if in the opinion of the bishop of the diocese any community of persons in the deanery who are in the spiritual care of a chaplain licensed by the bishop should be represented in that house, one lay person, being an actual communicant member of the Church of England of eighteen years or upwards, chosen in such manner as may be approved by the bishop by and from among the members of that community]
  - <sup>F211</sup>(d) . . . . .
  - [<sup>F212</sup>(d) the deaconesses and lay workers licensed by the bishop to work in any part of the deanery;
  - (e) such other deaconesses or lay workers holding the bishop's licence to work throughout the diocese or in more than one deanery and resident in the deanery subject to any direction which may be given by the members of the House of Laity of the bishop's council that, having regard to the number of deaconesses or lay workers in the deanery, such person shall have membership of a specified deanery synod other than the deanery where they reside provided that no person shall thereby be a member of more than one deanery synod in the diocese.]
- [<sup>F200</sup>(7)] The house of clergy and house of laity of a deanery synod may co-opt additional members of their respective houses, being clerks in Holy Orders or, as the case may be, lay persons who shall be actual communicant members of the Church of England of [<sup>F213</sup>eighteen years or upwards]:
- [<sup>F214</sup>Provided that the number of members co-opted by either house shall not exceed five per cent. of the total number of members of that house or three, whichever is the greater.]
- [<sup>F215</sup>The names and addresses of co-opted members shall be sent by the secretary of the deanery synod to the diocesan electoral registration officer appointed in accordance with rule [<sup>F216</sup>29].]

#### Textual Amendments

- F196** Sch. 3 rule 24 (originally 19) renumbered (1.1.1995) by S.I. 1994/3118, **para. 21**.
- F197** Sch. 3 rule 24(2)(d)(e) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 21**.
- F198** Sch. 3 rule 24(2)(d)(e) inserted (1.1.1995) by S.I. 1994/3118, **para. 21**.
- F199** Rule 19(2A) inserted by S.I. 1984/1039, **para. 13(1)**.
- F200** Sch. 3 rule 24(3)-(7) (originally (2A)-(4)) renumbered (1.1.1995) by S.I. 1994/3118, **para. 21**.
- F201** Rule 19(2A) inserted by S.I. 1980/178, **para. 5(2)**; renumbered 19(2B) by S.I. 1984/1039, **para. 13(2)**.
- F202** Words substituted by S.I. 1984/1039, **para. 13(2)**.
- F203** Words in Sch. 3 rule 24(4) amended (1.1.1995) by S.I. 1994/3118, **para. 63, Sch.**
- F204** Sch. 3 rule 19(2C) inserted by S.I. 1989/2094, **para. 6(1)**.
- F205** Words in Sch. 3 rule 24(5) amended (1.1.1995) by S.I. 1994/3118, **para. 63, Sch.**
- F206** Words inserted by S.I. 1973/1865, **para. 11(1)(a)**.
- F207** Words in Sch. 3 rule 24(6) amended (1.1.1995) by S.I. 1994/3118, **para. 63, Sch.**
- F208** Words inserted by S.I. 1973/1865, **para. 11(1)(b)**.
- F209** Words substituted by S.I. 1980/178, **para. 5(3)**.

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- F210** Rule 19(3)(c) inserted by S.I. 1973/1865, **para. 11(1)(c)**.  
**F211** Sch. 3 rule 19(3)(d) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 21**.  
**F212** Sch. 3 rule 24(6)(d)(e) inserted (1.1.1995) by S.I. 1994/3118, **para. 22**.  
**F213** Words substituted by S.I. 1973/1865, **para. 11(2)**.  
**F214** Rule 19(4) proviso substituted by S.I. 1973/1865, **para. 11(2)**.  
**F215** Words inserted by S.I. 1989/2094, **para. 6(2)**.  
**F216** Words in Sch. 3 rule 24(7) amended (1.1.1995) by S.I. 1994/3118, **para. 63, Sch.**

#### Marginal Citations

- M3** 1967 No. 2.  
**M4** 1978 No. 1.

#### *Election and choice of members*

- [<sup>F217</sup>25(1) . . . . . <sup>F218</sup> The parochial representatives of the laity elected by annual meetings shall be so elected every three years, and shall hold office for a term of three years beginning with the 1st June next following their election.
- (2) The numbers to be so elected from the several parishes shall be determined by resolution of the diocesan synod not later than the [<sup>F219</sup>31st December] in the year preceding any such elections, and those numbers shall be related to the numbers of names on the rolls of the parishes as certified . . . <sup>F220</sup> under rule 4 <sup>F221</sup> . . . [<sup>F222</sup> provided that such resolution shall not make it possible for a parish with fewer than 26 names on the roll to have more than one representative.]
- (3) Not later than the 31st December in the year preceding any such elections, the secretary of the diocesan synod shall certify to the secretary of each parochial church council the number of such representatives to be elected at the annual meeting of the parish <sup>F223</sup> . . . and shall send to the secretary of each deanery synod copies of the certificates and information relating to the parishes of the deanery.
- [<sup>F224</sup>(4) . . . . . <sup>F218</sup> Any person to be chosen as mentioned in rule [<sup>F225</sup><sup>F226</sup>24(2)(e)] or [<sup>F226</sup>24(6)(c)] shall be so chosen every three years and shall hold office for a term of three years beginning with the 1st June next following the date on which he is so chosen.]
- [<sup>F227</sup>(5) <sup>F228</sup> . . . <sup>F229</sup> [A direction by the appropriate members of the Bishop's Council making provision under rule 24(2)(d) or 24(6)(e)] for the membership of the clerks in Holy Orders or the deaconesses or lay workers therein mentioned may provide for the choice by a class of such persons of some of their number to be members, and for the term of office of persons so chosen.
- [<sup>F230</sup>(6) The diocesan synod shall exercise their powers under this and the last preceding rule so as to secure that the total number of members of any deanery synod in the diocese shall not be more than 150 and, so far as practicable, shall not be less than 50:
- Provided that the maximum number of 150 may be exceeded for the purpose of securing that the house of laity is not less in number than the house of clergy.
- [<sup>F231</sup> For the avoidance of doubt it is hereby declared that the number 150 specified in this paragraph includes the maximum number of members who may be co-opted by each house.]

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#### Textual Amendments

- F217 Sch. 3 rule 25 (originally 20) renumbered (1.1.1995) by S.I. 1994/3118, para. 23
- F218 Words repealed by S.I. 1984/1039, para. 14(1)
- F219 Words substituted by S.I. 1973/1865, para. 12(1)
- F220 Words repealed by S.I. 1973/1865, para. 12(1)
- F221 Words in Sch. 3 rule 25 para. (2) omitted (1.1.1995) by virtue of S.I. 1994/3118, para. 23(a).
- F222 Words in Sch. 3 rule 25 para. (2) inserted (1.1.1995) by S.I. 1994/3118, para. 23(a).
- F223 Words in Sch. 3 rule 25 para. (3) omitted (1.1.1996) by virtue of S.I. 1995/3243, para. 6.
- F224 Rule 20(4) added by S.I. 1973/1865, para. 12(2)
- F225 Words inserted by S.I. 1980/178, para. 6
- F226 Words in Sch. 3 rule 20(4) amended (1.1.1995) by S.I. 1994/3118, para. 63, Sch.
- F227 Rule 20(5) (originally 20(4)) re-numbered by S.I. 1973/1865, para. 12(3)
- F228 Words in Sch. 3 rule 25 para. (5) omitted (1.1.1995) by virtue of S.I. 1994/3118, para. 23(b).
- F229 Words in Sch. 3 rule 25 para. (5) inserted (1.1.1995) by S.I. 1994/3118, para. 23(b).
- F230 Rule 20(6) (originally 20(5)) re-numbered by S.I. 1973/1865, para. 12(4)
- F231 Para. added by S.I. 1973/1865, para. 12(4)

20A ..... F232

#### Textual Amendments

- F232 Sch. 3 rule 20A repealed by S.I. 1984/1039, para. 14(2)

#### *Variation of Membership of Deanery Synods by Scheme*

[<sup>F233</sup>26(1) If it appears to the diocesan synod that the preceding rules in this Part relating to the membership of deanery synods ought to be varied to meet the special circumstances of the diocese or the deaneries and to secure better representation of clergy or laity or both on the deanery synods, they may make a scheme for such variation, and, if the scheme comes into operation under this rule, the said rules shall have effect subject to the scheme:

..... F234

(2) Copies of every such scheme must be sent to members of the diocesan synod at least fourteen days before the session at which they are considered, and every such scheme shall require the assent of the [<sup>F235</sup>house of bishops and of a two-thirds majority of the members of each of the other houses] of the synod present and voting.

[<sup>F236</sup>(3) A scheme approved by the diocesan synod as aforesaid shall be laid before the General Synod.

(4) If a member of the General Synod gives notice in accordance with the Standing Orders of that Synod that he wishes such a scheme to be debated, the scheme shall not come into operation unless it is approved by the General Synod.

(5) If no notice is given under paragraph (4) of this rule with respect to any such scheme, or such notice having been given, the scheme is approved by the General Synod, it shall come into operation on the day after the end of the group of sessions during which it was laid before, or approved by, the General Synod or on such date as may be specified in the scheme.]

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#### Textual Amendments

- F233** Sch. 3 rule 26 (originally 21) renumbered (1.1.1995) by S.I. 1994/3118, **para. 24**.  
**F234** Rule 21(1) proviso repealed by S.I. 1973/1865, **para. 12(13)**.  
**F235** Words substituted by S.I. 1980/178, **para. 7**.  
**F236** Rule 21(3)(4)(5) substituted for rule 21(3) by S.I. 1980/178, **para. 7**.

#### *Representation of Cathedral Clergy and Laity*

[<sup>F237</sup>27(1) Any diocesan synod may provide by scheme for the representation on such deanery synod as may be determined by or under the scheme—

- (a) of the dean or provost, the residentiary canons and other ministers of the cathedral church of the diocese, or any of them; and
- [<sup>F238</sup>(b) in the case of a cathedral church which is not a parish church, of lay persons who are declared by the dean to be habitual worshippers at the cathedral church:

Provided that, in relation to Westminster Abbey, St George’s Chapel, Windsor and the cathedral church of Christ in Oxford, this sub-paragraph shall have effect as if at the end there were inserted the words “and whose names are not entered on the roll of any parish;”.]

(2) [<sup>F239</sup>The provisions of rule 21(2)] shall apply to schemes made under this rule.

#### Textual Amendments

- F237** Sch. 3 rule 27 (originally 22) renumbered (1.1.1995) by S.I. 1994/3118, **para. 24**.  
**F238** Sch. 3 rule 27(1)(b) substituted (30.6.1999) by 1999 No. 1, ss. 38(2)(3), 39(1), **Sch. 2 para. 8** (with ss. 33, 34, 37, 38(5)(6))  
**F239** Words in Sch. 3 rule 27(2) amended (1.1.1995) by S.I. 1994/3118, **para. 63, Sch.**

#### *Procedure*

[<sup>F240</sup>28(1) The diocesan synod shall make rules for deanery synods which shall provide—

- (a) that the rural dean and a member of the house of laity elected by that house shall be joint chairmen of the deanery synod [<sup>F241</sup>and that they shall agree between them who shall chair each meeting of the synod or particular items of business on the agenda of the synod.];
- (b) that there shall be a secretary of the deanery synod;
- (c) that a specified minimum number of meetings shall be held by the deanery synod in each year;
- (d) that on such matters and in such circumstances as may be specified in the rules, voting shall be by houses, but that otherwise decisions shall be taken by a majority of the members of the synod present and voting;
- (e) that there shall be a standing committee of the synod with such membership and functions as the rules may provide;
- (f) that the synod shall prepare and circulate to all parochial church councils in the deanery a report of its proceedings;

and may provide for such other matters consistent with these rules as the diocesan synod think fit.

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(2) Subject to any such rules, the deanery synod shall have power to determine its own procedure.

#### Textual Amendments

**F240** Sch. 3 rule 28 (originally 23) renumbered (1.1.1995) by S.I. 1994/3118, para. 24.

**F241** Words inserted by S.I. 1984/1039, para. 15.

#### <sup>F242</sup> *Diocesan Electoral Registration Officer*

#### Textual Amendments

**F242** Sch. 3 rule 23A inserted by S.I. 1989/2094, para. 7.

[<sup>F243</sup><sup>F244</sup> 29(1)] [ In every diocese, there shall be a diocesan electoral registration officer who shall be appointed by the bishop’s council and standing committee of the diocesan synod and who shall record the names and addresses of all members of the House of Clergy and House of Laity of the deanery synods in the diocese in two registers (in these rules respectively referred to as “the register of clerical electors” and “the register of lay electors”); the members co-opted to the house shall be listed separately in the appropriate register.

<sup>F245</sup>(2) [ The diocesan electoral registration officer shall not later than twenty one days before the nomination papers are circulated send a copy of the names and addresses of clerical electors and lay electors as recorded by him to the secretary of the deanery synod of which those electors are members and the secretary of the deanery synod shall within seven days of receipt certify in writing to the electoral registration officer that the names and addresses are correct or notify him in writing of any necessary corrections.

<sup>F245</sup>(3) The diocesan electoral registration officer shall, not later than seven days before nomination papers are circulated, send a copy of the corrected names and addresses of electors to the appropriate presiding officer in the election.]]

#### Textual Amendments

**F243** Sch. 3 rule 29 (originally 23A) renumbered (1.1.1995) by S.I. 1994/3118, para. 24.

**F244** Sch. 3 rule 29 renumbered rule 29 para.(1)(1.1.1995) by S.I. 1994/3118, para. 24.

**F245** Sch. 3 rule 29 paras. (2)(3) inserted (1.1.1995) by S.I. 1994/3118, para. 24.

## PART IV

### DIOCESAN SYNODS

#### *Membership of Diocesan Synods*

[<sup>F246</sup>30(1)] A diocesan synod shall consist of [<sup>F247</sup>a house of bishops], a house of clergy and a house of laity.

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[<sup>F248</sup> The members of the house of bishops shall consist of the bishop of the diocese, every  
<sup>F249</sup>(2) suffragan bishop of the diocese and such other person or persons, being a person or persons in episcopal orders working in the diocese, as the bishop of the diocese, with the concurrence of the archbishop of the province, may nominate.

[ The bishop of the diocese shall be the president of the diocesan synod.]  
<sup>F249</sup>(3)

[<sup>F249</sup>(4) The members of the house of clergy shall consist of—

(a) the following ex-officio members, that is to say:—

[<sup>F250</sup>(i) any person or persons in episcopal orders nominated by the bishop of the diocese, other than a suffragan bishop or a person nominated under paragraph [<sup>F251</sup>(2)] of this rule;]

(ii) the dean or provost of the cathedral (including in appropriate dioceses, the Dean of Westminster, the Dean of Windsor and the Deans of Jersey and Guernsey);

(iii) the archdeacons;

(iv) the proctors elected from the diocese or from any university in the diocese (the University of London being [<sup>F252</sup>treated for this purpose as being] wholly in the diocese of London) to the Lower House of the Convocation of the Province <sup>F253</sup> . . . ;

[<sup>F254</sup>(v) any other member of that House, being the person chosen by and from among the clerical members of religious communities in the Province, who resides in the diocese;]

[<sup>F255</sup>(vi)] the chancellor of the diocese (if in Holy Orders); and

[<sup>F255</sup>(vii)] the chairman of the diocesan board of finance [<sup>F256</sup>and the chairman of the diocesan advisory committee](if in Holy Orders);

(b) members elected by the houses of clergy of the deanery synods in the diocese in accordance with the next following rules; and

(c) not more than five members (being clerks in Holy Orders) co-opted by the house of clergy of the diocesan synod.

[<sup>F249</sup>(5) The members of the house of laity shall consist of:—

(a) the following ex-officio members, that is to say:—

(i) the chancellor of the diocese (if not in Holy Orders);

(ii) the chairman of the diocesan board of finance [<sup>F256</sup>and the chairman of the diocesan advisory committee](if not in Holy Orders);

(iii) the members elected from the diocese to the House of Laity of the General Synod <sup>F257</sup> . . . ;

[<sup>F258</sup>(iv) any other member of that House, being [<sup>F259</sup>an ex officio or co-opted member of the House of Laity of the General Synod or a] person chosen by and from among the lay members of religious communities in the Province, who resides in the diocese;]

(b) members elected by the houses of laity of the deanery synods in the diocese in accordance with the next following rules; and

(c) not more than five members co-opted by the house of laity of the diocesan synod, who shall be <sup>F260</sup> . . . [<sup>F261</sup>actual communicants]of age to vote at a Parliamentary election.



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[<sup>F249</sup>(6)] The bishop of the diocese may nominate ten additional members of the diocesan synod, who may be of the clergy or the laity and shall be members of the appropriate house. [<sup>F262</sup>Except in regard to their appointment the nominated members shall have the same rights and be subject to the same rules as elected members. Where necessary the bishop's council and standing committee shall designate the deanery synod of which the nominated member shall be a member and, where a nominated lay person is on more than one electoral roll, he shall choose the parochial council of which he is to be a member.]

[<sup>F263F264F249</sup>(7)] .....

[<sup>F263</sup>(7) No person shall be entitled to be a member of more than one diocesan synod at the same time except—

- (a) the chancellor of the diocese;
- (b) a suffragan bishop appointed to act as a provincial episcopal visitor for the purposes of the Episcopal Ministry Act of Synod 1993 who, in addition, to membership of the diocesan synod of the diocese of which he is suffragan, may be invited by the bishop of the diocese where he resides to be a member of that diocesan synod in accordance with paragraph (2) or paragraph (4)(a) (i) of this rule provided that he shall exercise his vote on a matter referred by the General Synod under Article 8 of the Constitution only in the diocesan synod of the diocese of which he is suffragan.]

