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SCHEDULES

SCHEDULE 3

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 IV

DIOCESAN SYNODS

Membership of Diocesan Synods

[^{F1}30] (1) A diocesan synod shall consist of [^{F2}a house of bishops], a house of clergy and a house of laity.

[^{F3} The members of the house of bishops shall consist of the bishop of the diocese, every
^{F4}(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.]
^{F4}(3)

[^{F4}(4)] The members of the house of clergy shall consist of—

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

[^{F5}(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 [^{F6}(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 [^{F7}treated for this purpose as being] wholly in the diocese of London) to the Lower House of the Convocation of the Province ^{F8}. . . ;

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- [^{F9}(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;]
- [^{F10}(vi)] the chancellor of the diocese (if in Holy Orders); and
- [^{F10}(vii)] the chairman of the diocesan board of finance [^{F11}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.

[^{F4}(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 [^{F11}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 ^{F12}. . . ;
 - [^{F13}(iv)] any other member of that House, being [^{F14}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 ^{F15}. . . [^{F16}actual communicants]of age to vote at a Parliamentary election.

[^{F4}(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. [^{F17}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.]

[^{F18F19F4}(7)]

[^{F18}(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.]

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[^{F20}(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

- F1 Sch. 3 rule 30 (originally 24) renumbered (1.1.1995) by S.I. 1994/3118, para. 25.
- F2 Words substituted by S.I. 1980/178, para. 8(1)
- F3 Rule 24(1A)(1B) inserted by S.I. 1980/178, para. 8(1)
- F4 Sch. 3 rule 24 paras. (2)-(7) (originally (1A)-(5)) renumbered (1.1.1995) by S.I. 1994/3118, paras. 25(a), 63, Sch.
- F5 Rule 24(2)(a)(i) substituted by S.I. 1980/178, para. 8(2)
- F6 Words in Sch. 3 rule 24 para. (4) (originally (2)) amended (1.1.1995) by S.I. 1994/3118, para. 63, Sch.
- F7 Words substituted by S.I. 1973/1865, para. 14(2)
- F8 Words in Sch. 3 rule 30 para. (4)(a)(iv) omitted (1.1.1995) by virtue of S.I. 1994/3118, para. 25(c).
- F9 Rule 24(2)(a)(v) inserted by S.I. 1973/1865, para. 14(3)
- F10 Rule 24(2)(a)(vi)(vii) (originally (a)(v)(vi)) re-numbered by S.I. 1973/1865, para. 14(3)
- F11 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
- F12 Words in Sch. 3 rule 30 para. (5)(a)(iii) omitted (1.1.1995) by virtue of S.I. 1994/3118, para. 25(c).
- F13 Rule 24(3)(a)(iv) added by S.I. 1973/1865, para. 14(4)
- F14 Words substituted by S.I. 1984/1039, para. 16(1)
- F15 Words in Sch. 3 rule 30 para. (5)(c) omitted (1.1.1995) by virtue of S.I. 1994/3118, para. 25(b).
- F16 Words in Sch. 3 rule 30 para. (5)(c) inserted (1.1.1995) by S.I. 1994/3118, para. 25(b).
- F17 Words inserted by S.I. 1984/1039, para. 16(2)
- F18 Sch. 3 Rule 30 para. (7) inserted (1.1.1996) by S.I. 1995/3243, para. 7.
- F19 Sch. 3 Rule 30 para. (7) omitted (1.1.1996) by virtue of S.I. 1995/3243, para. 7.
- F20 Sch. 3 rule 30 para. (8) inserted (1.1.1995) by S.I. 1994/3118, para. 25(d).

Elections of Members of Diocesan Synods by Deanery Synods

[^{F21}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 [^{F22}of three years beginning with the 1st [^{F23}August] next following their election].

(2) Any clerk in Holy Orders who is a member of the deanery synod ^{F24}. . . shall be qualified to be so elected by the house of clergy of a deanery synod, and the electors shall be [^{F25}those whose names and addresses are recorded in the register of clerical electors]. . . [^{F26}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) [^{F27}Subject to the provisions of rule [^{F28}1(4)]] any lay person who is an actual communicant ^{F29}. . . [^{F30}as defined in rule 54(1)]of [^{F31}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 [^{F32}those whose names

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and addresses are recorded in the register of lay electors] other than ^{F29} . . . [^{F33} persons co-opted to the deanery synod under rule 24(7)]

. . . ^{F34}

^{F35} [^{F36}(4) 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 [^{F37} in accordance with rule 32(4)].

^{F36}(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.]

^{F36}(6) The diocesan synod shall, not later than the [^{F38} 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 . . . ^{F39} under rule 4:

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

^{F40}(7)

^{F41}(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 synod the number of members of the house of clergy of the synod as at the 30th April.]

