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## SCHEDULES

### [<sup>F1</sup>SCHEDULE 3

#### CHURCH REPRESENTATION RULES

##### Textual Amendments

- F1** Sch. 3 substituted (1.1.2020) by Church Representation and Ministers Measure 2019 (No. 1), s. 1(3), **Sch. 1** (with Sch. 3); S.I. 2019/1460, art. 2

##### 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))
- C1** Sch. 3 applied by 2001 No. 1, s. 5(7) (as substituted (19.5.2014) by Church of England (Miscellaneous Provisions) Measure 2014 (No. 1), s. 21(2), **Sch. 2 para. 15**; S.I. 2014/1369, art. 2)

### PART 4

#### DIOCESAN SYNODS

##### *Membership*

##### *Composition*

- 29 (1) A diocesan synod consists of—
- (a) a house of bishops,
  - (b) a house of clergy, and
  - (c) a house of laity.

- (2) The bishop of the diocese is the president of the diocesan synod.

##### *House of bishops*

- 30 The members of the house of bishops of a diocesan synod are—
- (a) the bishop of the diocese,
  - (b) each suffragan bishop of the diocese, and
  - (c) such other persons in episcopal orders who work in the diocese as the bishop of the diocese may nominate with the agreement of the archbishop of the province.

##### *House of clergy*

- 31 (1) The ex officio members of the house of clergy of a diocesan synod are—
- (a) the dean of the cathedral church of the diocese or, where the diocese has more than one cathedral church, the dean of each of them,
  - (b) the archdeacon of each archdeaconry in the diocese,

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- (c) each proctor elected from the diocese or from a university or theological education institution in the diocese to the Lower House of Convocation of the province,
  - (d) any other member of the Lower House of Convocation of the province who resides in the diocese, being either an ex officio or co-opted member of that House or a person chosen by and from the clerical members of the religious communities in the province,
  - (e) the chancellor of the diocese (if in Holy Orders),
  - (f) the chair of the diocesan board of finance (if in Holy Orders),
  - (g) the chair of the diocesan board of education (if in Holy Orders), and
  - (h) the chair of the diocesan advisory committee (if in Holy Orders).
- (2) The other members of the house of clergy of a diocesan synod are—
- (a) any clerk in Holy Orders nominated by the bishop under Rule 33,
  - (b) each person elected by the house of clergy of each deanery synod in the diocese in accordance with Rules 35 to 42, and
  - (c) no more than five other persons, each of whom must be a clerk in Holy Orders and co-opted as a member by the house of clergy of the diocesan synod.
- (3) The reference in paragraph (1)(a) to the dean of the cathedral church of a diocese includes—
- (a) in the case of the diocese of London, a reference to the Dean of Westminster;
  - (b) in the case of the diocese of Oxford, a reference to the Dean of Windsor;
  - (c) in the case of the diocese of Winchester, a reference to the Deans of Jersey and Guernsey.
- (4) For the purposes of paragraph (1)(c)—
- (a) each institution which is a member of the University of London is to be treated as a separate university wholly in the diocese in which its main site is situated, and
  - (b) any other university or theological education institution which is situated in more than one diocese is to be treated as being wholly in the diocese in which its main site is situated.

#### *House of laity*

- 32 (1) The ex officio members of the house of laity of a diocesan synod are—
- (a) each person elected from the diocese as a member of the House of Laity of the General Synod,
  - (b) any other member of the House of Laity of the General Synod who resides in the diocese, being either an ex officio or co-opted member of that House or a lay person chosen by and from the religious communities in the province,
  - (c) the chancellor of the diocese (if not in Holy Orders),
  - (d) the chair of the diocesan board of finance (if not in Holy Orders),
  - (e) the chair of the diocesan board of education (if not in Holy Orders), and
  - (f) the chair of the diocesan advisory committee (if not in Holy Orders).
- (2) The other members of the house of laity of a diocesan synod are—
- (a) any lay person nominated by the bishop under Rule 33,
  - (b) each person elected by the house of laity of each deanery synod in the diocese in accordance with Rules 35 to 42, and

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- (c) no more than five other persons, each of whom must be an actual communicant aged 16 or over and co-opted as a member by the house of laity of the diocesan synod.