[<sup>F265</sup>(8) The registrar of the diocese and any deputy registrar of the diocesan synod shall be disqualified from standing for election to the diocesan synod or from being a nominated, co-opted or ex officio member of that synod.]

#### Textual Amendments

- F246** Sch. 3 rule 30 (originally 24) renumbered (1.1.1995) by S.I. 1994/3118, **para. 25**.
- F247** Words substituted by S.I. 1980/178, **para. 8(1)**
- F248** Rule 24(1A)(1B) inserted by S.I. 1980/178, **para. 8(1)**
- F249** Sch. 3 rule 24 paras. (2)-(7) (originally (1A)-(5)) renumbered (1.1.1995) by S.I. 1994/3118, paras. 25(a), 63, **Sch.**
- F250** Rule 24(2)(a)(i) substituted by S.I. 1980/178, **para. 8(2)**
- F251** Words in Sch. 3 rule 24 para. (4) (originally (2)) amended (1.1.1995) by S.I. 1994/3118, para. 63, **Sch.**
- F252** Words substituted by S.I. 1973/1865, **para. 14(2)**
- F253** Words in Sch. 3 rule 30 para. (4)(a)(iv) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 25(c)**.
- F254** Rule 24(2)(a)(v) inserted by S.I. 1973/1865, **para. 14(3)**
- F255** Rule 24(2)(a)(vi)(vii) (originally (a)(v)(vi)) re-numbered by S.I. 1973/1865, **para. 14(3)**
- F256** Words in Sch. 3 rules 24(2)(a)(vii) and (3)(a)(ii) inserted (1.3.1993) by Care of Churches and Ecclesiastical Jurisdiction Measure 1991 (No. 1, SIF 21:8), s. 32(1), **Sch. 7 para. 4(b)** (with s. 31(6)); Instrument dated 16.2.1993 made by the Archbishops of Canterbury and York
- F257** Words in Sch. 3 rule 30 para. (5)(a)(iii) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 25(c)**.
- F258** Rule 24(3)(a)(iv) added by S.I. 1973/1865, **para. 14(4)**
- F259** Words substituted by S.I. 1984/1039, **para. 16(1)**
- F260** Words in Sch. 3 rule 30 para. (5)(c) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 25(b)**.
- F261** Words in Sch. 3 rule 30 para. (5)(c) inserted (1.1.1995) by S.I. 1994/3118, **para. 25(b)**.
- F262** Words inserted by S.I. 1984/1039, **para. 16(2)**
- F263** Sch. 3 Rule 30 para. (7) inserted (1.1.1996) by S.I. 1995/3243, **para. 7**.
- F264** Sch. 3 Rule 30 para. (7) omitted (1.1.1996) by virtue of S.I. 1995/3243, **para. 7**.
- F265** Sch. 3 rule 30 para. (8) inserted (1.1.1995) by S.I. 1994/3118, **para. 25(d)**.

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*Elections of Members of Diocesan Synods by Deanery Synods*

[<sup>F266</sup>31(1)] The elections of members of the diocesan synod by the houses of clergy and laity of the deanery synods in the diocese shall take place every three years, and the members so elected shall hold office for a term [<sup>F267</sup>of three years beginning with the 1st [<sup>F268</sup>August] next following their election].

(2) Any clerk in Holy Orders who is a member of the deanery synod [<sup>F269</sup>. . . shall be qualified to be so elected by the house of clergy of a deanery synod, and the electors shall be [<sup>F270</sup>those whose names and addresses are recorded in the register of clerical electors]. . . [<sup>F271</sup>being the persons referred to in rule 24(2) and not including the persons co-opted to the deanery synod under rule 24(7)]:

Provided that no clerk shall stand for election by more than one deanery synod.

(3) [<sup>F272</sup>Subject to the provisions of rule [<sup>F273</sup>1(4)]] any lay person who is an actual communicant [<sup>F274</sup>. . . [<sup>F275</sup>as defined in rule 54(1)]of [<sup>F276</sup>eighteen years or upwards] and whose name is entered on the roll of any parish in the deanery or who is a lay person declared by the dean to be a habitual worshipper at the cathedral church of the diocese and to be associated with the deanery, shall be qualified to be so elected by the house of laity of a deanery synod, and the electors shall be [<sup>F277</sup>those whose names and addresses are recorded in the register of lay electors] other than [<sup>F274</sup>. . . [<sup>F278</sup>persons co-opted to the deanery synod under rule 24(7)]

. . . [<sup>F279</sup>

[<sup>F280</sup>[ The qualifying date for electors under paragraphs (2) and (3) of this rule and when a casual vacancy is being filled shall be 6.00 a.m. on the date on which the nomination papers are issued [<sup>F282</sup>in accordance with rule 32(4)].

[<sup>F281</sup>(5)] [ The register of clerical electors and the register of lay electors shall be open to inspection at the diocesan office and any errors and omissions in the list may be corrected until the close of nominations. Thereafter no names may be added or removed until the declaration of the result of the election and those persons whose names are entered in the register shall be the qualified electors entitled to vote in that election.]

[<sup>F281</sup>(6)] The diocesan synod shall, not later than the [<sup>F283</sup>31st December] in the year preceding any such election determine the numbers of members to be so elected by the houses of the several deanery synods in the diocese, and the numbers shall—

- (a) in the case of elections by the houses of clergy, be related to the numbers of members of those houses in the respective deanery synods;
- (b) in the case of elections by the houses of laity, be related to the total numbers of names on the rolls of the parishes in the respective deaneries as certified . . . [<sup>F284</sup>under rule 4:

Provided that at least two members shall be elected by each house of every deanery synod.

[<sup>F285</sup>(7)] . . . . .

[<sup>F286</sup>(7)] For the purpose of such determination by the diocesan synod, the secretary of every deanery synod shall, not later than the 1st June, certify to the secretary of the diocesan

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synod the number of members of the house of clergy of the synod as at the 30th April.]

[<sup>F281</sup>(8)] The diocesan synod shall so exercise their powers under this rule as to secure that the number of members of the synod is not less than 150 and not more than 270 and that the numbers of the <sup>F287</sup> . . . [<sup>F288</sup>houses of clergy and laity] are approximately equal:

. . .  
<sup>F289</sup>

[<sup>F290</sup>For the avoidance of doubt it is hereby declared that the [<sup>F291</sup>number 270 specified in this paragraph includes] the maximum number of members who may be co-opted by each house or nominated by the bishop.]

[<sup>F281</sup>(9)] Not later than the 31st December in each year preceding any such elections, the secretary of the diocesan synod shall certify to the secretary of every deanery synod the numbers determined under this rule for that deanery synod.

#### Textual Amendments

- F266** Sch. 3 rule 31 (originally 25) renumbered (1.1.1995) by S.I. 1994/3118, para. 25.
- F267** Words substituted by S.I. 1973/1865, para. 15(1)
- F268** Word substituted by S.I. 1981/1650, para. 2
- F269** Words in Sch. 3 rule 31 para. (2) omitted (1.1.1995) by virtue of S.I. 1994/3118, para. 25(e).
- F270** Words substituted by virtue of S.I. 1989/2094, para. 8(1)
- F271** Words in Sch. 3 rule 31 para. (2) inserted (1.1.1995) by S.I. 1994/3118, para.25(e).
- F272** Words inserted by S.I. 1973/1865, para. 15(2)
- F273** Words in Sch. 3 rule 25 para. (3) amended (1.1.1995) by S.I. 1994/3118, para. 63, Sch.
- F274** Words in Sch. 3 rule 31 para. (3) omitted (1.1.1995) by virtue of S.I. 1994/3118, para. 26.
- F275** Words in Sch. 3 rule 31 para. (3) inserted (1.1.1995) by S.I. 1994/3118, para. 26.
- F276** Words substituted by S.I. 1973/1865, para. 15(2)
- F277** Words substituted by virtue of S.I. 1989/2094, para. 8(2)
- F278** Words in Sch. 3 rule 31 para. (3) inserted (1.1.1995) by S.I. 1994/3118, para. 26.
- F279** Rule 25(3) proviso repealed by S.I. 1973/1865, para. 15(2)
- F280** Sch. 3 rule 25(3A)(3B) inserted by S.I. 1989/2094, para. 8(3)
- F281** Sch. 3 rule 31 paras. (4)-(9) (originally (3A)-(7)) renumbered (1.1.1995) by S.I. 1994/3118, para. 26.
- F282** Words in Sch. 3 rule 31(4) added (1.1.2000) by The Church Representation Rules (Amendment) Resolution 1999 (S.I. 1999/2112), paras. 9, 24(3)
- F283** Words substituted by S.I. 1973/1865, para. 15(3)
- F284** Words repealed by S.I. 1973/1865, para. 15(3)
- F285** Sch. 3 rule 31 para. (7) omitted (1.1.1995) by virtue of S.I. 1994/3118, para. 27.
- F286** Sch. 3 rule 31 para. (7) inserted (1.1.1995) by S.I. 1994/3118, para. 27.
- F287** Words in Sch. 3 rule 31 para. (8) omitted (1.1.1995) by virtue of S.I. 1994/3118, para. 28.
- F288** Words in Sch. 3 rule 31 para. (8) inserted (1.1.1995) by S.I. 1994/3118, para.28.
- F289** Words repealed by S.I. 1984/1039, para. 17(1)
- F290** Para. added by S.I. 1973/1865, para. 15(4)
- F291** Words substituted by S.I. 1984/1039, para. 17(2)

[<sup>F291</sup>~~F321~~]<sup>F321</sup>(1) Elections of members of the diocesan synod by the houses of the deanery synods shall be completed by the 15th day of July, the period and dates of the election being fixed by the bishop of the diocese and communicated to the secretaries of the deanery synods.

(2) The bishop shall appoint the presiding officers for the elections by the houses of the deanery synods, provided that no person shall be appointed as a presiding officer for

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an election by a house <sup>F294</sup> . . . of which he is a member. The expenses of elections shall be paid out of diocesan funds.

[<sup>F295</sup>(3) The diocesan electoral registration officer shall furnish the presiding officer with the names and addresses of the qualified electors and the presiding officer shall ensure that the persons qualified to nominate and vote in elections to the diocesan synod, and only such persons, shall be sent or given nomination and voting papers in respect of the said election at the address entered against their names in the register of electors.]

[<sup>F295</sup>(4) Every candidate must be nominated and seconded by a qualified elector. A notice in the form set out in section 5 of Appendix I indicating the number of seats to be filled and inviting nominations shall be dispatched to every elector [<sup>F296</sup>together with a form of nomination in the form set out in section 6 of Appendix I] shall be <sup>F297</sup> . . . [<sup>F298</sup>delivered either by post, by facsimile transmission or in person to the presiding officer of the area within such period, being a period of not less than fourteen days ending on a date specified by the presiding officer, provided that where a nomination paper has been sent by facsimile transmission the name of the candidate shall not appear on the voting paper unless the original nomination paper has been received by the presiding officer within three days of the closing date for nominations. The nomination form shall be accompanied by a statement signed by the candidate stating his willingness to serve if elected and, if he so desires, setting out in not more than 100 words a factual statement for circulation with the voting papers of the candidate's professional qualifications, present office and any relevant past experience.]

[<sup>F295F299</sup>(5) . . . . .]

[<sup>F300</sup>(5) It shall be the duty of the presiding officer—

- (a) to scrutinise nomination papers as soon as they have been lodged and shall, without delay, inform the candidate concerned whether the nomination is valid. Where the nomination is invalid the presiding officer shall give his reasons for so ruling and if, by the close of the nomination period, no valid nomination is received, the candidate shall be excluded from the election;
- (b) to supply free of charge to a duly nominated candidate in the election one copy of the names and addresses of the qualified electors within seven days of receiving his written request.]

[<sup>F295</sup>(6) If more candidates are nominated than there are seats to be filled the names of the candidates nominated shall be circulated on a voting paper in the form set out [<sup>F301</sup>either in section 7 or in section 8 of Appendix I to every qualified elector. The diocesan synod shall, not later than the 31st December in each year preceding any such election as is referred to in rule [<sup>F302</sup>31], [<sup>F303</sup>make a determination as to which form of voting paper is to be used by the deaneries in that election, and that] determination shall apply to any election to fill a casual vacancy which occurs during the next ensuing three years.]

[<sup>F295</sup>(7) The voting paper marked and [<sup>F304</sup>on the reverse thereof, signed by the elector and with his full name written.] shall be returnable to the presiding officer within such period not being less than 14 days as he shall specify . . . <sup>F305</sup>No vote shall be counted if given on a voting paper not in accordance with this paragraph.

[<sup>F295</sup>(8) Where [<sup>F306</sup>voting papers in the form set out in section 7 of Appendix I have been used and] owing to an equality of votes an election is not decided, the decision between

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the persons for whom the equal numbers of votes have been cast shall be taken by lot by the presiding officer.

<sup>F307</sup> [ Where voting papers in the form set out in section 8 of Appendix I are used, the <sup>F295</sup>(9) election shall be conducted under rules, with the necessary modifications, made by the General Synod under rule <sup>F308</sup>39(7)] and for the time being in force.]

<sup>F309</sup> [ A return of the result of the election shall be sent by the presiding officer to the <sup>F295</sup>(10)] secretary of the diocesan synod and a statement of the result shall be sent by <sup>F310</sup>the presiding officer] to every candidate not later than the 1st <sup>F311</sup>August] in each election year.

### Textual Amendments

- F292** Sch. 3 rule 32 (originally 26) renumbered (1.1.1995) by S.I. 1994/3118, **para. 29**.
- F293** Sch. 3 rule 26(1)(2)(2A) substituted for paras. (1) and (2) by S.I. 1989/2094, **para. 9(1)**
- F294** Sch. 3 rule 32 para. (2) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 29**.
- F295** Sch. 3 rule 32 paras. (3)-(10) (originally (2A)-(8)) renumbered (1.1.1995) by S.I. 1994/3118, **para. 29**.
- F296** Words in Sch. 3 rule 32(4) substituted (1.1.2000) by virtue of The Church Representation Rules (Amendment) Resolution 1999 (S.I. 1999/2112), **paras. 10, 24(3)**
- F297** Words in Sch. 3 rule 32 para. (4) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 30**.
- F298** Words in Sch. 3 rule 32 para. (4) inserted (1.1.1995) by S.I. 1994/3118, **para. 30**.
- F299** Sch. 3 rule 32 para. (5) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para.31**.
- F300** Sch. 3 rule 32 para. (5) inserted (1.1.1995) by S.I. 1994/3118, **para. 31**.
- F301** Words substituted by S.I. 1980/178, **para. 9(1)**
- F302** Words in Sch. 3 rule 26 para. (4) amended (1.1.1995) by S.I. 1994/3118, para. 63, **Sch.**
- F303** Words substituted by S.I. 1984/1039, **para. 18(3)**
- F304** Words substituted by S.I. 1981/1650, **para. 18(4)**
- F305** Words repealed by S.I. 1980/178, **para. 9(2)**
- F306** Words inserted by S.I. 1980/178, **para. 9(3)**
- F307** Rule 26(7) inserted by S.I. 1980/178, **para. 9(4)**
- F308** Words in Sch. 3 rule 26 para. (7) amended (1.1.1995) by S.I. 1994/3118, para. 63, **Sch.**
- F309** Rule 26(8) (originally 26(7)) renumbered by S.I. 1980/178, **para. 9(5)**
- F310** Words substituted by S.I. 1973/1865, **para. 15(5)**
- F311** Word substituted by S.I. 1981/1650, **para. 3(3)**

### *Variation of Membership of Diocesan Synods by Scheme*

<sup>F312</sup>33(1) If it appears to the diocesan synod that the preceding rules in this Part relating to the membership of diocesan synods ought to be varied to meet the special circumstances of the diocese and to secure better representation of clergy or laity or both on the diocesan synod, they may make a scheme for such variation, and if the scheme comes into operation in accordance with the provisions hereinafter applied, the said rules shall have effect subject to the scheme:

<sup>F313</sup>  
...

(2) Paragraphs (2) <sup>F314</sup>to (5)] of rule <sup>F315</sup>26] shall apply to schemes under this rule as it applies to schemes under that rule.

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### Textual Amendments

**F312** Sch. 3 rule 33 (originally 27) renumbered (1.1.1995) by S.I. 1994/3118, para. 32

**F313** Rule 27(1) proviso repealed by S.I. 1973/1865, para. 16

**F314** Words substituted by S.I. 1980/178, para. 10

**F315** Sch. 3 rule 27 para. (2) amended (1.1.1995) by S.I. 1994/3118, para. 63, Sch.

### *Procedure of Diocesan Synods*

- [<sup>F316</sup>34(1)] The diocesan synod shall make standing orders which shall provide—
- (a) that the bishop need not be chairman of its meetings if and to the extent that standing orders otherwise provide;
  - (b) that there shall be a secretary of the diocesan synod;
  - (c) that a specified minimum number of meetings being [<sup>F317</sup>in the case of a diocese in which area synods have been constituted in accordance with section 17 of the <sup>M5</sup>Dioceses Measure 1978, not less than one, and in the case of any other diocese] not less than two shall be held in each year;
  - (d) that a meeting of the diocesan synod shall be held if not less than a specified number of members of the synod so request;
  - (e) that subject to the [<sup>F318</sup>three] next following sub-paragraphs, nothing shall be deemed to have the assent of the diocesan synod unless the three [<sup>F319</sup>houses] which constitute the synod have assented thereto [<sup>F320</sup>but that if in the case of a particular question [<sup>F321</sup>(except a matter referred to the diocesan synod by the General Synod under the provisions of Article 8 of the Constitution) the diocesan bishop] (if present) so directs, that question shall be deemed to have the assent of the house of bishops only if the majority of the members of that house who assent thereto includes [<sup>F321</sup>the diocesan bishop];
  - (f) that questions relating only to the conduct of business shall be decided by the votes of all the members of the diocesan synod present and voting, . . . <sup>F322</sup>
  - [<sup>F323</sup>(g)] that every other question shall be decided by the votes of all the members of the diocesan synod present and voting, the assent of the three Houses being presumed, unless the diocesan bishop (if present) requires or any ten members require that a separate vote of each House be taken.]
  - [<sup>F324</sup>(h)] that if the votes of the houses of clergy and laity are in favour of any matter referred to the diocesan synod by the General Synod under the provisions of Article 8 of Schedule 2 to this Measure, that matter shall be deemed to have been approved for the purposes of the said Article;
  - [<sup>F325</sup>(i)] that where there is an equal division of votes in the house of bishops, [<sup>F326</sup>the diocesan bishop] shall have a second or casting vote;
  - [<sup>F325</sup>(j)] that [<sup>F327</sup>the diocesan bishop] shall have a right to require that his opinion on any question shall be recorded in the minutes;]
  - [<sup>F328</sup>(k)] that there shall be a bishop's council and standing committee of the diocesan synod with such membership as may be provided by standing orders and with the functions exercisable by it under section 4(4) of the Measure and such other functions as may be provided by the standing orders or by these rules or by any Measure or Canon;
- and may contain such further provisions consistent with these rules as the diocesan synod shall consider appropriate.