^{F36}(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 ^{F42} . . . [^{F43} houses of clergy and laity] are approximately equal:

. . . ^{F44}

^{F45} For the avoidance of doubt it is hereby declared that the [^{F46} 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.]

^{F36}(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

F21 Sch. 3 rule 31 (originally 25) renumbered (1.1.1995) by S.I. 1994/3118, para. 25.

F22 Words substituted by S.I. 1973/1865, para. 15(1)

F23 Word substituted by S.I. 1981/1650, para. 2

F24 Words in Sch. 3 rule 31 para. (2) omitted (1.1.1995) by virtue of S.I. 1994/3118, para. 25(e).

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- F25** Words substituted by virtue of S.I. 1989/2094, **para. 8(1)**
- F26** Words in **Sch. 3 rule 31** para. (2) inserted (1.1.1995) by S.I. 1994/3118, **para.25(e)**.
- F27** Words inserted by S.I. 1973/1865, **para. 15(2)**
- F28** Words in **Sch. 3 rule 25** para. (3) amended (1.1.1995) by S.I. 1994/3118, **para. 63, Sch.**
- F29** Words in **Sch. 3 rule 31** para. (3) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 26.**
- F30** Words in **Sch. 3 rule 31** para. (3) inserted (1.1.1995) by S.I. 1994/3118, **para. 26.**
- F31** Words substituted by S.I. 1973/1865, **para. 15(2)**
- F32** Words substituted by virtue of S.I. 1989/2094, **para. 8(2)**
- F33** Words in **Sch. 3 rule 31** para. (3) inserted (1.1.1995) by S.I. 1994/3118, **para. 26.**
- F34** **Rule 25(3)** proviso repealed by S.I. 1973/1865, **para. 15(2)**
- F35** **Sch. 3 rule 25(3A)(3B)** inserted by S.I. 1989/2094, **para. 8(3)**
- F36** **Sch. 3 rule 31** paras. (4)-(9) (originally (3A)-(7)) renumbered (1.1.1995) by S.I. 1994/3118, **para. 26.**
- F37** 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)**
- F38** Words substituted by S.I. 1973/1865, **para. 15(3)**
- F39** Words repealed by S.I. 1973/1865, **para. 15(3)**
- F40** **Sch. 3 rule 31** para. (7) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 27.**
- F41** **Sch. 3 rule 31** para. (7) inserted (1.1.1995) by S.I. 1994/3118, **para. 27.**
- F42** Words in **Sch. 3 rule 31** para. (8) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 28.**
- F43** Words in **Sch. 3 rule 31** para. (8) inserted (1.1.1995) by S.I. 1994/3118, **para.28.**
- F44** Words repealed by S.I. 1984/1039, **para. 17(1)**
- F45** Para. added by S.I. 1973/1865, **para. 15(4)**
- F46** Words substituted by S.I. 1984/1039, **para. 17(2)**

[^{F47} ~~21~~]^{F48}(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 an election by a house^{F49} . . . of which he is a member. The expenses of elections shall be paid out of diocesan funds.

[The diocesan electoral registration officer shall furnish the presiding officer with the
^{F50}(3) 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.]

[^{F50}(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 [^{F51}together with a form of nomination in the form set out in section 6 of Appendix I] shall be^{F52} . . . [^{F53}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

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100 words a factual statement for circulation with the voting papers of the candidate's professional qualifications, present office and any relevant past experience.]

[^{F50F54}(5)]

[^{F55}(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.]

[^{F50}(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 [^{F56}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 [^{F57}31], [^{F58}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.]

[^{F50}(7) The voting paper marked and [^{F59}, 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 . . . ^{F60}No vote shall be counted if given on a voting paper not in accordance with this paragraph.

[^{F50}(8) Where [^{F61}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 the persons for whom the equal numbers of votes have been cast shall be taken by lot by the presiding officer.

[^{F62} Where voting papers in the form set out in section 8 of Appendix I are used, the election shall be conducted under rules, with the necessary modifications, made by [^{F50}(9) the General Synod under rule [^{F63}39(7)] and for the time being in force.]

[^{F64} A return of the result of the election shall be sent by the presiding officer to the [^{F50}(10)] secretary of the diocesan synod and a statement of the result shall be sent by [^{F65}the presiding officer] to every candidate not later than the 1st [^{F66}August] in each election year.