*Power of bishop to nominate members*

- 33 (1) The bishop of a diocese may nominate up to ten additional members of the diocesan synod.
- (2) A clerk in Holy Orders who is nominated under this Rule becomes a member of the house of clergy of the diocesan synod.
- (3) A lay person who is nominated under this Rule becomes a member of the house of laity of the diocesan synod.
- (4) A person who becomes a member of a diocesan synod under this Rule has the same rights, and is subject to the same requirements, as an elected member.
- (5) Where a person nominated under this Rule is eligible under Rule 15 or 16 for membership of more than one deanery synod, the bishop's council and standing committee must designate the deanery synod of which the person is to be a member.
- (6) Where a person nominated under this Rule is a lay person who is on the roll of more than one parish, the person must choose the PCC of which he or she is to be a member.

*Restrictions on membership*

- 34 (1) A person may not be a member of more than one diocesan synod at the same time unless the person is—
- (a) the chancellor of the diocese, or
- (b) if a parish in the diocese has passed a resolution under the House of Bishops' Declaration on the Ministry of Bishops and Priests of 19 May 2014, a suffragan bishop chosen by the bishop of the diocese to undertake ministry in respect of that parish.
- (2) The registrar of a diocese and any deputy registrar are each disqualified from—
- (a) standing for election to the diocesan synod,
- (b) being nominated or co-opted as a member, and
- (c) being an ex officio member.

*Election of members*

*Timing*

- 35 (1) Every three years beginning with 2021, the house of clergy and the house of laity of each deanery synod in a diocese must elect the members of the diocesan synod.
- (2) The elections must be completed by 15 July; and accordingly the bishop of the diocese—
- (a) must fix the timetable and date for each election, and
- (b) must ensure that the secretary of each deanery synod is informed.
- (3) An elected member holds office for a term of three years beginning with the next 1 August following the election.

*Eligibility*

- 36 (1) A clerk in Holy Orders who is a member of a deanery synod is qualified for election by the house of clergy of that deanery synod as a member of the diocesan synod.

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- (2) A clerk in Holy Orders may not stand for election by more than one deanery synod.
- (3) A lay person is qualified for election by the house of laity of a deanery synod as a member of the diocesan synod if the person is an actual communicant aged 16 or over—
  - (a) whose name is on the roll of a parish in the deanery,
  - (b) whose name is on the community roll of a cathedral church in the deanery which is not a parish church,
  - (c) who, in a case where the area of the deanery includes Westminster Abbey, St. George's Chapel, Windsor or the cathedral church of Christ in Oxford, is declared by the dean to be a habitual worshipper, or
  - (d) who is declared by the leader of a mission initiative in the deanery to be part of the worshipping community involved in the initiative.
- (4) A person whose name is on the roll of more than one parish must choose one of the parishes concerned for the purposes of paragraph (3)(a).
- (5) A person who is part of the worshipping community involved in a mission initiative which is in more than one deanery, or who is part of the worshipping community involved in mission initiatives in different deaneries, must choose one of the deaneries concerned for the purposes of paragraph (3)(d).

#### *Numbers*

- 37
- (1) A diocesan synod must, no later than 31 December in the year before an election of its members, determine for each house of each deanery synod in the diocese the number of members to be elected by that house.
  - (2) In the case of an election by the house of clergy of a deanery synod, the number of members to be elected—
    - (a) must relate to the number of members of the house, and
    - (b) must be at least two.
  - (3) In the case of an election by the house of laity of a deanery synod, the number of members to be elected—
    - (a) must relate to the number of names on the roll of each parish in the deanery as notified under Rule 10, and
    - (b) must be at least two.
  - (4) The secretary of each deanery synod must, no later than 1 July in the year before an election of the members of the diocesan synod, certify to the secretary of the diocesan synod the number of members of the house of clergy of that deanery synod as at 31 May.
  - (5) When exercising its functions under this Rule, a diocesan synod must act so as to ensure—
    - (a) that the number of members of the synod is between 100 and 270, and
    - (b) that the number of members of the house of clergy and the number of members of the house of laity are approximately equal.
  - (6) For the avoidance of doubt, the figure of 270 given in paragraph (5)(a) includes the maximum number of persons who may either be co-opted or be nominated by the bishop.