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[<sup>F329</sup>(2)] No person shall be entitled to serve as a member of more than one bishop's council and standing committee at the same time.]

[<sup>F330</sup>(3)] The registrar of the diocese shall be the registrar of the diocesan synod, and may appoint a deputy.

#### Textual Amendments

**F316** Sch. 3 rule 34 (originally 28) renumbered (1.1.1995) by S.I. 1994/3118, para. 32.

**F317** Words inserted by S.I. 1980/178, para. 11(1)

**F318** Word substituted by S.I. 1984/1039, para. 19(1)

**F319** Word substituted by S.I. 1980/178, para. 11(2)

**F320** Words inserted by S.I. 1980/178, para. 11(2)

**F321** Words substituted by S.I. 1984/1039, para. 19(1)

**F322** Words repealed by S.I. 1984/1039, para. 19(2)

**F323** Rule 28(1)(g) inserted by S.I. 1984/1039, para. 19(3)

**F324** Rule 28(1)(h) (originally 28(1)(g)) relettered by S.I. 1984/1039, para. 19(4)

**F325** Rule 28(1)(h)(i) inserted by S.I. 1980/178, para. 11(4); relettered 28(1)(i)(j) by S.I. 1984/1039, para. 19(4)

**F326** Words substituted by S.I. 1984/1039, para. 19(4)

**F327** Words substituted by S.I. 1984/1039, para. 19(5)

**F328** Rule 28(1)(k) (originally 28(1)(h)) relettered by S.I. 1980/178, para. 11(5) and 1984/1039, para. 19(4)

**F329** Rule 28(2) inserted by S.I. 1980/178, para. 11(5)

**F330** Rule 28(3) (originally 28(2)) renumbered by S.I. 1980/178, para. 11(6)

#### Marginal Citations

**M5** 1978 No. 1 (21:3).

## PART V

### HOUSE OF LAITY OF GENERAL SYNOD

[<sup>F331</sup>35(1)] The House of Laity of the General Synod shall consist of—

- (a) the members elected by the diocesan electors of each diocese as hereinafter provided;
- (b) [<sup>F332</sup>three members, two from the Province of Canterbury and one from the Province of York], chosen by the lay members of religious communities from among their number in such manner as may be provided by a resolution of the General Synod;
- (c) such ex-officio and co-opted members as are hereinafter provided.

[<sup>F333</sup>[ For the purposes of this Part of these rules the diocese in Europe shall be deemed to  
<sup>F334</sup>(2)] be a diocese in the province of Canterbury.]

[<sup>F334</sup>(3)] For the purposes of this Part of these rules, the diocesan electors of a diocese [<sup>F335</sup>other than the diocese in Europe] shall be the members of the houses of laity of all the deanery synods in the diocese other than <sup>F336</sup> . . . :

- [<sup>F337</sup>(a)] persons co-opted to the deanery synod under rule 24(7); or
- (b) persons who are lay members of a religious community with separate representation in the General Synod under paragraph (1)(b) of this rule.]

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[<sup>F339</sup>(4)] The diocesan electors of the diocese in Europe shall be such number of persons elected by the annual meetings of the chaplaincies in the said diocese as may be determined by the bishop's council and standing committee of the said diocese, and any lay person who is:

(a) an actual communicant <sup>F340</sup> . . . [<sup>F341</sup>as defined in rule 54(1)].

(b) of eighteen years or upwards, and

(c) a person whose name is entered on the electoral roll of such a chaplaincy, shall be qualified for election as a diocesan elector by the annual meeting of that chaplaincy.]

[<sup>F342</sup>(5)] The qualifying date for lay members of religious communities under paragraph (1) (b) of this rule and for diocesan electors under paragraphs [<sup>F343</sup>(3) and (4)] of this rule shall be 6.00 a.m. on the date of the dissolution of the General Synod, save that when a casual vacancy is being filled, the qualifying date shall be 6.00 a.m. on the date on which the nomination papers are issued.

[<sup>F334</sup>(6)] The register of lay electors shall be open to inspection at the diocesan office and any errors and omissions in the list may be corrected until the close of nominations. Thereafter no names may be added or removed until the declaration of the result of the election and those persons whose names are entered in the register shall be the qualified electors entitled to vote in that election.]

#### Textual Amendments

**F331** Sch. 3 rule 35 (originally 29) renumbered (1.1.1995) by S.I. 1994/3118, para. 32.

**F332** Words substituted by S.I. 1984/1039, para. 20

**F333** Rule 29(1A) inserted by Diocese in Europe Measure 1980 (No. 2, SIF 21:1), Sch. 2 para. 1(1)

**F334** Sch. 3 rule 35 paras. (2)-(6) (originally (1A)-(5)) renumbered (1.1.1995) by S.I. 1994/3118, para. 32.

**F335** Words inserted by Diocese in Europe Measure 1980 (No. 2, SIF 21:1), Sch. 2 para. 1(2)

**F336** Words in Sch. 3 rule 35 para. (3) omitted (1.1.1995) by virtue of S.I. 1994/3118, para. 32.

**F337** Sch. 3 rule 35 para. (3)(a)(b) inserted (1.1.1995) by S.I. 1994/3118, para. 32.

**F338** Rule 29(2) proviso repealed by S.I. 1973/1865, para. 17

**F339** Rule 29(3) inserted by Diocese in Europe Measure 1980 (No. 2, SIF 21:1), Sch. 2 para. 1(2)

**F340** Words in Sch. 3 rule 35 para. (4)(a) omitted (1.1.1995) by virtue of S.I. 1994/3118, para. 33.

**F341** Words in Sch. 3 rule 35 para. (4)(a) inserted (1.1.1995) by S.I. 1994/3118, para. 33.

**F342** Sch. 3 rule 29(4)(5) inserted by S.I. 1989/2094, para. 10

**F343** Words in Sch. 3 rule 29 para. (4) amended (1.1.1995) by S.I. 1994/3118, para. 63, Sch.

#### *Elections of Members Number of Elected Members*

[<sup>F344</sup>[<sup>F345</sup>36](1)] The total number of members directly elected and specially elected from the dioceses in the Province shall not exceed one hundred and seventy for Canterbury and eighty for York and no diocese shall have fewer than three directly elected members (except the diocese in Europe which shall elect two members, and the diocese of Sodor and Man which shall elect one member). Ex officio and co-opted members (as defined in rule [<sup>F346</sup>42]) shall be additional to the said total number. In this rule the term "specially elected" means the representatives of the religious communities referred to in rule [<sup>F346</sup>35(1)] and the representatives of the Channel Islands elected in accordance



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with the Channel Islands (Representation) Measure 1931 and such persons shall be included in the said total number.

[<sup>F347</sup>(2)] The total number of members to be elected by the diocesan electors of all the dioceses shall be fixed by resolution of the General Synod not later than the last day of November in the fourth year after the last preceding election of the house of Laity (but subject as hereinafter provided), and the resolution shall apportion the number so fixed to the Provinces of Canterbury and York in a proportion of sixty eight to thirty two or as nearly as possible thereto and shall divide the number among the dioceses so that the number of members to be elected by the several dioceses are as nearly as possible proportionate to the total number of names certified for them under the following paragraph.]

[<sup>F347</sup>(3)] The secretary of each diocesan synod shall, not later than the first day of August in the fourth year after the last preceding election of the House of Laity, certify to the secretary of the General Synod the total number of names on the rolls of the parishes of the diocese . . . <sup>F348</sup>

[<sup>F347</sup>(4)] The number of members of the House of Laity to be elected by each diocese, when fixed by the General Synod as aforesaid, shall forthwith be certified to the secretaries of the diocesan synods.

[<sup>F347</sup>(5)] If the General Synod is at any time dissolved before the fourth year after the last preceding election of the House of Laity or before the fixing of numbers under this rule by the General Synod during that year, the General Synod or the Presidents thereof may give directions with respect to the fixing and certifying of the numbers of members to be elected to the House of Laity by each diocese, and the directions may provide that the numbers so fixed and certified on the last previous occasion shall be deemed to have been fixed and certified for the purpose of the election following the dissolution, and the directions may, if the dissolution is known to be impending, be given before it occurs.

#### Textual Amendments

**F344** Sch. 3 rule 36 (originally 30) renumbered (1.1.1995) by S.I. 1994/3118, para. 34.

**F345** Rule 30(1)(1A) substituted for rule 30(1) by S.I. 1984/1039, para. 21

**F346** Words in Sch. 3 rule 30 para. (1) amended (1.1.1995) by S.I. 1994/3118, para. 63, Sch.

**F347** Sch. 3 rule 36 paras. (2)-(5) (originally (1A)-(4)) renumbered (1.1.1995) by S.I. 1994/3118, para. 34(a).

**F348** Words repealed by S.I. 1973/1865, para. 18

#### Qualification of Elected Members

[<sup>F347</sup><sup>F359</sup>(1)] Subject to the provisions of rule 1(3) and of [<sup>F351</sup>rule 46A], a lay person shall be qualified for election for any diocese by the diocesan electors of the diocese if—

- (a) he is an actual communicant <sup>F352</sup> . . . [<sup>F353</sup>as defined in rule 54(1)],
- (b) he is of eighteen years of age on the date of the dissolution of the General Synod [<sup>F354</sup>or, when a casual vacancy is being filled on the date on which the nomination papers are issued in accordance with rule 39(3)];
- (c) his name is at 6.00 a.m. on the date of dissolution of the General Synod [<sup>F355</sup>or, when a casual vacancy is being filled, on the date on which the nomination papers are issued in accordance with rule 39(3)] entered on the roll of any parish in the diocese or who at any time within the period of two

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months beginning one month immediately before that date is declared by the dean of the cathedral church to be a habitual worshipper at that cathedral church.]

<sup>F356</sup>(1A) .....

[<sup>F357</sup>(2)] <sup>F358</sup> .....

[<sup>F359</sup>[ Where a diocese is divided into two or more areas in accordance with rule [<sup>F361</sup>38(2)],  
<sup>F360</sup>(3)] any person who under this rule is qualified for election for the diocese shall be qualified for election for any such area whether or not the parish on whose roll his name is entered, or the cathedral church at which he is a habitual worshipper, is situated in that area, but no person shall be nominated for more than one such area at the same time.]

#### Textual Amendments

- F349** Sch. 3 rule 37 (originally 31) renumbered (1.1.1995) by S.I. 1994/3118, **para. 34**.
- F350** Rule 31(1) substituted by S.I. 1984/1039, **para. 22(1)**
- F351** Words in Sch. 3 rule 37(1) substituted (1.1.2000) by virtue of [The Church Representation Rules \(Amendment\) Resolution 1999 \(S.I. 1999/2112\)](#), **paras. 11(a)**, 24(3)
- F352** Words in Sch. 3 rule 37 para. (1)(a) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 34(b)**.
- F353** Words in Sch. 3 rule 37 para. (1)(a) inserted (1.1.1995) by S.I. 1994/3118, **para. 34(b)**.
- F354** Words in Sch. 3 rule 37(1)(b) inserted (1.1.2000) by virtue of [The Church Representation Rules \(Amendment\) Resolution 1999 \(S.I. 1999/2112\)](#), **paras. 11(b)**, 24(3)
- F355** Words in Sch. 3 rule 37(1)(c) inserted (1.1.2000) by virtue of [The Church Representation Rules \(Amendment\) Resolution 1999 \(S.I. 1999/2112\)](#), **paras. 11(c)**, 24(3)
- F356** Sch. 3 rule 37 para. (1A) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 35**.
- F357** Sch. 3 rule 37 para. (2) (originally (1B)) renumbered (1.1.1995) by S.I. 1994/3118, **paras. 35, 63, Sch.**
- F358** Sch. 3 rule 37(2) omitted (1.1.2000) by virtue of [The Church Representation Rules \(Amendment\) Resolution 1999 \(S.I. 1999/2112\)](#), **paras. 11(d)**, 24(3)
- F359** Rule 31(2) inserted by S.I. 1973/1865, **para. 19(3)**
- F360** Sch. 3 rule 37 para. (3) (originally (2)) renumbered (1.1.1995) by S.I. 1994/3118 **para. 35**
- F361** Words in Sch. 3 rule 37 para. (2) amended (1.1.1995) by S.I. 1994/3118, **para. 63, Sch.**

#### *Electoral Areas*

[<sup>F362</sup>38(1)] Subject to any division of a diocese under this rule every diocese shall be an electoral area for the purposes of elections to the House of Laity.

(2) So far as is consistent with any rule made under the Standing Orders of the General Synod under [<sup>F363</sup>rule 39(8)] [<sup>F364</sup>and subject to paragraph (3) of this rule] a diocesan synod may, for the purposes of any election, divide a diocese into two or more areas, and apportion the number of members of the House of Laity to be elected for the diocese among such areas, and the election shall be conducted in each area as if such area were a separate diocese. Where a diocese is so divided, a diocesan elector who is a representative of the laity shall vote in the area to which the body by which he was elected belongs, and a diocesan elector who is not a representative of the laity shall vote in such area as the diocesan synod may decide. Any such division shall remain in force until it is revoked by the diocesan synod.

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[<sup>F365</sup>(3) If a diocesan synod decides to divide the diocese into two or more areas in pursuance of this rule the division shall be made in such manner that the number of members to be elected in any such area will be not less than three.]

**Textual Amendments**

**F362** Sch. 3 rule 38 (originally 32) renumbered (1.1.1995) by S.I. 1994/3118, para. 36.

**F363** Words in Sch. 3 rule 38 para. (2) amended (1.1.1995) by S.I. 1994/3118, para. 63, Sch.

**F364** Words inserted by S.I. 1973/1865, para. 21(1).

**F365** Rule 32(3) added by S.I. 1973/1865, para. 20(1).

*Conduct of Elections*

[<sup>F366</sup>39(1) Subject to any directions by the General Synod or the Presidents thereof, elections to the House of Laity shall be carried out during the three months immediately following any dissolution of the General Synod and shall be so carried out in each diocese during such period within the said three months as shall be fixed by the archbishops of Canterbury and York.

(2) The presiding officer in each diocese or each area of a diocese shall be the registrar of the diocese or a person appointed by him [<sup>F367</sup>with the approval of the registrar of the province], except that, if the said registrar is a candidate in the election, the presiding officer shall be a person appointed by the registrar of the province. The expenses of the elections shall be paid out of diocesan funds.

<sup>F368</sup>(2A) .....

[<sup>F369</sup>(3) On receipt of the names and addresses of the qualified electors from the diocesan electoral registration officer the presiding officer shall ensure that in respect of the election—

(i) those persons are sent or given nomination papers; and

(ii) only such persons are sent or given voting papers at the address entered against their names in the register of electors.

The presiding officer shall also send nomination papers to any other person who requests them.]

<sup>F370</sup>(3) .....

<sup>F370</sup>(3A) .....

<sup>F370</sup>(3B) .....

<sup>F370</sup>(4) .....

<sup>F370</sup>(5) .....

<sup>F370</sup>(6) .....

[<sup>F371</sup>(4) Every candidate must be nominated and seconded by diocesan electors qualified to vote in the area in which the candidate is seeking to be elected. All nominations shall be in writing, shall include the year of the candidate's birth and shall be delivered either by post, by facsimile transmission or in person to the presiding officer of the

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area, together with evidence of the candidate's consent to serve, within such period, being a period of not less than twenty-eight days ending on a date specified by the presiding officer, provided that where a nomination paper has been sent by facsimile transmission the name of the candidate shall not appear on the voting paper unless the original nomination paper has been received by the presiding officer within three days of the closing date for nominations.