Textual Amendments

- F47** Sch. 3 rule 32 (originally 26) renumbered (1.1.1995) by S.I. 1994/3118, para. 29.
- F48** Sch. 3 rule 26(1)(2)(2A) substituted for paras. (1) and (2) by S.I. 1989/2094, para. 9(1)
- F49** Sch. 3 rule 32 para. (2) omitted (1.1.1995) by virtue of S.I. 1994/3118, para. 29.
- F50** Sch. 3 rule 32 paras. (3)-(10) (originally (2A)-(8)) renumbered (1.1.1995) by S.I. 1994/3118, para. 29.
- F51** 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)
- F52** Words in Sch. 3 rule 32 para. (4) omitted (1.1.1995) by virtue of S.I. 1994/3118, para. 30.
- F53** Words in Sch. 3 rule 32 para. (4) inserted (1.1.1995) by S.I. 1994/3118, para. 30.

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- F54** Sch. 3 rule 32 para. (5) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para.31**.
- F55** Sch. 3 rule 32 para. (5) inserted (1.1.1995) by S.I. 1994/3118, **para. 31**.
- F56** Words substituted by S.I. 1980/178, **para. 9(1)**
- F57** Words in Sch. 3 rule 26 para. (4) amended (1.1.1995) by S.I. 1994/3118, para. 63, **Sch.**
- F58** Words substituted by S.I. 1984/1039, **para. 18(3)**
- F59** Words substituted by S.I. 1981/1650, **para. 18(4)**
- F60** Words repealed by S.I. 1980/178, **para. 9(2)**
- F61** Words inserted by S.I. 1980/178, **para. 9(3)**
- F62** Rule 26(7) inserted by S.I. 1980/178, **para. 9(4)**
- F63** Words in Sch. 3 rule 26 para. (7) amended (1.1.1995) by S.I. 1994/3118, para. 63, **Sch.**
- F64** Rule 26(8) (originally 26(7)) renumbered by S.I. 1980/178, **para. 9(5)**
- F65** Words substituted by S.I. 1973/1865, **para. 15(5)**
- F66** Word substituted by S.I. 1981/1650, **para. 3(3)**

Variation of Membership of Diocesan Synods by Scheme

[^{F67}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:

... ^{F68}

(2) Paragraphs (2) [^{F69}to (5)] of rule [^{F70}26] shall apply to schemes under this rule as it applies to schemes under that rule.

Textual Amendments

- F67** Sch. 3 rule 33 (originally 27) renumbered (1.1.1995) by S.I. 1994/3118, **para. 32**
- F68** Rule 27(1) proviso repealed by S.I. 1973/1865, **para. 16**
- F69** Words substituted by S.I. 1980/178, **para. 10**
- F70** Sch. 3 rule 27 para. (2) amended (1.1.1995) by S.I. 1994/3118, para. 63, **Sch.**

Procedure of Diocesan Synods

[^{F71}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 [^{F72}in the case of a diocese in which area synods have been constituted in accordance with section 17 of the ^{M1}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 [^{F73}three] next following sub-paragraphs, nothing shall be deemed to have the assent of the diocesan synod unless the three [^{F74}houses] which constitute the synod have assented thereto [^{F75}but that if in the case

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- of a particular question [^{F76}(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 [^{F76}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, . . . ^{F77}
- [^{F78}(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.]
- [^{F79}(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;
- [^{F80}(i) that where there is an equal division of votes in the house of bishops, [^{F81}the diocesan bishop] shall have a second or casting vote;
- [^{F80}(j) that [^{F82}the diocesan bishop] shall have a right to require that his opinion on any question shall be recorded in the minutes;]
- [^{F83}(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.

[^{F84}(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.]

[^{F85}(3) The registrar of the diocese shall be the registrar of the diocesan synod, and may appoint a deputy.

Textual Amendments

- F71** Sch. 3 rule 34 (originally 28) renumbered (1.1.1995) by S.I. 1994/3118, **para. 32**.
- F72** Words inserted by S.I. 1980/178, **para. 11(1)**
- F73** Word substituted by S.I. 1984/1039, **para. 19(1)**
- F74** Word substituted by S.I. 1980/178, **para. 11(2)**
- F75** Words inserted by S.I. 1980/178, **para. 11(2)**
- F76** Words substituted by S.I. 1984/1039, **para. 19(1)**
- F77** Words repealed by S.I. 1984/1039, **para. 19(2)**
- F78** Rule 28(1)(g) inserted by S.I. 1984/1039, **para. 19(3)**
- F79** Rule 28(1)(h) (originally 28(1)(g)) relettered by S.I. 1984/1039, **para. 19(4)**
- F80** 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)**
- F81** Words substituted by S.I. 1984/1039, **para. 19(4)**
- F82** Words substituted by S.I. 1984/1039, **para. 19(5)**
- F83** Rule 28(1)(k) (originally 28(1)(h)) relettered by S.I. 1980/178, **para. 11(5)** and 1984/1039, **para. 19(4)**
- F84** Rule 28(2) inserted by S.I. 1980/178, **para. 11(5)**
- F85** Rule 28(3) (originally 28(2)) renumbered by S.I. 1980/178, **para. 11(6)**

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