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- (7) The secretary of each diocesan synod must, no later than 31 December in the year before an election of its members, certify to the secretary of each deanery synod in the diocese the numbers determined under this Rule for each house of that synod.

#### *Presiding officers*

- 38 (1) The bishop of a diocese must appoint the presiding officers for an election of members of the diocesan synod.
- (2) A person may not be appointed as a presiding officer for an election by a house of which that person is a member.
- (3) The expenses of the elections are to be paid out of diocesan funds.

#### *Qualified electors*

- 39 (1) A person is a qualified elector in an election of members of a diocesan synod if the person's name and address is, as at 6.00 a.m. on the day on which nomination papers for the election are issued under Rule 40—
- (a) in the case of an election by the house of clergy of a deanery synod in the diocese, recorded in the register of clerical electors, or
  - (b) in the case of an election by the house of laity of a deanery synod in the diocese, recorded in the register of lay electors.
- (2) But a member of either house who has been co-opted under Rule 18 is not a qualified elector in an election of members of the diocesan synod.
- (3) The diocesan electoral registration officer must, at least 21 days before nomination papers are issued under Rule 40, give the secretary of each deanery synod in the diocese—
- (a) a copy of the names and addresses recorded in the register of clerical electors, and
  - (b) a copy of those recorded in the register of lay electors.
- (4) The secretary of each deanery synod must, within seven days of receiving the copy names and addresses, provide the diocesan electoral registration officer with—
- (a) if the names and addresses are correct, a certificate in writing to that effect, and
  - (b) if they are not correct, a notification in writing of the corrections required.
- (5) The diocesan electoral registration officer must, no later than seven days before nomination papers are issued under Rule 40, give a copy of the names and addresses (with whatever corrections are required having been made) to the presiding officer in the election.
- (6) The register of clerical electors and the register of lay electors must be available for inspection at the diocesan office during the period beginning with the issue of nomination papers under Rule 40 and ending with the close of nominations.
- (7) Each of the registers must, in the form in which it is made available for inspection, include the name of each elector but no other personal data.
- (8) Corrections to either register may be made up until the close of nominations; but after the close of nominations, no names may be added to or removed from either register until the declaration of the result of the election.

#### *Nomination*

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- 40 (1) A candidate for election to the house of clergy of a diocesan synod must be nominated by two qualified electors, each of whom is a member of the house of clergy of the deanery synod to which the candidate belongs.
- (2) A candidate for election to the house of laity of a diocesan synod must be nominated by two qualified electors, each of whom is a member of the house of laity of the deanery synod to which the candidate belongs.
- (3) The presiding officer for the election must ensure that each qualified elector is given a notice of election in Form 4 and a nomination paper in Form 5; and the manner in which the Forms are to be given is—
- (a) if the elector has notified the diocesan electoral registration officer that he or she wishes to use email for that purpose, by email to the address notified;
  - (b) otherwise, by post to the address recorded for that elector in the register of clerical or lay electors or in person.
- (4) A nomination paper must be accompanied by a statement signed by the candidate—
- (a) that he or she is willing to serve if elected, and
  - (b) if the candidate so wishes, setting out in no more than 100 words a factual statement for circulation with the voting papers of his or her professional qualifications, present office and relevant past experience.
- (5) A nomination paper and the accompanying statement under paragraph (4) are to be given to the presiding officer; and the manner in which they are to be given is (subject to Rule 42(7))—
- (a) if the elector has notified the diocesan electoral registration officer that he or she wishes to use email for that purpose, by email from the address notified, with the nomination paper and accompanying statement each being in the form of a scanned copy of the original or such other electronic form as the presiding officer may authorise, or
  - (b) otherwise, by post or in person.
- (6) The presiding officer must, in accordance with the timetable fixed by the bishop under Rule 35(2)(a), determine the period within which nomination papers and the accompanying statements are to be lodged with him or her; and the period so determined must be at least 21 days, subject to that timetable.
- (7) Where a nomination paper or accompanying statement is sent by email, the presiding officer may require the elector to provide the original before the end of three days after the end of the period determined under paragraph (6).
- (8) The presiding officer must—
- (a) scrutinise each nomination paper as soon as it is lodged, and
  - (b) without delay, inform the candidate whether the nomination is valid.
- (9) If the presiding officer rules that a nomination is not valid, the officer must give reasons for that ruling.
- (10) A person is not included as a candidate for an election to a diocesan synod if the presiding officer has not received a valid nomination for that person—
- (a) by the end of the period determined under paragraph (6), except in so far as there is a requirement under paragraph (7) to be complied with, and
  - (b) in so far as there is such a requirement, by the end of the three days referred to in that paragraph.