- (5) It shall be the duty of the presiding officer—
- (a) to scrutinise nomination papers as soon as they have been lodged and he shall, without delay, inform the candidate concerned whether the nomination is valid. Where the nomination is invalid the presiding officer shall give his reasons for so ruling and if, by the close of the nomination period, no valid nomination is received, the candidate shall be excluded from the election;
  - (b) to supply free of charge to a duly nominated candidate in the election one copy of the names and addresses of the qualified electors within seven days of receiving his written request.
- (6) If any of the candidates so request the presiding officer shall despatch to every elector election addresses from those candidates being not more than one sheet of A4 paper. Sufficient copies of the addresses shall be provided by the candidates at their own expense and be delivered to the presiding officer by such date as he shall determine being not less than seven days after the close of nominations. The presiding officer shall be under no obligation to despatch to electors election addresses which are received after the due date or which are not in the prescribed form.
- (7) It shall be the duty of the presiding officer in any election under these rules to seek to ensure that during the period beginning with the date on which nominations are invited and ending on the last date for the return of voting papers, no papers or other literature except election addresses prepared by the candidates under paragraph 6 of this rule shall be circulated to the electors by him or by or under authority of the diocesan synod or the deanery synod or distributed at a synod meeting which in his opinion are likely to prejudice the election. The rural dean and the lay chairman and secretary of the deanery synod shall also be under a duty to seek to ensure that during the election period no papers or other literature form part of an official circulation or are distributed at a synod meeting which in the opinion of any of them are likely to prejudice the election.
- (8) Subject to rule 51, if more candidates are nominated for any area than there are seats to be filled, the election shall be conducted by voting papers by the method of the single transferable vote under rules to be made from time to time as provided by the Standing Orders of the General Synod. Every voting paper, which shall include the year of birth of each candidate, shall be marked and signed on the reverse thereof by the elector and shall be returnable to the presiding officer within such period, being a period of not less than twenty-one days after the date on which the voting paper is issued, as that officer may specify, provided that a voting paper sent by facsimile transmission shall not be counted as a valid vote.
- (9) A candidate or a person nominated by him has the right to be present at the counting of the votes in order to scrutinise the count but shall take no part in it. The presiding officer shall give not less than seven days notice in writing to each candidate of the time and place at which the votes are to be counted.
- (10) Where within seven days of a count being completed the presiding officer is of the opinion that a recount should take place because of a possible irregularity or

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inaccuracy in the count, he may, with the concurrence of the registrar of the province, order such a recount and shall give notice in writing to each candidate of the time and place at which the votes are to be recounted.

(11) A full return of the result of any election and of the result sheet shall be sent by the presiding officer within four working days of the declaration of the result to every [<sup>F372</sup>in the election, the Clerk to the General Synod and an election scrutineer appointed by the Business Committee] of the General Synod. The scrutineer shall have power within ten days of the declaration of the result to order a recount of the voting papers if in his opinion this might be material to the result of the election.

(12) The result sheet shall be publicly displayed in the diocesan office in such manner as the bishop may approve and at the General Synod office until the end of the first group of sessions of the new Synod as the [<sup>F373</sup>Clerk to the General Synod] may direct.]

<sup>F374</sup> [The presiding officer in each area shall ensure that the valid voting papers received  
<sup>F375</sup>(13)] by him for the purposes of any election to the House of Laity are preserved for a period of not less than two years beginning with the date of the election.]

#### Textual Amendments

**F366** Sch. 3 rule 39 (originally 33) renumbered (1.1.1995) by S.I. 1994/3118, para. 36.

**F367** Words inserted by S.I. 1973/1865, para. 20(1).

**F368** Sch. 3 rule 39 para. (2A) omitted (1.1.1995) by virtue of S.I. 1994/3118, para. 36.

**F369** Sch. 3 rule 39 para. (3) inserted (1.1.1995) by S.I. 1994/3118, para.36.

**F370** Sch. 3 rule 39 paras. (3)-(6B) expressed to be omitted (1.1.1995) by virtue of S.I. 1994/3118, para. 37.

**F371** Sch. 3 rule 39 paras. (4)-(12) inserted (1.1.1995) by S.I. 1994/3118, para. 37.

**F372** Words in Sch. 3 rule 39(11) substituted (1.1.2000) by virtue of The Church Representation Rules (Amendment) Resolution 1999 (S.I. 1999/2112), paras. 12(a), 24(3)

**F373** Words in Sch. 3 rule 39(12) substituted (1.1.2000) by virtue of The Church Representation Rules (Amendment) Resolution 1999 (S.I. 1999/2112), paras. 12(b), 24(3)

**F374** Rule 33(7) added by S.I. 1973/1865, para. 21(5).

**F375** Sch. 3 rule 39 para. (13) (originally (7)) renumbered (1.1.1995) by S.I. 1994/3118, para. 37.

<sup>F376</sup> [ (1) Rules defining the duties to be undertaken by the presiding officers in connection  
<sup>F377</sup>40] with elections to the House of Laity shall be prepared by the provincial registrars acting jointly, but no such rules shall have effect unless approved by the [<sup>F378</sup>[<sup>F379</sup>lay members of the Business Committee] of the General Synod].

(2) A presiding officer shall be entitled to such fees for the performance by him of the duties aforesaid as may be specified in any order for the time being in force made under <sup>F380</sup> . . . [<sup>F381</sup>the Ecclesiastical Fees Measure 1986]; and where with the prior agreement in writing of the bishop's council and standing committee the presiding officer or any other person performs any other duties in connection with elections to the House of Laity he shall be entitled to such fees as may be specified in the agreement.]

#### Textual Amendments

**F376** Rule 33A added by S.I. 1973/1865, para. 22

**F377** Sch. 3 rule 40 (originally 33A) renumbered (1.1.1995) by S.I. 1994/3118, para. 38.

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- F378** Words in Sch. 3 rule 40 para. (1) substituted (1.1.1999) by 1998 No. 1, s. 13(1), **Sch. 5 para. 2(a)**; Instrument dated 14.10.1998 made by Archbishops of Canterbury and York
- F379** Words in Sch. 3 rule 40(1) substituted (1.1.2000) by virtue of The Church Representation Rules (Amendment) Resolution 1999 (S.I. 1999/2112), **paras. 13, 24(3)**
- F380** Words in Sch. 3 rule 40 para. (2) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 38.**
- F381** Words in Sch. 3 rule 40 para. (2) inserted (1.1.1995) by S.I. 1994/3118, **para. 38.**

<sup>F382</sup> . . . [<sup>F383</sup>Term of Office of membership of General Synod and other bodies]

#### Textual Amendments

- F382** Sch. 3 rule 41 title omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 38.**
- F383** Words in Sch. 3 rule 41 title inserted (1.1.1995) by S.I. 1994/3118, **para. 38.**

- [<sup>F384</sup>41] The term of office of elected members of the House of Laity and of members chosen by the lay members of religious communities shall be for the lifetime of the General Synod for which they are elected or chosen, but without prejudice to their acting under Article 3(4) of the Constitution during the period of the dissolution of the General Synod <sup>F385</sup> . . . [<sup>F386</sup>or to their continuing to be]ex-officio members of other bodies constituted under these rules during that period.

#### Textual Amendments

- F384** Sch. 3 rule 41 (originally 34) renumbered (1.1.1995) by S.I. 1994/3118, **para. 38.**
- F385** Words in Sch. 3 rule 41 omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 38.**
- F386** Words in Sch. 3 rule 41 inserted (1.1.1995) by S.I. 1994/3118, **para. 38.**

#### *Ex-officio and Co-opted Members of the House of Laity*

- [<sup>F387</sup>42](1) The following persons, if they are not in Holy Orders, shall be ex-officio members of the House of Laity;—
- (a) the Dean of the Arches and Auditor;
  - [<sup>F388</sup>(b) the Vicar-General of the Province of Canterbury;]
  - [<sup>F389</sup>(c) the Vicar-General of the Province of York;
  - [<sup>F389</sup>(d) the three Church Estate Commissioners;
  - [<sup>F389</sup>(e) the Chairman of the Central Board of Finance.
  - [<sup>F390</sup>(f) the Chairman of the Church of England Pensions Board.]
  - [<sup>F391</sup>(g) the members of the Archbishops' Council who are actual communicants]
- (2) The House of Laity shall have power to co-opt persons who are <sup>F392</sup> . . . [<sup>F393</sup>actual lay communicants]of [<sup>F394</sup>eighteen years or upwards] to be members of the House of Laity:
- Provided that:—
- (a) the co-opted members shall not at any time exceed five in number; and,
  - (b) no person shall be qualified to become a co-opted member unless not less than two-thirds of the members of the Standing Committee of the House of

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Laity shall have first consented to his being co-opted, either at a meeting of the Standing Committee or in writing.

- (3) Except in regard to their appointment, the ex-officio and co-opted members shall have the same rights and be subject to the same rules and regulations as elected members:

. . . F395

[<sup>F396</sup>Where such members are on more than one electoral roll, they shall choose the parochial church of which they are to be a member.]

- (4) Co-opted members shall continue to be members of the House of Laity until the next dissolution of the General Synod, but without prejudice to their acting under Article 3(4) of the Constitution during the period of the dissolution [<sup>F397</sup>or to their continuing to be ex-officio members of other bodies constituted under these rules during that period:]

Provided that the House of Laity may, in the case of any co-opted member, fix a shorter period of membership.

- (5) The House of Laity may make standing orders for regulating the procedure of and incidental to the appointment of co-opted members and otherwise for carrying this rule into effect.

#### Textual Amendments

- F387** Sch. 3 rule 42 (originally 35) renumbered (1.1.1995) by S.I. 1994/3118, para. 39.  
**F388** Rule 35(1)(b) inserted by S.I. 1973/1865, para. 23(1).  
**F389** Rule 35(1)(c)(d)(e) (originally (1)(b)(c)(d)) re-lettered by S.I. 1973/1865, para. 23(1).  
**F390** Sch. 3 rule 42 para. (1)(f) inserted (1.1.1995) by S.I. 1994/3118, para. 39(a).  
**F391** Sch. 3 Rule 42 para (1)(g) inserted (1.1.1999) by 1998 No. 1, s. 13(1), Sch. 5 para. 2(b); Instrument dated 14.10.1998 made by Archbishops of Canterbury and York.  
**F392** Words in Sch. 3 rule 42 para. (2) omitted (1.1.1995) by virtue of S.I. 1994/3118, para. 39(b).  
**F393** Words in Sch. 3 rule 42 para. (2) inserted (1.1.1995) by S.I. 1994/3118, para. 39(b).  
**F394** Words substituted by S.I. 1973/1865, para. 23(2).  
**F395** Rule 35(3) proviso repealed by S.I. 1984/1039, para. 24.  
**F396** Words inserted by S.I. 1983/1039, para. 24.  
**F397** Words in Sch. 3 rule 42 para. (4) inserted (1.1.1995) by S.I. 1994/3118, para. 40.

## PART VI

### APPEALS AND DISQUALIFICATIONS

#### [<sup>F398</sup> Enrolment Appeal

#### Textual Amendments

- F398** Sch. 3 rules 36–36B substituted for rule 36 by S.I. 1989/2094, para. 12

- [ (1) There shall be a right of appeal with regard to—

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- <sup>F399</sup>43] (a) any enrolment, or refusal of enrolment, on the roll of a parish or the registers of lay or clerical electors;
- (b) the removal of any name, or the refusal to remove any name, from the roll of a parish or the registers of lay or clerical electors.
- (2) The following persons shall have a right of appeal under this rule—
- (a) a person who is refused enrolment on the roll or register;
- (b) a person whose name is removed from the roll or register; or
- (c) any person whose name is entered on the roll or register who wishes to object to the enrolment or removal of the name of any other person on that roll or register.
- (3) In an appeal concerning the roll of a parish, notice of the appeal shall be given in writing to the lay chairman of the deanery synod and in an appeal concerning the register of lay or clerical electors notice of the appeal shall be given in writing to the Chairman of the House of Laity or the Chairman of the House of Clergy of the diocesan synod as the case may be.
- (4) Notice of appeal shall be given not later than fourteen days after the date of [<sup>F400</sup>notification of the enrolment, removal or refusal or not later than fourteen days after the last day of the publication (as provided by rule 2(3)) of a new roll or register or of a list of additions or removals from such roll or register.]
- (5) In any appeal arising under this rule the chairman of the House concerned of the Diocesan Synod or the lay chairman of the deanery synod, as the case may be, shall within fourteen days refer any appeal to the bishop's council and standing committee of the diocese unless within that period the appellant withdraws the appeal in writing. The said bishop's council shall appoint three or a greater number being an odd number of their lay members or clerical members as the case may be to consider and decide the appeal.]

#### Textual Amendments

**F399** Sch. 3 rule 43 (originally 36) renumbered (1.1.1995) by [S.I. 1994/3118](#), [para. 41](#).

**F400** Words in Sch. 3 rule 43(4) substituted (1.1.2000) by virtue of [The Church Representation Rules \(Amendment\) Resolution 1999 \(S.I. 1999/2112\)](#), [paras. 14](#), 24(3)

#### *[<sup>F401</sup> Election Appeals*

#### Textual Amendments

**F401** Sch. 3 rules 36–36B substituted for rule 36 by [S.I. 1989/2094](#), [para. 12](#)

- [<sup>F402</sup>44] (1) There shall be a right of appeal with regard to—
- (a) the allowance or disallowance of any vote given or tendered in an election of a churchwarden or in an election under these rules or to a body constituted under or in accordance with these rules;
- (b) the result of any election of a churchwarden or of any election or choice held or made or purporting to be held or made under these rules, or any election or choice of members of a body constituted under or in accordance with these rules.



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- (2) The following persons shall have a right of appeal under this rule—
- (a) an elector in the said election;
  - (b) a candidate in the said election; or
  - (c) the chairman of the House of Laity or of the House of Clergy of the diocesan synod or, in an election to the House of Laity of the General Synod, the chairman and vice-chairman of that House of Laity <sup>F403</sup> . . . [<sup>F404</sup>as specified in paragraph (5) of this rule.].
- (3) The provisions of this rule (except paragraph [<sup>F405</sup>(6) of this rule]), insofar as they confer a right of appeal by any person referred to in paragraph (2) above against the result of an election and provide for notice of an appeal and the determination thereof, shall apply in relation to an election to the House of Laity of the General Synod by the diocesan electors of the diocese in Europe.
- (4) [<sup>F406</sup>Subject to paragraph (6) of this rule]in the case of an appeal arising out of an election to the House of Laity of the General Synod or the diocesan synod notice of the appeal shall be given in writing to the chairman of the House of Laity of the diocesan synod. In any other case concerning the laity, notice of the appeal shall be given in writing to the lay chairman of the deanery synod. Notices under this paragraph shall be given:
- (a) in the case of an appeal against the allowance or disallowance of a vote, not later than fourteen days after such allowance or disallowance;
  - (b) in the case of an appeal against the result of an election or choice, not later than fourteen days after [<sup>F407</sup>the day on which the result is declared] by the presiding officer.
- [ The Chairman and Vice-Chairman of the House of Laity of the General Synod shall <sup>F408</sup>(5) each have a right of appeal under this rule in accordance with paragraph (1) of this rule in respect of any election to the House of Laity of the General Synod in either of the Provinces of Canterbury and York and he shall give notice in writing of such appeal to the presiding officer concerned not later than three months after the result of the election has been declared by the said presiding officer. Provided that if the office of Chairman or Vice-Chairman is vacant when the result of the election is published the person who last held office shall be deemed to hold that office for the purposes of this rule.]
- [ An error in the electoral roll or the registers of clerical or lay electors shall not be a <sup>F409</sup>(6) ground of appeal against the result of any election unless—
- (a) either it has been determined under this rule that there has been such an error or the question is awaiting determination under rule [<sup>F410</sup>43]; and
  - (b) the error would or might be material to the result of the election;
- and the allowance or disallowance of a vote shall not be a ground of appeal against the result of an election unless the allowance or disallowance would or might be material to the result of the election.
- [ An error in the electoral roll of a chaplaincy or in the register of lay electors in the <sup>F409</sup>(7) diocese in Europe shall not be a ground of appeal against the result of an election to the House of Laity of the General Synod by the diocesan electors of that diocese unless—

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- (a) either it has been determined under the rule which applies in that diocese and corresponds with rule [F411]43] that there has been such an error or the question is awaiting determination under that rule; and
  - (b) the error would or might be material to the result of that election;
- and the allowance or disallowance of a vote shall not be a ground of appeal against the result of such an election unless the allowance or disallowance would or might be material to the result of the election.

[F412](8) An appeal arising out of an election or choice of members of the House of Laity of the General Synod shall, within the period of fourteen days of the appeal being lodged, be referred to the Chairman and Vice-Chairman of that House unless, within that period, the appellant withdraws the appeal in writing. Subject to paragraph (9) of this rule, the Chairman and Vice-Chairman acting jointly shall appoint three persons (one of whom shall be a qualified lawyer) from an appeal panel consisting of the Dean of the Arches and Auditor, the Vicar General of the Province of Canterbury, the Vicar General of the Province of York and twelve members of the House of Laity of the General Synod nominated by the Appointments Committee of the Church of England to consider and decide the appeal.

- (9) (a) Where the Chairman or Vice-Chairman of the House of Laity has given notice of appeal under paragraph (5) above, or where he comes from the diocese to which the appeal relates he shall take no part in the appointing of the three persons to hear the appeal and he shall not be appointed to hear the appeal.
- (b) Where a member of the appeal panel comes from the diocese to which the appeal relates, or might otherwise have a benefit from the outcome of the election, he shall not be appointed to hear the appeal.]

[ In any appeal arising under this rule except an appeal arising out of an election to the House of Laity of the General Synod, the Chairman of the House of Laity of the diocesan synod or the lay chairman of the deanery synod, as the case may be, shall refer any appeal to the bishop's council and standing committee of the diocese [F413]who shall appoint three or a greater number, being an odd number, of their lay members to consider and decide the appeal.]

[ In any appeal arising under this rule to the House of Clergy of the diocesan synod the Chairman of the House of Clergy of the said synod shall refer any appeal to the bishop's council and standing committee of the diocese who shall appoint three or a greater number, being an odd number, of their clerical members to consider and decide the appeal.]

[F414](12) Where an appeal is pending under this rule in respect of an election to any synod any person who was declared elected in accordance with rule 33 but whose election is or may be affected by the appeal shall for all purposes be deemed to be a member of that Synod until the appeal is heard and disposed of.]

#### Textual Amendments

- F402** Sch. 3 rule 44 (originally 36A) renumbered (1.1.1995) by [S.I. 1994/3118](#), [para. 41](#).
- F403** Words in Sch. 3 rule 44 para. (2)(c) omitted (1.1.1995) by virtue of [S.I. 1994/3118](#), [para. 41](#).
- F404** Words in Sch. 3 rule 44 para. (2)(c) inserted (1.1.1995) by [S.I. 1994/3118](#), [para. 41](#).
- F405** Words in Sch. 3 rule 44(3) amended (1.1.1995) by [S.I. 1994/3118](#), [para. 63](#), [Sch.](#)
- F406** Words in Sch. 3 rule 44 para. (4) inserted (1.1.1995) by [S.I. 1994/3118](#), [para. 42](#).

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- F407** Words in Sch. 3 rule 44(4)(b) substituted (1.1.2000) by virtue of [The Church Representation Rules \(Amendment\) Resolution 1999 \(S.I. 1999/2112\)](#), **paras. 15(a)**, 24(3)
- F408** Sch. 3 rule 44 para. (5) inserted (1.1.1995) by [S.I. 1994/3118](#), **para. 43**.
- F409** Sch. 3 rule 44 paras. (6)-(11) (originally (5)-(10)) renumbered (1.1.1995) by [S.I. 1994/3118](#), **para. 43**.
- F410** Figure in Sch. 3 rule 44(6) amended (1.1.1995) by [S.I. 1994/3118](#), para. 63, **Sch.**
- F411** Figure in Sch. 3 rule 44(7) amended (1.1.1995) by [S.I. 1994/3118](#), para. 63, **Sch.**
- F412** Sch. 3 rule 44(8)(9) substituted (1.1.2000) by virtue of [The Church Representation Rules \(Amendment\) Resolution 1999 \(S.I. 1999/2112\)](#), **paras. 15(b)**, 24(3)
- F413** Words in Sch. 3 rule 44 para. (10) inserted (1.1.1995) by [S.I. 1994/3118](#), **para. 45**.
- F414** Sch. 3 rule 44 para. (12) inserted (1.1.1995) by [S.I. 1994/3118](#), **para. 46**.

- [<sup>F415</sup> For the purpose of the consideration and decision of any appeal under rules [<sup>F417</sup>43 and 44], the persons appointed to consider and decide the appeal—
- [<sup>F416</sup>45]
- (a) shall consider all the relevant circumstances and shall be entitled to inspect all documents and papers relating to the subject matter of the appeal and be furnished with all information respecting the same which they may require;
  - (b) shall give to the parties to the appeal an opportunity of appearing before them in person or through a legal or other representative;
  - (c) shall have power at any time to extend the time within which a notice of appeal is given;
  - (d) shall, unless by consent of the persons appointed the appeal is withdrawn, determine the matter at issue and, in an election appeal shall determine whether—
    - (i) the person or persons whose election is complained of was or were duly elected;
    - (ii) the facts complained of amount to a minor infringement of the rules which did not affect the outcome of the election in which event the appeal shall be dismissed; or
    - [ the facts complained of amount to a procedural irregularity in the
    - <sup>F418</sup>(iii) conduct of the election, but that in all the relevant circumstances the appeal shall be dismissed; or]
    - [ the election was void. The determination so certified shall be final
    - <sup>F419</sup>(iv)] as to the matters at issue and, in any case in which there has been no valid election, the members shall direct a fresh election to be held and shall give such directions in connection therewith as they may think necessary;
  - (e) shall have power at any time to consent to the withdrawal of the appeal by an appellant subject to a determination in respect of costs in accordance with paragraph [<sup>F420</sup>(f) of this rule];
  - (f) shall have power to direct that any party to an appeal shall be entitled to payment of costs by any other party or by the diocesan board of finance and to direct that a party shall be responsible for the reasonable expenses of the persons appointed to hear the appeal; save that in so far as the same have not been paid by any other person, the diocesan board of finance shall pay all expenses of the persons appointed to hear the appeal provided that the said board shall first be satisfied that they are reasonable in amount.]

#### Textual Amendments

**F415** Sch. 3 rules 36–36B substituted for rule 36 by [S.I. 1989/2094](#), **para. 12**

**F416** Sch. 3 rule 45 (originally 36B) renumbered (1.1.1995) by [S.I. 1994/3118](#), **para. 47**.

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- F417** Words in Sch. 3 rule 45 amended (1.1.1995) by [S.I. 1994/3118](#), para. 63, [Sch.](#)
- F418** Sch. 3 rule 45(d)(iii) inserted (1.1.2000) by [The Church Representation Rules \(Amendment\) Resolution 1999 \(S.I. 1999/2112\)](#), paras. 16, 24(3)
- F419** Sch. 3 rule 45(d)(iii) renumbered as Sch. 3 rule 45(d)(iv) (1.1.2000) by virtue of [The Church Representation Rules \(Amendment\) Resolution 1999 \(S.I. 1999/2112\)](#), paras. 16, 24(3)
- F420** Words in Sch. 3 rule 45(e) amended (1.1.1995) by [S.I. 1994/3118](#), para. 63, [Sch.](#)

*Vacation of Seat by Member ceasing to be Qualified for Election*

<sup>[F422]</sup>~~[F426]~~ Where—

- (a) any lay member of a deanery synod, being a parochial representative or a representative under rule <sup>[F423]</sup>27], ceases to be entered on the roll of the parish by which he was elected or, as the case may be, to be declared under the said rule to be a habitual worshipper at the cathedral church;
  - (b) any member of a diocesan synod elected by the house of clergy of a deanery synod ceases to be qualified for election by that house;
  - (c) any lay member of a diocesan synod elected by the house of laity of a deanery synod ceases to have the qualification of entry on the roll of any parish in that deanery or (in appropriate cases) of being declared a habitual worshipper at the cathedral church of the diocese under rule <sup>[F423]</sup>27];
  - (d) any elected member of the House of Laity of the General Synod ceases to have the qualification of entry on the roll of any parish in the diocese for which he was elected or of being declared a habitual worshipper as aforesaid;
  - <sup>[F424]</sup>(e) any elected member of the House of Laity of the General Synod takes any paid office or employment as provided by rule <sup>[F425]</sup>46A(c)];
  - <sup>[F426]</sup>(f) any member of <sup>[F427]</sup>a deanery synod,] a diocesan synod or of the House of Laity of the General Synod has his election declared void in accordance with the provision of rule <sup>[F428]</sup>45]]<sup>[F429]</sup>or becomes disqualified in accordance with the provisions of rule 46A(a) hereof,]
- his seat shall <sup>[F430]</sup>subject to the following provisions of this rule] forthwith be vacated:

...  
 F431

- <sup>[F432]</sup>(2) If the name of a person to whom paragraph 1(a) of this rule applies is entered on the roll of any parish in the diocese other than that of the parish <sup>[F433]</sup>referred to in that paragraph] or if he is declared under rule <sup>[F433]</sup>27] to be a habitual worshipper at the cathedral church of the diocese, his seat shall not be vacated under this rule if, before the vacancy occurs, the parochial church council so resolve.
- (3) If a person to whom paragraph 1(b) of this rule applies continues to work or reside in the diocese, his seat shall not be vacated under this rule if, before the vacancy occurs, the clerical members of the standing committee of the deanery synod so resolve.
- (4) If the name of a person to whom paragraph 1(c) of this rule applies is entered on the roll of any parish in the diocese other than that of the parish <sup>[F434]</sup>referred to in that paragraph] or if he is declared under rule <sup>[F434]</sup>27] to be a habitual worshipper at the cathedral church of the diocese, his seat shall not be vacated under this rule if, before the vacancy occurs, the lay members of the standing committee of the deanery synod so resolve.]

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[<sup>F435</sup>(5) If [<sup>F436</sup>the lay members of] the bishop's council and standing committee has determined [<sup>F436</sup>before the vacancy occurs] that a person to whom paragraph (1)(d) of this rule applies [<sup>F437</sup>is able and willing to continue to discharge to their satisfaction the duties of a member of the House of Laity elected for that diocese.], [<sup>F438</sup>neither his seat as a member of that House nor his seat as a lay member of the diocesan synod shall] be vacated under this rule.]

[<sup>F439</sup>(6) This rule shall apply in relation to a member of the House of Laity of the General Synod elected for the diocese in Europe with the substitution for the words in paragraph (1)(d) from "roll" to "aforesaid" of the words "electoral roll of any chaplaincy in that diocese"].

#### Textual Amendments

- F421** Sch. 3 rule 46 (originally 37) renumbered (1.1.1995) by S.I. 1994/3118, **para. 47**.
- F422** "(1)" inserted by S.I. 1973/1865, **para. 25(1)**.
- F423** Words in Sch. 3 rule 37(1)(a)(c) amended (1.1.1995) by S.I. 1994/3118, **para. 63, Sch.**
- F424** Rule 37(1)(e) inserted by S.I. 1984/1039, **para. 26(1)**.
- F425** Word in Sch. 3 rule 46(1)(e) substituted (1.1.2000) by virtue of The Church Representation Rules (Amendment) Resolution 1999 (S.I. 1999/2112), **paras. 17(a), 24(3)**
- F426** Sch. 3 rule 37(1)(f) inserted by S.I. 1989/2094, **para. 13(1)**.
- F427** Words in Sch. 3 rule 46(1)(f) inserted (1.1.2000) by The Church Representation Rules (Amendment) Resolution 1999 (S.I. 1999/2112), **paras. 17(b), 24(3)**
- F428** Words in Sch. 3 rule 37(1)(f) amended (1.1.1995) by S.I. 1994/3118, **para. 63, Sch.**
- F429** Words in Sch. 3 rule 46(1)(f) inserted (1.1.2000) by The Church Representation Rules (Amendment) Resolution 1999 (S.I. 1999/2112), **paras. 17(b), 24(3)**
- F430** Words inserted by S.I. 1973/1865, **para. 25(2)**.
- F431** Rule 37(1) proviso repealed by S.I. 1973/1865, **para. 25(1)**.
- F432** Rule 37(2)–(4) substituted for rule 37(2)(3) by S.I. 1984/1039, **para. 26(2)**.
- F433** Words in Sch. 3 rule 37(2) amended (1.1.1995) by S.I. 1994/3118, **para. 63, Sch.**
- F434** Words in Sch. 3 rule 37(4) amended (1.1.1995) by S.I. 1994/3118, **para. 63, Sch.**
- F435** Rule 37(5) (originally 37(4) substituted for proviso by S.I. 1973/185, **para. 25(2))** renumbered by S.I. 1984/1039, **para. 26(2)**.
- F436** Words inserted by S.I. 1984/1039, **para. 26(3)**.
- F437** Words substituted by S.I. 1989/2094, **para. 13(2)**.
- F438** Words substituted by S.I. 1980/178, **para. 15**.
- F439** Rule 37(5) inserted by Diocese in Europe Measure 1980 (No. 2, SIF 21:1), **Sch. 2 para. 5**; renumbered 37(6) by S.I. 1984/1039, **para. 26(2)**.

- [<sup>F440</sup>46A (a) A person shall be disqualified from being nominated, chosen or elected or from serving as a churchwarden, a member of a parochial church council, a district church council or any synod under these rules if he is disqualified from being a charity trustee under section 72(1) of the Charities Act 1993 and the disqualification is not for the time being subject to a general waiver by the Charity Commissioners under subsection (4) of that section or to a waiver by them under that subsection in respect of all ecclesiastical charities established for purposes relating to the parish concerned.

In this paragraph "ecclesiastical charity" has the same meaning as that assigned to that expression in the Local Government Act 1894;

- (b) A person shall also be disqualified from being nominated, chosen or elected or from serving as a churchwarden or member of a parochial church council

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if he has been so disqualified from holding office under section 10(6) of the Incumbents (Vacation of Benefices) Measure 1997;

- (c) A person shall be disqualified from being nominated for election or from continuing to serve as a member of the General Synod if he holds or takes any paid office or employment appointment to which is or may be made or confirmed by the General Synod, the Convocations, the Archbishops' Council, the Central Board of Finance, the Church Commissioners for England (except that such disqualification shall not apply to any Commissioner so appointed in receipt of a salary or other emoluments), the Church of England Pensions Board or the Corporation of the Church House.]

**Textual Amendments**

**F440** Sch. 3 rule 46A inserted (1.1.2000) by [The Church Representation Rules \(Amendment\) Resolution 1999 \(S.I. 1999/2112\)](#), **paras. 18, 24(3)**

*Ex-Officio Membership not to Disqualify for Election*

- [<sup>F441</sup>47] No . . . <sup>F442</sup> person shall be disqualified from being elected or chosen a member of any body under these rules by the fact that he is also a member ex-officio of that body; and no . . . <sup>F442</sup> person shall be deemed to vacate his seat as such an elected or chosen member of any body by reason only of the fact that subsequently to his election or choice he has become a member of that body ex-officio.

**Textual Amendments**

**F441** Sch. 3 rule 47 (originally 38) renumbered (1.1.1995) by [S.I. 1994/3118](#), **para. 47**.

**F442** Word repealed by [S.I. 1973/1865](#), **para. 26**

**PART VII**

SUPPLEMENTARY AND INTERPRETATION

*Casual Vacancies*

- [<sup>F443</sup>48] [<sup>F444</sup>1] Casual vacancies among the parochial representatives elected to the parochial church council or deanery synod shall be filled as soon as practicable after the vacancy has occurred. Where the annual parochial church meeting is not due to be held within the next two months following the occurrence of the vacancy, a vacancy among the parochial representatives elected to the parochial church council may be filled, and a vacancy among the parochial representatives elected to the deanery synod shall be filled, by the election by the parochial church council of a person qualified to be so elected. Returns of parochial representatives of the laity elected to fill one or more casual vacancies on the deanery synod shall be sent by the secretary of the parochial church council to the diocesan electoral registration officer and to the Secretary of the deanery synod.]

- (2) Where a casual vacancy among the members of a diocesan synod elected by either house of a deanery synod occurs, the vacancy may be filled by the election by that

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house of a person qualified to be so elected, and a meeting of the members of that house who are electors may be held for that purpose.

- (3) Subject to paragraphs (1), (2) and (6) of this rule, casual vacancies among persons elected under these rules shall be filled [<sup>F446</sup>and elections to fill such casual vacancies shall be] conducted in the same manner as ordinary elections. [<sup>F447</sup>The qualifying date for diocesan electors shall be determined in accordance with rule 35(5).]
- (4) Elections to fill casual vacancies shall, where possible, be held at such times as will enable all casual vacancies among representatives of the laity who are electors to be filled at the time of every election to the House of Laity of the General Synod, but no such election shall be invalid by reason of any casual vacancies not having been so filled.]
- [<sup>F448</sup>(5) (a) Subject to the provisions of this rule, an election to fill a casual vacancy in the House of Laity shall be completed, so far as possible, within six months from the occurrence of the vacancy and, in the event of the vacancy not being filled within that period, the Chairman of the House of Laity of the General Synod may give directions to the presiding officer as to the date by which the vacancy must be filled.
- (b) Where a casual vacancy occurs in the House of Laity of the General Synod and the period for holding a general election to that House is due to begin within twelve months of the vacancy, the vacancy shall not be filled unless the lay members of the bishop's council and standing committee, acting in accordance with any directions of the diocesan synod, otherwise direct.
- (c) Where a casual vacancy in the House of Laity of the General Synod occurs within the period of two years—
- (i) beginning with 1st August in the year of the last general election to that House, or
- (ii) beginning with the date of the declaration of the result of an election to fill a casual vacancy where the election was conducted by voting papers in the same manner as a general election;]
- . . . [<sup>F449</sup>the election to fill the casual vacancy shall be conducted by those papers in accordance with paragraph (6) of this rule.].
- [<sup>F450</sup>(6) (a) Where the election is to be conducted by the voting papers of a general election, the number of persons to be elected shall be the same as in the general election, provided that no continuing candidate elected during the original count shall be excluded.
- (b) Where the election is to be conducted by the voting papers of an election other than the general election, the number of persons to be elected shall be calculated by adding together the number of persons previously elected using these voting papers who are still continuing as elected persons, and the number of casual vacancies to be filled, provided that no continuing candidate elected during the original count shall be excluded.
- (c) The presiding officer for the area in question shall ask every candidate not elected in the previous election who is still qualified for election for the diocese in question if he consents to serve.
- (d) If the number of candidates is the same as the places to be filled and he or they so consent or only one of those candidates so consents he shall be elected to fill the casual vacancy.

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- (e) If more candidates than places to be filled so consent the votes validly cast in the preceding election shall be recounted from the beginning in accordance with the rules mentioned in rule 39(8), the presiding officer having first withdrawn those candidates who do not consent or are no longer eligible for election.]

[<sup>F451</sup>(7) An election to fill a casual vacancy in either house of the diocesan synod shall be completed [<sup>F452</sup>so far as possible] within six months from the occurrence of the vacancy, provided that where a casual vacancy occurs in either house and the period for holding a general election to that house is due to begin within nine months of the vacancy, the vacancy shall not be filled unless the members of the bishop’s council and standing committee who are from the same house otherwise direct.]

[<sup>F453</sup>(8) The preceding provisions of this rule shall apply, so far as applicable and with the necessary modifications, to the choosing of persons under these rules as it applies to the election of persons thereunder, and shall also apply to the election or choosing of members of any body constituted under or in accordance with these rules.

[<sup>F453</sup>(9) Any person elected to fill a casual vacancy shall hold office only for the unexpired portion of the term of office of the person in whose place he is elected or chosen.

<sup>F454</sup>(10) . . . . .

[<sup>F455</sup> In calculating the period of six months referred to in paragraphs (5) and (7) of this rule—  
<sup>F456</sup>(11)]

- (a) where during the course of an election irregularities are found which are of such a kind that the presiding officer is of the opinion that he should declare the proceedings null and void, he shall so declare and shall notify all electors of the declaration and shall cause a fresh election to be held which shall be completed within the period of six months from the date of the notice to the electors of the fresh election;
- (b) where in an appeal a determination is made that there has been no valid election and the presiding officer is directed to hold a fresh election, the period of six months shall run from the date of such direction.

[ In this rule the expression “casual vacancy” includes the case where insufficient  
<sup>F456</sup>(12)] candidates have been nominated to fill the places available.]