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- (11) The presiding officer must, within seven days of receiving a request from a validly nominated candidate, supply free of charge to that candidate one copy of the name and address of every qualified elector.

*Requirement for election*

- 41 (1) If the number of candidates for an election to a diocesan synod does not exceed the number of seats to be filled, each candidate is declared elected; and the presiding officer must inform each candidate and the secretary of the diocesan synod.
- (2) If the number of candidates for an election to a diocesan synod exceeds the number of seats to be filled, an election must take place in accordance with Rule 42.

*Conduct of election*

- 42 (1) Where an election to a diocesan synod is to be held, the presiding officer for the election must ensure that each qualified elector is given a voting paper in Form 6, or is given a voting paper in Form 7, showing the name of each candidate.
- (2) The diocesan synod must, no later than 31 December in the year before an election of its members, decide which form of voting paper is to be used by the deaneries in the election.
- (3) Where an election to fill a casual vacancy is being conducted under this Rule by virtue of directions under Rule 45, the form of voting paper to be used is the form decided on under paragraph (2).
- (4) A vote in an election to a diocesan synod is counted only if (subject to paragraph (5) and Rule 45(1) and (2)) it is given on a voting paper—
- (a) which is marked in the manner indicated on the paper,
  - (b) the back of which is signed by the elector and has his or her full name and address written on it, and
  - (c) which is returned to the presiding officer within the period determined by him or her in accordance with the timetable fixed by the bishop under Rule 35(2)(a), with that period being at least 14 days, subject to that timetable.
- (5) If there is a system of electronic voting for elections to the General Synod, a diocesan synod may itself resolve to have a system of electronic voting for elections to that synod; and, if a diocesan synod does so resolve, the elections to that synod must be conducted in accordance with rules which the General Synod has approved by resolution.
- (6) Rules under paragraph (5) may make provision equivalent to that made under Rule 56 (election rules for the House of Laity of the General Synod) in relation to electronic voting and may apply any provision of these Rules with or without modifications.
- (7) If there is a system of electronic voting for elections to a diocesan synod, a completed nomination or voting paper may not be given by email; and Rule 76 (which makes provision authorising the use of email) is accordingly to be read subject to this paragraph.
- (8) Where voting papers in Form 6 are used and there is an equality of votes, the presiding officer must decide the election by the drawing of a lot.
- (9) An election in which voting papers in Form 7 are used is to be conducted by the single transferable vote system in accordance with the rules for the time being in force under the General Synod's Standing Orders, with whatever modifications to those rules are necessary.

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- (10) The presiding officer for an election to a diocesan synod must, no later than 1 August in the year in which the election is held, give a return of the result to—
- (a) each candidate, and
  - (b) the secretary of the diocesan synod.

*Scheme for variation of membership*

- 43 (1) A diocesan synod may make a scheme to vary the preceding provisions of this Part of these Rules that relate to the membership of diocesan synods so as both—
- (a) to meet the special circumstances of the diocese, and
  - (b) to secure better representation of clergy or of laity, or of both, on the diocesan synod.
- (2) Where a scheme under this Rule has effect, the preceding provisions of this Part of these Rules, in so far as they apply to the diocesan synod in question, have effect subject to the scheme.
- (3) A copy of a proposed scheme under this Rule must be given to members of the diocesan synod at least 14 days before the meeting at which it is to be considered for approval.
- (4) A proposed scheme under this Rule is approved by the diocesan synod only if—
- (a) the house of bishops approves it,
  - (b) in the house of clergy, it is approved by at least two-thirds of its members present and voting, and
  - (c) in the house of laity, it is approved by at least two-thirds of its members present and voting.
- (5) A proposed scheme under this Rule which is approved by the diocesan synod must be laid before the General Synod.
- (6) If a member of the General Synod gives notice in accordance with its Standing Orders that the member wishes a proposed scheme under this Rule to be debated, the scheme does not come into operation unless it is approved by the General Synod.
- (7) If a proposed scheme under this Rule is approved by the General Synod or no notice such as is mentioned in paragraph (6) is given, the scheme comes into operation—
- (a) on the day after the end of the group of sessions during which it was laid before, or approved by, the Synod, or
  - (b) such later date as the scheme may specify.