#### Textual Amendments

- F443** Sch. 3 rule 48 (originally 39) renumbered (1.1.1995) by S.I. 1994/3118, para. 47.  
**F444** Rule 39(1)—(4) substituted for Rule 39(1) by S.I. 1973/1865, para. 27(1).  
**F445** Sch. 3 rule 39(1) substituted by S.I. 1989/2094, para. 14(1).  
**F446** Words substituted by S.I. 1989/2094, para. 14(2).  
**F447** Words in Sch. 3 rule 48 para. (3) inserted (1.1.1995) by S.I. 1994/3118, para. 47.  
**F448** Sch. 3 rule 39(5) substituted for paras. (5)(6) by S.I. 1989/2094, para. 14(3).  
**F449** Words in Sch. 3 rule 48 para. (5)(c) inserted (1.1.1995) by S.I. 1994/3118, para. 48.  
**F450** Sch. 3 rule 48(6) substituted (1.1.2000) by virtue of The Church Representation Rules (Amendment) Resolution 1999 (S.I. 1999/2112), paras. 19, 24(3).  
**F451** Sch. 3 rule 39(7) inserted by S.I. 1989/2094, para. 14(5).  
**F452** Words in Sch. 3 rule 48 para. (7) inserted (1.1.1995) by S.I. 1994/3118, para. 50.  
**F453** Rule 39(8)(9) (originally 39(3)(4)) re-numbered by S.I. 1973/1865, para. 27(4).  
**F454** Sch. 3 rule 48 para. (10) omitted (1.1.1995) by virtue of S.I. 1994/3118, para. 50.  
**F455** Sch. 3 rule 39 paras. (11)(12) inserted by S.I. 1989/2094, para. 14(7).



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**F456** Sch. 3 rule 48 paras. (10)-(11) (originally (11)-(12)) renumbered (1.1.1995) by [S.I. 1994/3118](#), [para. 50](#).

### *Resignations*

[<sup>F457</sup>  
<sup>F458</sup>49] Any person holding any office under these rules or being a member of any body constituted by or under these rules may resign his office or membership by notice in writing signed by him and sent or given to the secretary of the body of which he is an officer or member, as the case may be; and his resignation shall take effect on the date specified in the notice or, if no date is so specified, on the receipt of the notice by the secretary of that body.]

#### **Textual Amendments**

**F457** [Rule 40](#) substituted by [S.I. 1973/1865](#), [para. 28](#)

**F458** [Sch. 3 rule 49](#) (originally 40) renumbered (1.1.1995) by [S.I. 1994/3118](#), [para. 51](#).

### *Notices*

[<sup>F459</sup>50] Any notice or other document required or authorised to be sent or given under these rules shall be deemed to have been duly sent or given if sent through the post addressed to the person to whom it is required or authorised to be sent or given at that person's last known address.

#### **Textual Amendments**

**F459** [Sch. 3 rule 50](#) (originally 41) renumbered (1.1.1995) by [S.I. 1994/3118](#), [para. 51](#).

### <sup>F460</sup> *Constraints in Elections*

#### **Textual Amendments**

**F460** [Sch. 3 rule 41A](#) inserted by [S.I. 1989/2094](#), [para. 15](#)

- [<sup>F461</sup>51]
- (1) If in any election conducted in accordance with these rules it is a requirement that a given number or not less than a given number of places of those elected shall be filled by candidates of a named category, the presiding officer shall follow the procedure set out in paragraphs (2) to (4) of this rule.
  - (2) The presiding officer shall examine the nomination papers to ascertain if the number of candidates nominated in any named category is less than or equal to the required given number.
  - (3) If the number of candidates nominated in any named category is less than or equal to the required given number, those candidates shall be declared to be elected and their names shall not be included on the voting paper and thereafter the requirement shall be disregarded and the election shall proceed with the number of seats to be filled being reduced by the number of persons declared elected.

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- (4) The presiding officer shall circulate with the voting papers a separate notice giving the names of any who have been declared elected in accordance with paragraph [F462(3) of this rule].]

**Textual Amendments**

- F461** Sch. 3 rule 51 (originally 41A) renumbered (1.1.1995) by S.I. 1994/3118, para. 51.  
**F462** Words in Sch. 3 rule 51(4) amended (1.1.1995) by S.I. 1994/3118, para. 63, Sch.

*Revocation and Variation of Rules, etc.*

- [F463]52] Subject to the provisions of these rules any power conferred by these rules to make, approve, frame, pass or adopt any rule, order, resolution, determination, decision, appointment or scheme, or to give any consent or settle any constitution, or to prescribe the manner of doing anything, shall be construed as including a power, exercisable in a like manner and subject to the like conditions, to revoke or vary any such rule, order, resolution, determination, decision, appointment, scheme, consent or constitution, or anything so prescribed.

**Textual Amendments**

- F463** Sch. 3 rule 52 (originally 42) renumbered (1.1.1995) by S.I. 1994/3118, para. 51.

*Special Provisions*

- [F464]53(1) In the carrying out of these rules in any diocese the bishop of such diocese shall have power:—
- (a) to make provision for any matter not herein provided for;
  - (b) to appoint a person to do any act in respect of which there has been any neglect or default on the part of any person or body charged with any duty under these rules;
  - (c) so far as may be necessary for the purpose of giving effect to the intention of these rules, to extend or alter the time for holding any meeting or election or to modify the procedure laid down by these rules in connection therewith [F465] provided that such power shall not be exercised in relation to the conduct of the elections referred to in Rules [F466]39 and 48] of these Rules;]
  - [F467](d) [F468]Subject to [F469]paragraph (1)(c) of this rule]] in any case in which any difficulties arise, to give any directions which he may consider expedient for the purpose of removing the difficulties.]
- (2) The powers of the bishop under this rule shall not enable him:—
- (a) to validate anything that was invalid at the time when it was done;
  - (b) to give any direction that is contrary to any resolution of the General Synod.
- (3) No proceedings of any body constituted under these rules shall be invalidated by any vacancy in the membership of that body or by any defect in the qualification, election or appointment of any members thereof.
- (4) No proceedings shall be invalidated by the use of a form which differs from that prescribed by these rules if the form which has in fact been used is to a substantially

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similar effect. Any question as to whether the form which has been used is to a substantially similar effect shall be determined by the bishop.

- (5) In the case of an omission in any parish to prepare or maintain a roll or form or maintain a council or to hold the annual meeting, the rural dean upon such omission being brought to his notice shall ascertain and report to the bishop the cause thereof.
- [<sup>F470</sup>(6) During a vacancy in an archbishopric or where by reason of illness an archbishop is unable to exercise his functions under these rules or to appoint a commissary under paragraph (10) of this rule the functions of an archbishop under these rules shall be exercisable by the other archbishop.
- (7) During a vacancy in a diocesan bishopric the functions of a diocesan bishop under these rules, including his functions as [<sup>F471</sup>president of] the diocesan synod, shall be exercisable by such person, being a person in episcopal orders, as the archbishop of the province may appoint.
- (8) Where by reason of illness a diocesan bishop is unable to exercise his functions under these rules or to appoint a commissary under paragraph (10) of this rule, the archbishop of the province may, if he thinks it necessary or expedient to do so, appoint a person in episcopal orders to exercise the functions mentioned in paragraph (7) of this rule during the period of the bishop's illness.
- (9) If a person appointed in pursuance of paragraph (7) or (8) of this rule becomes unable by reason of illness to act under the appointment, the archbishop may revoke the appointment and make a fresh one.
- (10) An archbishop or diocesan bishop may appoint a commissary and delegate to him all or any of the functions of the archbishop or bishop under these rules, but if a bishop proposes to delegate to a commissary his functions as [<sup>F471</sup>president of] the diocesan synod he shall appoint a person in episcopal orders as commissary.
- (11) If a person appointed in pursuance of paragraph (7) or (8) of this rule, or a person to whom the functions of a bishop as [<sup>F472</sup>president of the diocesan synod are delegated under paragraph [<sup>F473</sup> (10) of this rule]], is a member of the house of clergy of the diocesan synod, his membership of that house shall be suspended during the period for which the appointment or delegation has effect.].
- [<sup>F474</sup>(12) The preceding provisions of this rule shall have effect in the diocese in Europe as if the references to such of these rules as apply in that diocese, and subject to paragraph (6) of the rule, the powers of an archbishop under this rule shall, as respects that diocese, be exercisable by the Archbishop of Canterbury.]

#### Textual Amendments

- F464** Sch. 3 rule 53 (originally 43) renumbered (1.1.1995) by S.I. 1994/3118, para. 51.
- F465** Words inserted by S.I. 1984/1039, para. 28
- F466** Words in Sch. 3 rule 53(1)(c) amended (1.1.1995) by S.I. 1994/3118, para. 63, Sch.
- F467** Sch. 3 rule 43(1)(d) omitted and para. (e) renumbered (d) as provided by S.I. 1989/2094, para. 16(1)(2)
- F468** Words inserted by S.I. 1989/2094, para. 16(1)(2)
- F469** Words in Sch. 3 rule 53(1)(d) amended (1.1.1995) by S.I. 1994/3118, para. 63, Sch.
- F470** Rule 43(6)—(11) substituted for rule 43(6)(7) by S.I. 1973/1865, para. 29
- F471** Words substituted by S.I. 1980/178, para. 16(1)
- F472** Words substituted by S.I. 1980/178, para. 16(2)
- F473** Words in Sch. 3 rule 43(11) amended (1.1.1995) by S.I. 1994/3118, para. 63, Sch.

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**F474** Rule 43(12) inserted by Diocese in Europe Measure 1980 (No. 2, SIF 21:1), **Sch. 2 para. 7**

*Meaning of Minister, Parish and other words and phrases*

[<sup>F475</sup>54(1) In these rules:—

<sup>F476</sup> . . .

<sup>F476</sup> . . .

[<sup>F477</sup>“actual communicant” means a person who has received Communion according to the use of the church of England or of a Church in communion with the Church of England at least three times during the twelve months preceding the date of his election or appointment being a person whose name is on the roll of a parish and is either—

- (a) confirmed or ready and desirous of being confirmed; or
- (b) receiving the Holy Communion in accordance with the provisions of Canon B 15A paragraph 1(b)]

[<sup>F478</sup>‘auditor’ shall mean a person eligible as the auditor of a charity under section 43(2) of the Charities Act 1993 <sup>F479</sup>;

‘independent examiner’ shall mean a person as defined in Section 43(3)(a) of the Charities Act 1993;]

“the Measure” means the Synodical Government Measure 1969;

“minister” means:—

- (a) the incumbent of a parish;
- (b) a curate licensed to the charge of a parish or a minister acting as priest-in-charge of a parish in respect of which rights of presentation are suspended; and
- (c) a vicar in a team ministry to the extent that the duties of a minister are assigned to him by a <sup>F480</sup> . . . [<sup>F481</sup>pastoral scheme or order] or his license from the bishop;

“parish” means:—

- (a) an ecclesiastical parish; and
- (b) a district which is constituted a “conventional district” for the cure of souls . . . <sup>F482</sup> .
- (c) [<sup>F483</sup>in relation to the Diocese in Europe, a chaplaincy which is constituted as part of the diocese.]
- (d) [<sup>F484</sup>a district designated by the bishop’s council and standing committee for the purposes of and to the extent permitted by rule 18(5A);]

“public worship” means public worship according to the rites and ceremonies of the Church of England.

- (2) Any reference in these rules to the laity shall be construed as a reference to persons other than Clerks in Holy Orders, and the expression “lay” in these rules shall be construed accordingly.

[<sup>F485</sup>(3) Where a person has executed a deed of relinquishment under the <sup>M6</sup>Clerical Disabilities Act 1870 and the deed has been enrolled in the High Court and recorded in the registry of a diocese under that Act then, unless and until the vacation of the enrolment of the deed is recorded in such a registry under the <sup>M7</sup>Clerical Disabilities

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Act 1870 (Amendment) Measure 1934, that person shall be deemed not to be a clerk in Holy Orders for the purpose of paragraph [<sup>F486</sup>(2) of this rule] or of any other provision of these rules which refers to such a clerk.]

[<sup>F487</sup>(4)] References in these rules to the cathedral church of the diocese shall include, in the case of the dioceses of London and Oxford, references to Westminster Abbey and St. George’s Chapel, Windsor, respectively.

[<sup>F487</sup>(5)] If any question arises . . . <sup>F488</sup>whether a Church is a . . . <sup>F488</sup>Church in communion with the Church of England, it shall be conclusively determined for the purposes of these rules by the Archbishops of Canterbury and York.

[<sup>F487</sup>(6)] In these rules words importing residence include residence of a regular nature but do not include residence of a casual nature.

[<sup>F487</sup>(7)] Any reference herein to “these rules” shall be construed as including a reference to Appendices hereto.

[<sup>F489</sup>(8) (a) In these rules any matters or regulations to be prescribed shall be prescribed by the [<sup>F490</sup>Business Committee of the General Synod] of the General Synod in accordance with the following procedure.

(b) Any matters or regulations made under this rule shall be laid before the General Synod and shall not come into force until they have been approved by the General Synod, whether with or without amendment.

(c) Where the [<sup>F490</sup>Business Committee of the General Synod] determines that matters or regulations made under this rule do not need to be debated by the General Synod then, unless—

(i) notice is given by a member of the General Synod in accordance with Standing Orders that he wishes the business to be debated, or

(ii) notice is so given by any such member that he wishes to move an amendment to the business,

the matters or regulations shall for the purposes of sub-paragraph (b) above be deemed to have been approved by the General Synod without amendment.]

### Textual Amendments

**F475** Sch. 3 rule 54 (originally 44) renumbered (1.1.1995) by S.I. 1994/3118, para. 51.

**F476** Sch. 3 rule 54 para. (1): Definitions of “actual communicant member of the Church of England” and “actual communicant member of a Church in communion with the Church of England” omitted (1.1.1995) by virtue of S.I. 1994/3118, para. 51(a).

**F477** Sch. 3 rule 54 para. (1): Definition of “actual communicant” inserted (1.1.1995) by S.I. 1994/3118, para. 51(a).

**F478** Sch. 3 rule 54 para. (1): Definitions of “auditor” and “independent examiner” inserted (1.5.1996) by S.I. 1995/3243, para. 8.

**F479** 1993 c.10.

**F480** Sch. 3 rule 54 para. (1): Words in definition of “minister” omitted (1.1.1995) by virtue of S.I. 1994/3118, para. 51.

**F481** Sch. 3 rule 54 para. (1): Words in definition of “minister” inserted (1.1.1995) by S.I. 1994/3118, para. 51.

**F482** Words repealed by S.I. 1980/178, para. 17(1).

**F483** Sch. 3 rule 54 para. (1): para. (c) in definition of “parish” inserted (1.1.1995) by S.I. 1994/3118, para. 51(b).

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- F484** Sch. 3 rule 54 para. (1): Para. (d) in definition of “parish” inserted (1.3.1998) by S.I. 1998/319, **arts. 4, 5(3)**.
- F485** Rule 44(3) inserted by S.I. 1980/178, **para. 17(2)**.
- F486** Words in Sch. 3 rule 54(3) amended (1.1.1995) by S.I. 1994/3118, para. 63, **Sch.**
- F487** Rule 44(4)—(7) (originally 44(3)—(6)) renumbered by S.I. 1980/178, **para. 17(3)**.
- F488** Words repealed by S.I. 1973/1865, **para. 30(2)**.
- F489** Sch. 3 rule 54 para. (8) inserted (1.5.1996) by S.I. 1995/3243, **para. 9**.
- F490** Words in Sch. 3 rule 54 para. (8)(a)(c) substituted (1.1.1999) by 1998 No. 1, s. 13(1), **Sch. 5 para. 2(e)**; Instrument dated 14.10.1998 made by Archbishops of Canterbury and York.

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#### **Marginal Citations**

- M6** 1870 c.91 (21:5).
- M7** 1934 No. 1 (21:5).

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## APPENDIX I

### SECTION 1

<sup>F491F492</sup> APPLICATION FOR ENROLMENT ON CHURCH ELECTORAL ROLE

### APPLICATION FOR ENROLMENT ON THE CHURCH ELECTORAL ROLL OF THE PARISH OF

**Full Name** .....

**Full Address** .....

**Post Code** .....

I declare that

1 I am baptised and am aged 16 or over, (or, become 16\* on )

†2

A I am a member of the Church of England (or of a Church in communion with the Church of England) and am resident in the parish.

**OR**

B I am a member of the Church of England (or of a Church in communion with the Church of England) and, not being resident in the parish, I have habitually attended public worship in the parish during the period of six months prior to enrolment.

**OR**

C I am a member in good standing of a Church (not in communion with the Church of England) which subscribes to the doctrine of the Holy Trinity and also declare myself to be a member of the Church of England and I have habitually attended public worship in the parish during the period of six months prior to enrolment.

I declare that the above answers are true and I apply for inclusion on the Church Electoral Roll of the parish.

Signed .....

Date .....

\*Those who become 16 during the next 12 months may complete the form, and become eligible to be entered on the Roll on their sixteenth birthday.

†Tick **one only** of boxes 2A, B or C.

### NOTES

1. The only Churches at present in communion with the Church of England are other Anglican Churches and certain foreign Churches.

2. Membership of the electoral roll is also open to members in good standing of a Church not in communion with the Church of England which subscribes to the doctrine of the Holy Trinity where those members are also prepared to declare themselves to be members of the Church of England.

3. Every six years a new roll is prepared and those on the previous roll are informed so that they can re-apply. If you are not resident in the parish but were on the roll as an habitual worshipper and have been prevented by sickness or absence or other essential reason from worshipping for the past six months, you may write 'would' before 'have habitually attended' in the form and add 'but was prevented from doing so because...' and then state the reason.

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#### Textual Amendments

**F491** Sch. 3 Appendix 1 s. 1 substituted (1.1.1995) by virtue of [S.I. 1994/3118](#), [para. 52](#)

**F492** Sch. 3 Appendix 1 s. 1: the words "Preferred title (if any)" inserted after the words "Full name" on new line (1.1.2000) by [The Church Representation Rules \(Amendment\) Resolution 1999 \(S.I. 1999/2112\)](#), [paras. 20, 24\(3\)](#)

## SECTION 2

### FORM OF NOTICE OF REVISION OF CHURCH ELECTORAL ROLL

Diocese of

Parish of

\*NOTE—The Revision must be completed not less than 15 days or more than 28 days before the Annual Parochial Church Meeting.

Notice is hereby given that the Church Electoral Roll of the above parish will be revised by the Parochial Church Council,\* beginning on the day of 19 and ending on , the day of 19 After such Revision, a copy of the Roll will forthwith be exhibited [<sup>F493</sup>for not less than 14 days] on, or near to, the principal door of the Parish Church for inspection.

#### Textual Amendments

**F493** Words inserted by [S.I. 1989/2094](#), [para. 17\(1\)](#)

F494

#### Textual Amendments

**F494** Sch. 3 Appendix I s. 2: Paragraph beginning "Under the Church Representation Rules" omitted (1.1.1995) by virtue of [S.I. 1994/3118](#), [para. 53](#).

[<sup>F495</sup>Under the Church Representation Rules any persons are entitled to have their names entered on the roll, if they—

#### Textual Amendments

**F495** Sch. 3 Appendix I s. 2: Paragraph beginning "Under the Church Representation Rules" inserted (1.1.1995) by [S.I. 1994/3118](#), [para. 53](#).

- (i) are baptized and aged 16 or over;
  - (ii) have signed a form of application for enrolment;
- and either*



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(iii) are members of the Church of England or of any Church in communion with the Church of England being resident in the parish or (not being resident in the parish) having habitually attended public worship in the parish during the six months prior to the application for enrolment; or;

(iv) are members in good standing of a Church (not in communion with the Church of England) which subscribes to the doctrine of the Holy Trinity declaring themselves to be also members of the Church of England and having habitually attended public worship in the parish during the period of six months prior to enrolment.]

. . . F496

**Textual Amendments**

F496 Words repealed by S.I. 1973/1865, para. 32(b)

[<sup>F497</sup>Forms of application for enrolment can be obtained from the undersigned. In order to be entitled to attend the annual parochial church meeting and to take part in its proceedings, forms of application for enrolment must be returned by the date shown above for the ending of the revision of the Church Electoral Roll by the Parochial Church Council.]

**Textual Amendments**

F497 Words substituted by S.I. 1989/2094, para. 17(2)

Any error discovered in the Roll should at once be reported to the undersigned.

\*Not less than 14 days notice must be given. Dated this\*..... day  
of..... 19.....  
[<sup>F498</sup>Church]Electoral Roll Officer  
Address

**Textual Amendments**

F498 Word inserted by S.I. 1973/1865, para. 32(c)

[<sup>F499</sup>In this Notice “parish” means an ecclesiastical parish.]

**Textual Amendments**

F499 Note inserted by S.I. 1984/1039, para. 29(2)

**SECTION 3**

**FORM OF NOTICE OF PREPARATION OF NEW ROLL**

Diocese of

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## Parish of

\*NOTE—The new roll must be completed not less than 15 days or more than 28 days before the Annual Parochial Church Meeting.

Notice is hereby given that under the Church Representation Rules a new Church Electoral Roll is being prepared. All persons who wish to have their names entered on the new Roll, whether their names are entered on the present Roll or not, are requested to apply for enrolment . . .

F500

not later than

The new roll will come into operation on

[<sup>F501</sup>The new Roll shall be published for not less than 14 days. Forms of application for enrolment can be obtained from the undersigned. In order to be entitled to attend the annual parochial church meeting and to take part in its proceedings, forms of application for enrolment must be returned by the earlier of the dates given above.]

### Textual Amendments

F500 Words repealed by [S.I. 1989/2094, para. 17\(3\)](#)

F501 Words substituted by [S.I. 1989/2094, para. 17\(4\)](#)

F502

. . .

### Textual Amendments

F502 Sch. 3 Appendix I s. 3: Paragraph beginning “Under the Church Representation Rules” omitted (1.1.1995) by virtue of [S.I. 1994/3118, para. 53](#).

[<sup>F503</sup>Under the Church Representation Rules any persons are entitled to have their names entered on the roll, if they—

### Textual Amendments

F503 Sch. 3 Appendix I s. 3: Paragraph beginning “Under the Church Representation Rules” inserted (1.1.1995) by [S.I. 1994/3118, para. 53](#).

(i) are baptized and aged 16 or over;

(ii) have signed a form of application for enrolment;

*and either*

(iii) are members of the Church of England or of any Church in communion with the Church of England being resident in the parish or (not being resident in the parish) having habitually

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attended public worship in the parish during the six months prior to the application for enrolment; or;

(iv) are members in good standing of a Church (not in communion with the Church of England) which subscribes to the doctrine of the Holy Trinity declaring themselves to be also members of the Church of England and having habitually attended public worship in the parish during the period of six months prior to enrolment.]

... F504

**Textual Amendments**

F504 Words repealed by S.I. 1973/1865, para. 32(b)

Any error discovered on the Roll should at once be reported to the undersigned.

Dated this.....day of 19.....

[<sup>F505</sup>Church]Electoral Roll Officer

**Textual Amendments**

F505 Word inserted by S.I. 1973/1865, para. 32(c)

Address

[<sup>F506</sup>In this Notice “parish” means an ecclesiastical parish.]

**Textual Amendments**

F506 Note inserted by S.I. 1984/1039, para. 29(2)

**Textual Amendments**

F506 Note inserted by S.I. 1984/1039, para. 29(2)

## SECTION 4

### NOTICE OF ANNUAL PAROCHIAL CHURCH MEETING

Parish of

The Annual Parochial Church Meeting will be held in

on day of

at

For the election of Parochial representatives of the laity as follows:—

[<sup>F507</sup>\*To the Deanery Synod representatives.]

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#### Textual Amendments

**F507** Entries transferred by [S.I. 1973/1865](#), [para. 33\(2\)](#)

[<sup>F507</sup>To the Parochial Church Council representatives.]

<sup>F508</sup> . . . <sup>F509</sup> . . . [<sup>F510</sup>For the appointment of Sidesmen and the Independent Examiner or Auditor].

#### Textual Amendments

**F508** Sch. 3 Appendix I s. 4: Words omitted (1.1.1995) by virtue of [S.I. 1994/3118](#), [para. 54](#).

**F509** Sch. 3 Appendix I s. 4: Words “For the appointment of sidesmen and the Auditor” expressed to be omitted (1.5.1997) by virtue of [S.I. 1995/3243](#), [para. 10](#).

**F510** Sch. 3 Appendix I s. 4: Words inserted (1.1.1995) by virtue of [S.I. 1995/3243](#), [para. 10](#).

For the consideration of:—

<sup>F511</sup>(a). . .

[<sup>F512</sup>(a) A report on changes in the Roll since the last annual parochial church meeting.]

<sup>F513</sup>(b). . .

<sup>F513</sup>(c). . .

<sup>F513</sup>(d). . .

<sup>F513</sup>(e). . .

[<sup>F514</sup>(b) an Annual Report on the proceedings of the parochial church council and the activities of the parish generally;

<sup>F514</sup>(c) The Financial Statements of the Council for the year ending on the 31st December immediately preceding the meeting audited or independently examined.]

[<sup>F515</sup>(d)] A Report upon the fabric, goods and ornaments of the church or churches of the parish;

[<sup>F515</sup>(e)] A Report on the proceedings of the Deanery Synod; and other matters of parochial or general Church interest.

#### Textual Amendments

**F511** Sch. 3 Appendix I s. 4 para. (a) omitted (1.1.1995) by virtue of [S.I. 1994/3118](#), [para. 55](#).

**F512** Sch. 3 Appendix I s. 4 para. (a) inserted (1.1.1995) by [S.I. 1994/3118](#), [para. 55](#).

**F513** Sch. 3 Appendix I s. 4 paras. (b)-(e) omitted (1.5.1996) by virtue of [S.I. 1995/3243](#), [para. 11](#).

**F514** Sch. 3 Appendix I s. 4 paras. (b)(c) inserted (1.5.1996) by [S.I. 1995/3243](#), [para. 11](#).

**F515** Sch. 3 Appendix I s. 4 paras. (d)(e) (originally (f)(g)) renumbered (1.5.1996) of [S.I. 1995/3243](#), [para. 11](#).

[<sup>F516</sup>Notes]

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**Textual Amendments**

**F516** Word in Sch. 3 Appendix 1 s. 4 inserted (1.1.1995) by [S.I. 1994/3118](#), [para. 55](#)

[<sup>F517</sup>(1)] All persons whose names are entered upon the Church Electoral Roll of the parish (and such persons only) are entitled to vote at the election of parochial representatives of the laity.

**Textual Amendments**

**F517** Sch. 3 Appendix 1 s. 4: paragraph beginning "All persons" renumbered (1.1.1995) as Note (1) by [S.I. 1994/3118](#), [para. 55](#)

F518

**Textual Amendments**

**F518** Para. repealed by [S.I. 1973/1865](#), [para. 33\(3\)](#)

F519

**Textual Amendments**

**F519** Sch. 3 Appendix 1 s. 4: Paragraphs beginning "Subject to" omitted (1.1.1995) by virtue of [S.I. 1994/3118](#), [para. 56](#).

F519

F520

**Textual Amendments**

**F520** Sch. 3 Appendix 1 s. 4: Paragraph beginning "Any person" omitted (1.1.1995) by virtue of [S.I. 1994/3118](#), [para. 56](#).

[<sup>F521</sup>(2) Subject to the provisions of rule 12(2)(c), a person is qualified to be a parochial representative of the laity if—

**Textual Amendments**

**F521** Sch. 3 Appendix 1 s. 4 Notes (2)(3) inserted (1.1.1995) by [S.I. 1994/3118](#), [para. 56](#)

- (a) his name is entered on the church electoral roll of the parish;
- (b) he is an actual communicant which means that he has received Communion according to the use of the Church of England or of a Church in communion with the Church of England at least three times during the twelve months preceding the date of the election; and
- (c) he is of eighteen years or upwards (for election to the deanery synod) or of sixteen years or upwards (for election to the parochial church council).

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[<sup>F522</sup>(d) he is not disqualified as referred to in paragraph 3 of these Notes.]

#### Textual Amendments

**F522** Sch. 3 Appendix 1 s. 4 Note (2)(d) inserted (1.1.2000) by [The Church Representation Rules \(Amendment\) Resolution 1999 \(S.I. 1999/2112\)](#), **paras. 21(a), 24(3)**

[<sup>F523</sup>(3) (a) A person shall be disqualified from being nominated, chosen or elected or from serving as a churchwarden, a member of a parochial church council, a district church council or any synod under these rules if he is disqualified from being a charity trustee under section 72(1) of the Charities Act 1993 and the disqualification is not for the time being subject to a general waiver by the Charity Commissioners under subsection (4) of that section or to a waiver by them under that subsection in respect of all ecclesiastical charities established for purposes relating to the parish concerned.

In this paragraph "ecclesiastical charity" has the same meaning as that assigned to that expression in the Local Government Act 1894;

(b) A person shall also be disqualified from being nominated, chosen or elected from serving as a churchwarden or member of a parochial church council if he has been so disqualified from holding office under section 10(6) of the Incumbent (Vacation of Benefice) Measure 1997.]

#### Textual Amendments

**F523** Sch. 3 Appendix 1 s. 4 Note (3) inserted by (1.1.2000) by [The Church Representation Rules \(Amendment\) Resolution 1999 \(S.I. 1999/2112\)](#), **paras. 21(b), 24(3)**

[<sup>F524</sup>(4)] Any person whose name is on the electoral roll may be appointed as a sidesman.]

#### Textual Amendments

**F524** Sch. 3 Appendix 1 s. 4 Notes (3), (4) renumbered as Notes (4), (5) (1.1.2000) by [The Church Representation Rules \(Amendment\) Resolution 1999 \(S.I. 1999/2112\)](#), **paras. 21(b), 24(3)**

[<sup>F525</sup>[<sup>F524</sup>(5)]\*\* A scheme is in operation in this parish which provides that any person entitled to vote in the elections of parochial representatives of the laity to the parochial church council or to the deanery synod or to both that council and that synod may make application on the appropriate form to the undersigned for a postal vote. The completed form must be received before the commencement of the Annual Parochial Church Meeting.

#### Textual Amendments

**F525** Sch. 3 Appendix 1 s. 4 Note inserted by [S.I. 1989/2094](#), **para. 17(5)** and renumbered (1.1.1995) as Note (4) by [S.I. 1994/3118](#), **para. 56**

\*\* This paragraph should be deleted if no scheme for postal voting is in operation in the parish.]

Signed

\*\*Minister of the parish

\*\*Include where applicable.

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\*\*Or “Vice-Chairman of the Parochial Church Council” as the case may be (see rule 6(3) of the Church Representation Rules).

[<sup>F526</sup>In this Notice “parish” means an ecclesiastical parish.]

**Textual Amendments**

**F526** Note inserted by [S.I. 1984/1039](#), [para. 29\(2\)](#)

**Textual Amendments**

**F526** Note inserted by [S.I. 1984/1039](#), [para. 29\(2\)](#)

[<sup>F527</sup>**SECTION 4A**

**APPLICATION FOR A POSTAL VOTE**

**Textual Amendments**

**F527** Section 4A inserted by [S.I. 1989/2094](#), [para. 17\(6\)](#)

Parish of

I (Full Christian name and surname)

of (Full postal address)

declare that my name is entered on the church electoral roll of the above parish and I hereby make application for a postal vote in any elections to which postal voting applies to be held at the forthcoming annual parochial church meeting for the parish. The voting paper should be sent or delivered to me at the above address OR \*at the following address

Dated .....19

Signed

\*delete as appropriate]

**SECTION 5**

**NOTICE OF ELECTION TO HOUSE OF CLERGY  
OR HOUSE OF LAITY OF DIOCESAN SYNOD**

Diocese of

Deanery of

1 An election of..... members of the House of Clergy/Laity of the Diocesan Synod will be held in the above Deanery on

2 Candidates must be nominated and seconded by qualified electors on forms to be obtained from

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[<sup>F528</sup>All members, other than co-opted members <sup>F529</sup>. . . , of the House of Clergy/  
 Laity of the deanery synod are qualified electors.]

**Textual Amendments**

**F528** Para. inserted by [S.I. 1973/1865, para. 34](#)

**F529** Words in Sch. 3 Appendix I s. 5 para. 2 omitted (1.1.1995) by virtue of [S.I. 1994/3118, para. 51](#).

[<sup>F530</sup> The election will be decided by simple majority/ [<sup>F531</sup>the single transferable vote.]]

**Textual Amendments**

**F530** S. 5(3) inserted by [S.I. 1980/178, para. 18\(4\)](#)

**F531** Words substituted by [S.I. 1984/1039, para. 29\(3\)](#)

[<sup>F532</sup>4] Nominations must be received by no later than 12 o'clock (noon) on  
 Date  
 Presiding Officer.

**Textual Amendments**

**F532** S. 5(4) (originally 5(3)) renumbered by [S.I. 1980/178, para. 18\(4\)](#)

## SECTION 6

### FORM OF NOMINATION TO THE HOUSE OF CLERGY OR HOUSE OF LAITY OF THE DIOCESAN SYNOD

Diocese of

Deanery of

Election of members of the House of Clergy/Laity of the Diocesan Synod

We the undersigned, being qualified electors, hereby nominate the following person as a candidate at the election in the above Deanery.

Surname	[ <sup>F533</sup> Christian Names]	Address . . . <small>F534</small>	[ <sup>F535</sup> Year for Birth]
---------	---------------------------------------	--------------------------------------	-----------------------------------

**Textual Amendments**

**F533** Words substituted by [S.I. 1973/1865, para. 35](#)

**F534** Words repealed by [S.I. 1989/2094, para. 17\(7\)](#)

**F535** [Sch. 3](#) Appendix I s. 6: Column headed "Year for Birth" inserted (1.1.1995) by [S.I. 1994/3118, para. 58](#).

Proposer's signature



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Proposer's full name

Address

Seconder's signature

Seconder's full name

Address

I, the above named ..... [<sup>F536</sup> declare that I am not subject to any disqualification referred to in the Notes on this form and] hereby signify my willingness to serve as a member of the House of Clergy/Laity of the Diocesan Synod if elected.

**Textual Amendments**

**F536** Sch. 3 Appendix 1 s. 6: words inserted (1.1.2000) by [The Church Representation Rules \(Amendment\) Resolution 1999 \(S.I. 1999/2112\)](#), **paras. 22(a)**, 24(3)

Candidate's signature

Note: This nomination must be sent to

so as to be received no later than 12 noon on

[<sup>F537</sup> All members, other than co-opted members <sup>F538</sup> . . . , of the House of Clergy/Laity of the deanery synod are qualified electors]

**Textual Amendments**

**F537** Para. inserted by [S.I. 1973/1865](#), **para. 35**

**F538** Words in Sch. 3 Appendix I s. 6 omitted (1.1.1995) by virtue of [S.I. 1994/3118](#), **para. 56**.

[<sup>F539</sup> *Disqualifications from being nominated (rule 46A)*

**Textual Amendments**

**F539** Sch. 3 Appendix 1 s. 6: words inserted (1.1.2000) by [The Church Representation Rules \(Amendment\) Resolution 1999 \(S.I. 1999/2112\)](#), **paras. 22(b)**, 24(3)

A person is disqualified from being nominated for membership of any Synod if he is disqualified from being a charity trustee under section 72(1) of the Charities Act 1993 and the disqualification is not for the time being subject to a general waiver by the Charity Commissioners under subsection (4) of that section or to a waiver by them under that subsection in respect of all ecclesiastical charities established for purposes relating to the parish concerned.