*Procedure*

- 44 (1) A diocesan synod must make standing orders.
- (2) The standing orders must include provision—
- (a) for the bishop of the diocese not to be required to chair meetings where the standing orders make other provision in that respect;
  - (b) for a member of the house of clergy to be elected as chair of that house and a member of the house of laity to be elected as chair of that house;
  - (c) for there to be a secretary;
  - (d) for a specified number of meetings to be held each year, with the minimum being two;
  - (e) for a meeting to be held if at least a specified number of members request that;



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- (f) for the bishop of the diocese to have a second, casting vote where there is an equality of votes in the house of bishops;
  - (g) for enabling the bishop of the diocese to require his or her opinion on a matter to be recorded in the minutes;
  - (h) for there to be a bishop's council and standing committee of the synod which has such membership as the standing orders may provide and—
    - (i) the functions exercisable by it under section 4(4) of this Measure, and
    - (ii) such other functions as may be conferred by the standing orders or by or under this or any other Measure or by or under Canon.
- (3) The standing orders must also include provision—
- (a) that, subject as follows, the assent of the synod is given only if each of the three houses gives its assent;
  - (b) that if the bishop of the diocese so directs on a question other than one on an Article 8 matter referred to the synod, the assent of the house of bishops is given only if the majority of the members who give assent includes the bishop;
  - (c) that a question relating only to the conduct of business is to be decided by the votes of the members present and voting;
  - (d) that any other question is to be decided by the votes of the members present and voting (with the assent of each of the three houses presumed), unless the bishop of the diocese or any ten members require there to be a separate vote by each house;
  - (e) that if the house of clergy and the house of laity are in favour of an Article 8 matter referred to the synod, it is deemed to be approved for the purposes of Article 8 of the Constitution.
- (4) The standing orders may include provision for such other matters consistent with the provision required under paragraphs (2) and (3) as the diocesan synod decides.
- (5) The provision which may be made under paragraph (4) includes provision to enable the chair of the house of clergy and the chair of the house of laity of the diocesan synod each to continue to hold office as such until the election of his or her successor as chair.
- (6) A person may not serve as a member of more than one bishop's council and standing committee at the same time.
- (7) The registrar of the diocese is the registrar of the diocesan synod.
- (8) A reference in this Rule to an Article 8 matter referred to a diocesan synod is a reference to a matter referred by the General Synod to that diocesan synod under Article 8 of the Constitution.

#### *Casual vacancies*

- 45
- (1) A casual vacancy among the members of a diocesan synod elected by either house of a deanery synod may be filled by the election by that house of the deanery synod of a person qualified to be elected as such (as to which, see Rule 36).
  - (2) An election to fill a casual vacancy of that kind is to take place at a meeting of the members of that house of the deanery synod, unless the bishop of the diocese—
    - (a) directs that the election is to be conducted in accordance with Rules 38 to 42, and

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- (b) fixes the timetable and date for the election accordingly and ensures that the secretary of the deanery synod is informed.
- (3) An election to fill a casual vacancy of that kind is to be completed, so far as possible, within six months of the occurrence of the vacancy (subject to Rule 74).
- (4) Where an election to fill a casual vacancy of that kind is to take place at a meeting under paragraph (2) but is not completed within six months of the occurrence of the vacancy, the bishop must give directions (which may include directions for the election to be conducted in accordance with Rules 38 to 42).
- (5) Where an election to fill a casual vacancy is to take place by virtue of a direction of the bishop under paragraph (2)(a) or (4), Rules 38 to 42 have effect, but as if a reference to the timetable fixed under Rule 35(2)(a) were a reference to the timetable fixed under paragraph (2)(b) or by virtue of paragraph (4) of this Rule.
- (6) Where the period for holding a general election to either house of a diocesan synod is due to begin within nine months of the occurrence of the vacancy, it is not to be filled unless the members of the bishop's council and standing committee who are from the house concerned direct otherwise.]

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