In this paragraph "ecclesiastical charity" has the same meaning as that assigned to that expression in the Local Government Act 1894.]

*Status: Point in time view as at 01/01/2000.*

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## SECTION 7

### FORM OF VOTING PAPER FOR ELECTIONS TO THE HOUSE OF CLERGY OR THE HOUSE OF LAITY OF THE DIOCESAN SYNOD

Diocesan Synod

Election of members of the House of Clergy/Laity

Deanery of

members to be elected.

### VOTING PAPER

<b>Candidates' names, addresses [<sup>F540</sup>and year of birth] . . .</b>	<b>Mark your vote in this column</b>
<sup>F541</sup>	

**Textual Amendments**

<sup>F540</sup> Words in Sch. 3 Appendix I s. 7 inserted (1.1.1995) by S.I. 1994/3118, **para. 59**.

<sup>F541</sup> Words repealed by S.I. 1989/2094, **para. 17(8)**

[<sup>F542</sup>Guidance to Voters]

**Textual Amendments**

<sup>F542</sup> Words substituted by S.I. 1984/1039, **para. 29(4)**

1. This voting paper must be signed [<sup>F542</sup>and the full name written on the reverse].
2. You have as many votes as there are members to be elected.
3. You may not give more than one vote to any one candidate.
4. You vote by placing an "X" opposite the name(s) of the candidate(s) of your choice.
5. If you inadvertently spoil your voting paper you may return it to the Presiding Officer who will give you another paper.
6. This voting paper duly [<sup>F542</sup>completed on the reverse thereof] must be delivered (by post or otherwise) to

so as to arrive by no later than

[<sup>F543</sup>(To be printed on back of form)]

**Textual Amendments**

<sup>F543</sup> Words inserted by S.I. 1980/178, **para. 18(5)**

Signature of Voter

*Status: Point in time view as at 01/01/2000.*

*Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Synodical Government Measure 1969. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)*

Full name

Address

[<sup>F544</sup>SECTION 8]

FORM OF VOTING PAPER FOR ELECTION TO THE HOUSE OF  
CLERGY OR THE HOUSE OF LAITY OF THE DIOCESAN SYNOD

**Textual Amendments**

**F544** Form inserted by [S.I. 1980/178](#), para. 18(6), [Sch.](#)

Diocesan Synod

Election of members of the House of Clergy/Laity

Deanery of

members to be elected.

VOTING PAPER

**Candidates' names, addresses [<sup>F545</sup>and**      **Mark your vote in this column**  
**year of birth] . . .**

<sup>F546</sup>

**Textual Amendments**

**F545** Words in Sch. 3 Appendix I s. 8 inserted (1.1.1995) by [S.I. 1994/3118](#), [para. 59](#).

**F546** Words repealed by [S.I. 1989/2094](#), [para. 17\(8\)](#)

[<sup>F547</sup>Guidance to Voters]

**Textual Amendments**

**F547** Words substituted by [S.I. 1984/1039](#), [para. 29\(5\)](#)

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### Textual Amendments

**F547** Words substituted by [S.I. 1984/1039](#), [para. 29\(5\)](#)

1. This voting paper must be signed and the full name written on the reverse.
2. Use your single transferable vote by entering “1” against your first preference, and if desired, “2” against your second preference, “3” against your third preference, and so on as far as you wish. The sequence of your preferences is crucial. NO CROSS should be used.
3. You should continue to express preferences for as long as you are able to place successive candidates in order. A later preference is considered only if an earlier preference either has a surplus above the quota (the minimum number required to guarantee election) or has been excluded because of insufficient support.
4. The numbering of your preferences must be consecutive and given to different candidates. Remember that your making a second or subsequent preference cannot affect the chances of any earlier preference.
5. If you inadvertently spoil your voting paper you may return it to the Presiding Officer who will give you another paper.
6. The voting paper duly completed on the reverse thereof must be delivered (by post or otherwise) to  
so as to arrive by no later than

(to be printed on back of form)

Signature of Voter

Full name

Address

## APPENDIX II

### GENERAL PROVISIONS RELATING TO PAROCHIAL CHURCH COUNCILS

#### *Officers of the council.*

- 1 (a) The minister of the parish shall be chairman of the parochial church council (hereinafter referred to as “the council”).
- (b) A lay member of the council shall be elected as vice-chairman of the council.
- (c) During the vacancy of the benefice [<sup>F548</sup>or] when the chairman is incapacitated by absence or illness or any other cause [<sup>F549</sup>or when the minister invites him to do so] the vice-chairman of the council shall act as chairman and have all the powers vested in the chairman.
- [<sup>F550</sup>(d) (i) The Council may appoint one of their number to act as secretary of the Council. Failing such appointment the office of secretary shall be discharged by some other fit person who shall not thereby become a member of the

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- Council, provided that such person may be co-opted to the Council in accordance with the provisions of rule 14(1)(h);
- (ii) where a person other than a member of the Council is appointed to act as secretary, that person may be paid such remuneration (if any) as the council deems appropriate provided that such person shall not be eligible to be a member of the council;]
  - [<sup>F551</sup>(iii)] The secretary shall have charge of all documents relating to the current business of the council except that, unless he is the electoral roll officer; he shall not have charge of the roll. He shall be responsible for keeping the minutes, shall record all resolutions passed by the council and shall keep the secretary of the diocesan synod and deanery synod informed as to his name and address.
  - [<sup>F552</sup>(e) (i) The council may appoint one or more of their number to act as treasurer solely or jointly. Failing such appointment, the office of treasurer shall be discharged either—  
by such of the churchwardens as are members of the council or, if there is only one such churchwarden, by that churchwarden solely; or  
by some other fit person who shall not thereby become a member of the council, provided that such person may be co-opted to the council in accordance with the provisions of rule 14(1)(h).
  - (ii) where a person other than a member of the Council is appointed to act as treasurer that person may be paid such remuneration (if any) as the Council deems appropriate provided that such person shall not be eligible to be a member of the Council.]
  - (f) The council shall appoint an electoral roll officer, who may but need not be a member of the council and may be the secretary, and if he is not a member may pay to him such remuneration as it shall think fit. He shall have charge of the roll.
  - <sup>F553</sup>(g) .....
  - <sup>F554</sup>(g) .....
  - [<sup>F555</sup>(g) If an independent examiner or auditor to the Council is not appointed by the annual meeting or if an independent examiner or auditor appointed by the annual meeting is unable or unwilling to act, an independent examiner or auditor (who shall not be a member of the council) shall be appointed by the council for a term of office ending at the close of the next annual meeting. The remuneration (if any) of the independent examiner or auditor shall be paid by the council.]
  - [<sup>F556</sup>(h) For the purposes of this paragraph, where a special cure of souls in respect of a parish has been assigned to a vicar in a team ministry, or where there has been no such assignment but a special responsibility for pastoral care in respect of the parish has been assigned to a member of the team under section 20(8A) of the Pastoral Measure 1983, that vicar or that member, as the case may be, shall be deemed to be the minister unless incapacitated by absence or illness or any other cause, in which case the rector in the team ministry shall be deemed to be the minister.]

**Textual Amendments**

**F548** Word substituted by [S.I. 1980/178, para. 19](#).

**F549** Words inserted by [S.I. 1980/178, para. 19](#).

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- F550** Sch. 3 Appendix 2 para. 1(d)(i)(ii) substituted for words (1.1.2000) by [The Church Representation Rules \(Amendment\) Resolution 1999 \(S.I. 1999/2112\)](#), **paras. 23(a)**, 24(3)
- F551** Words in Sch. 3 Appendix 2 para. 1(d) renumbered as para. 1(d)(iii) (1.1.2000) by [The Church Representation Rules \(Amendment\) Resolution 1999 \(S.I. 1999/2112\)](#), **paras. 23(a)**, 24(3)
- F552** Sch. 3 Appendix 2 para. 1(e) substituted (1.1.2000) by virtue of [The Church Representation Rules \(Amendment\) Resolution 1999 \(S.I. 1999/2112\)](#), **paras. 23(b)**, 24(3)
- F553** Sch. 3 Appendix II para. (1)(g) omitted (1.1.1995) by virtue of [S.I. 1994/3118](#), **para. 61**.
- F554** Sch. 3 Appendix II para. (1)(g) omitted (1.5.1997) by virtue of [S.I. 1995/3243](#), **para. 12**.
- F555** Sch. 3 Appendix II para. (1)(g) inserted (1.5.1997) by virtue of [S.I. 1995/3243](#), **para. 12**.
- F556** Sch. 3 Appendix II para. (1)(h) inserted (1.5.1996) by [1995 No. 1, s. 11](#); [Instrument dated 12.2.1996 made by Archbishops of Canterbury and York](#).

#### *Meetings of Council.*

- 2 The council shall hold not less than four meetings in each year. Meetings shall be convened by the chairman and if not more than four meetings are held they shall be at quarterly intervals so far as possible.

#### *Power to call meetings.*

- 3 The chairman may at any time convene a meeting of the council. If he refuse or neglect to do so within seven days after a requisition for that purpose signed by not less than one-third of the members of the council has been presented to him those members may forthwith convene a meeting.

#### *Notices relating to meetings.*

- 4 (a) Except as provided in paragraph 8 of this Appendix, at least ten clear days before any meeting of the council notice thereof specifying the time and place of the intended meeting and signed by or on behalf of the chairman of the council or the persons convening the meeting shall be posted at or near the principal door of every church, or building licensed for public worship in the parish.

- (b) Not less than seven days before the meeting a notice thereof specifying the time and place of the meeting signed by or on behalf of the secretary shall be [<sup>F557</sup>posted or delivered] to every member of the council. Such notice shall contain the agenda of the meeting including any motion or other business proposed by any member of the council of which notice has been received by the secretary.

[<sup>F558</sup>The notice required by this sub-paragraph shall not be required for a council meeting immediately following the annual parochial church meeting being a council meeting which has been called solely for the purpose of appointing or electing any officers of the Council or the members of the standing committee thereof provided that the notice required by sub-paragraph (a) hereof has been given.]

- [<sup>F559</sup>(c) If for some good and sufficient reason the chairman, vice-chairman and secretary, or any two of them, consider that a convened meeting should be postponed, notice shall be given to every member of the council specifying a reconvened time and place within fourteen days of the postponed meeting.]

#### **Textual Amendments**

- F557** Words substituted by [S.I. 1989/2094](#), **para. 18(1)**

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**F558** Paragraph inserted by S.I. 1989/2094, **para. 18(1)**

**F559** Para. 4(c) inserted by S.I. 1984/1039, **para. 30(2)**

### *Chairman at meetings.*

5 Subject to the provisions of [<sup>F560</sup>rules [<sup>F561</sup>22 and 23]] the chair at a meeting of the council shall be taken:—

- (a) by the chairman of the council if he is present;
- [<sup>F562</sup>(b) subject to paragraphs (c) and (d) hereof, if the chairman of the council is not present, by the vice-chairman of the council if he is present;
- (c) if the benefice is vacant and a minister acting as priest-in-charge of a parish in respect of which rights of presentation are suspended, by the priest-in-charge;]

[<sup>F563</sup>(d) In the case of a parish in the area of a benefice for which a team ministry is established, by the rector in that ministry if he is present and both the vicar in that ministry who would if he were present be entitled, by virtue of a provision in a pastoral scheme or the bishop's licence, to preside and the vice-chairman of the council are not present].

Provided that at any such meeting the chairman [<sup>F565</sup>presiding] shall, if he thinks it expedient to do so or the meeting so resolves, vacate the chair either generally or for the purposes of any business in which he has a personal interest or for any other particular business.

Should neither the chairman or vice-chairman [<sup>F566</sup>, the vice chairman, nor, where sub-paragraphs (c) and (d) above apply, the priest-in-charge or rector] be available to take the chair for any meeting or for any particular item on the agenda during a meeting then a chairman shall be chosen by those members present from among their number and the person so chosen shall preside for that meeting or for that particular item.

### **Textual Amendments**

**F560** Words substituted by S.I. 1989/2094, **para. 18(2)(i)**

**F561** Words in **Sch. 3** Appendix II para. 5 amended (1.1.1995) by S.I. 1994/3118, **para. 63, Sch.**

**F562** Appendix II para. 5(b)(c) substituted for (b) by S.I. 1989/2094, **para. 18(2)(ii)**

**F563** **Para. 5(c)** inserted by S.I. 1981.959, para. 11(1)

**F564** Appendix II para. 5(c) renumbered (d) by S.I. 1989/2094, **para. 18(2)(iii)**

**F565** Words substituted by S.I. 1981/959, **para. 11(2)(a)**

**F566** Words substituted by S.I. 1989/2094, **para. 18(2)(iv)**

### *Quorum and agenda.*

6 No business shall be transacted at any meeting of the council unless at least one-third of the members are present thereat and no business which is not specified in the agenda shall be transacted at any meeting except by the consent of three-quarters of the members present at the meeting.

*Status: Point in time view as at 01/01/2000.*

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*Order of business.*

- 7 The business of a meeting of the council shall be transacted in the order set forth in the agenda unless the council by resolution otherwise determine.

*Short Notice for emergency meetings.*

- 8 In case of sudden emergency or other special circumstances requiring immediate action by the council a meeting may be convened by the chairman of the council at not less than three [<sup>F567</sup>clear]days' notice in writing to the members of the council but the quorum for the transaction of any business at such meetings shall be a majority of the then existing members of the council and no business shall be transacted at such meeting except as is specified in the notice convening the meeting.

**Textual Amendments**

**F567** Word inserted by [S.I. 1973/1865, para. 36](#)

*Place of meetings.*

- 9 The meeting of the council shall be held at such place as the council may direct or in the absence of such direction as the chairman may direct.

*Vote of majority to decide.*

- 10 The business of the Council shall be decided by a majority of the members present and voting thereon.

*Casting vote.*

- 11 In the case of an equal division of votes the chairman of the meeting shall have a second or casting vote.

*Minutes.*

- 12 (a) The names of the members present at any meeting of the council shall be recorded in the minutes.
- (b) If one-fifth of the members present and voting on any resolution so require, the minutes shall record the names of the members voting for and against that resolution.
- (c) Any member of the council shall be entitled to require that the minutes shall contain a record of the manner in which his vote was cast on any resolution.

<sup>F568</sup>(d) .....

[<sup>F569</sup>(d) Minutes of meetings of the council shall be available to all members of the Council. The members shall also have access to past minutes which the Chairman and Vice-Chairman jointly determine to be relevant to current Council business.

<sup>F570</sup>(e) .....

[<sup>F571</sup>(e) The independent examiner or auditor of the council's financial statements, the bishop, the archdeacon and any person authorised by one of them in



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writing shall have access to the approved minutes of council meetings without the authority of the council.]

<sup>F569</sup>(f) Other persons whose names are on the church electoral roll may have access to the approved minutes of Council meetings held after the annual parochial church meeting in 1995 except any minutes deemed by the Council to be confidential.

<sup>F569</sup>(g) Other persons may have access to the minutes of Council meetings only in accordance with a specific authorisation of the Council provided that, where minutes have been deposited in the diocesan record office pursuant to the Parochial Registers and Records Measure 1978, the authorisation of the council may be dispensed with.]

#### Textual Amendments

**F568** Sch. 3 Appendix II para 12(d) omitted (1.1.1995) by virtue of S.I. 1994/3118, para. 62.

**F569** Sch. 3 Appendix II paras. (d)-(g) inserted (1.1.1995) by S.I. 1994/3118, para. 62.

**F570** Sch. 3 Appendix II para. 12(e) omitted (1.5.1997) by virtue of S.I. 1995/3243, para. 13.

**F571** Sch. 3 Appendix II para. 12(e) inserted (1.5.1997) by S.I. 1995/3243, para. 13.

#### Adjournments.

13 Any meeting of the council may adjourn its proceedings to such time and place as may be determined at such meeting.

#### Standing committee.

14 (a) The council shall have a standing committee consisting of not less than five persons. The minister and such of the churchwardens as are members of the council shall be ex-officio members of the standing committee, and the council shall by resolution appoint at least two other members of the standing committee from among its own members and may remove any person so appointed. [<sup>F572</sup>Unless removed from office, the appointed members shall hold office from the date of their appointment until the conclusion of the next annual meeting of the parish.]

(b) The standing committee shall have power to transact the business of the council between the meetings thereof subject to any directions given by the council.

#### Textual Amendments

**F572** Words inserted by S.I. 1989/2094, para. 18(3)

#### Other committees.

15 The council may appoint other committees for the purpose of the various branches of church work in the parish and may include therein persons who are not members of the council. The minister shall be a member of all committees ex-officio.

[<sup>F573</sup>16 An independent examiner or auditor of the Council's financial statements shall—  
(a) have a right of access with respect to books, documents or other records (however kept) which relate to the said financial statements;

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- (b) have a right to require information and explanations from past or present treasurers or members of the council and, in case of default, the independent examiner or auditor may apply to the Charity Commissioners for an order for directions pursuant to section 44(2) of the Charities Act 1993 or any statutory modification thereof for the time being in force.]

**Textual Amendments**

**F573** Sch. 3 Appendix II para. 16 inserted (1.5.1997) by S.I. 1995/3243, para. 16.

*Validity of proceedings.*

- [<sup>F574</sup>17] No proceedings of the council shall be invalidated by any vacancy in the membership of the council or by any defect in the qualification or election of any member thereof.

**Textual Amendments**

**F574** Sch. 3 Appendix II para. 16 renumbered as para. 17 (1.5.1997) by S.I. 1995/3243, para. 14.

*Interpretation.*

- [<sup>F575</sup>18] Any question arising on the interpretation of this Appendix shall be referred to the bishop of the diocese and any decision given by him or by any person appointed by him on his behalf shall be final.

**Textual Amendments**

**F575** Sch. 3 Appendix II para. 17 renumbered as para. 18 (1.5.1997) by S.I. 1995/3243, para. 14.

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