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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

Elections of Members of Diocesan Synods by Deanery Synods

[^{F131}] (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 [^{F2}of three years beginning with the 1st [^{F3}August] next following their election].

(2) Any clerk in Holy Orders who is a member of the deanery synod [^{F4}. . . shall be qualified to be so elected by the house of clergy of a deanery synod, and the electors shall be [^{F5}those whose names and addresses are recorded in the register of clerical electors]. . . [^{F6}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) [^{F7}Subject to the provisions of rule [^{F8}1(4)]] any lay person who is an actual communicant [^{F9}. . . [^{F10}as defined in rule 54(1)] of [^{F11}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 [^{F12}those whose names and addresses are recorded in the register of lay electors] other than [^{F9}. . . [^{F13}persons co-opted to the deanery synod under rule 24(7)]]

. . .
F14

[^{F15}] The qualifying date for electors under paragraphs (2) and (3) of this rule and when a [^{F16}(4)] casual vacancy is being filled shall be 6.00 a.m. on the date on which the nomination papers are issued [^{F17}in accordance with rule 32(4)].

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[The register of clerical electors and the register of lay electors shall be open to ^{F16}(5) 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.]

[^{F16}(6) The diocesan synod shall, not later than the [^{F18}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 . . . ^{F19}under rule 4:

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

^{F20}(7)

[^{F21}(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.]

[^{F16}(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 ^{F22}. . . [^{F23}houses of clergy and laity] are approximately equal:

. . . ^{F24}

[^{F25}For the avoidance of doubt it is hereby declared that the [^{F26}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.]

[^{F16}(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

- F1** Sch. 3 rule 31 (originally 25) renumbered (1.1.1995) by S.I. 1994/3118, para. 25.
- F2** Words substituted by S.I. 1973/1865, para. 15(1)
- F3** Word substituted by S.I. 1981/1650, para. 2
- F4** Words in Sch. 3 rule 31 para. (2) omitted (1.1.1995) by virtue of S.I. 1994/3118, para. 25(e).
- F5** Words substituted by virtue of S.I. 1989/2094, para. 8(1)
- F6** Words in Sch. 3 rule 31 para. (2) inserted (1.1.1995) by S.I. 1994/3118, para.25(e).
- F7** Words inserted by S.I. 1973/1865, para. 15(2)
- F8** Words in Sch. 3 rule 25 para. (3) amended (1.1.1995) by S.I. 1994/3118, para. 63, Sch.
- F9** Words in Sch. 3 rule 31 para. (3) omitted (1.1.1995) by virtue of S.I. 1994/3118, para. 26.
- F10** Words in Sch. 3 rule 31 para. (3) inserted (1.1.1995) by S.I. 1994/3118, para. 26.
- F11** Words substituted by S.I. 1973/1865, para. 15(2)

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- F12** Words substituted by virtue of S.I. 1989/2094, **para. 8(2)**
- F13** Words in Sch. 3 rule 31 para. (3) inserted (1.1.1995) by S.I. 1994/3118, **para. 26.**
- F14** Rule 25(3) proviso repealed by S.I. 1973/1865, **para. 15(2)**
- F15** Sch. 3 rule 25(3A)(3B) inserted by S.I. 1989/2094, **para. 8(3)**
- F16** Sch. 3 rule 31 paras. (4)-(9) (originally (3A)-(7)) renumbered (1.1.1995) by S.I. 1994/3118, **para. 26.**
- F17** 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)**
- F18** Words substituted by S.I. 1973/1865, **para. 15(3)**
- F19** Words repealed by S.I. 1973/1865, **para. 15(3)**
- F20** Sch. 3 rule 31 para. (7) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 27.**
- F21** Sch. 3 rule 31 para. (7) inserted (1.1.1995) by S.I. 1994/3118, **para. 27.**
- F22** Words in Sch. 3 rule 31 para. (8) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 28.**
- F23** Words in Sch. 3 rule 31 para. (8) inserted (1.1.1995) by S.I. 1994/3118, **para.28.**
- F24** Words repealed by S.I. 1984/1039, **para. 17(1)**
- F25** Para. added by S.I. 1973/1865, **para. 15(4)**
- F26** Words substituted by S.I. 1984/1039, **para. 17(2)**

[^{F27}~~F28~~]^{F28}(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^{F29} . . . 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
^{F30}(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.]

[^{F30}(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 [^{F31}together with a form of nomination in the form set out in section 6 of Appendix I] shall be^{F32} . . . [^{F33}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.]

[^{F30F34}(5)]

[^{F35}(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

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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.]

[^{F30}(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 [^{F36}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 [^{F37}31], [^{F38}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.]

[^{F30}(7)] The voting paper marked and [^{F39}, 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 . . . [^{F40}No vote shall be counted if given on a voting paper not in accordance with this paragraph.

[^{F30}(8)] Where [^{F41}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.

[^{F42} Where voting papers in the form set out in section 8 of Appendix I are used, the
^{F30}(9)] election shall be conducted under rules, with the necessary modifications, made by the General Synod under rule [^{F43}39(7)] and for the time being in force.]

[^{F44} A return of the result of the election shall be sent by the presiding officer to the
^{F30}(10)] secretary of the diocesan synod and a statement of the result shall be sent by [^{F45}the presiding officer] to every candidate not later than the 1st [^{F46}August] in each election year.

Textual Amendments

- F27** Sch. 3 rule 32 (originally 26) renumbered (1.1.1995) by S.I. 1994/3118, **para. 29**.
- F28** Sch. 3 rule 26(1)(2)(2A) substituted for paras. (1) and (2) by S.I. 1989/2094, **para. 9(1)**
- F29** Sch. 3 rule 32 para. (2) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 29**.
- F30** Sch. 3 rule 32 paras. (3)-(10) (originally (2A)-(8)) renumbered (1.1.1995) by S.I. 1994/3118, **para. 29**.
- F31** 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)**
- F32** Words in Sch. 3 rule 32 para. (4) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para. 30**.
- F33** Words in Sch. 3 rule 32 para. (4) inserted (1.1.1995) by S.I. 1994/3118, **para. 30**.
- F34** Sch. 3 rule 32 para. (5) omitted (1.1.1995) by virtue of S.I. 1994/3118, **para.31**.
- F35** Sch. 3 rule 32 para. (5) inserted (1.1.1995) by S.I. 1994/3118, **para. 31**.
- F36** Words substituted by S.I. 1980/178, **para. 9(1)**
- F37** Words in Sch. 3 rule 26 para. (4) amended (1.1.1995) by S.I. 1994/3118, para. 63, **Sch.**
- F38** Words substituted by S.I. 1984/1039, **para. 18(3)**
- F39** Words substituted by S.I. 1981/1650, **para. 18(4)**
- F40** Words repealed by S.I. 1980/178, **para. 9(2)**
- F41** Words inserted by S.I. 1980/178, **para. 9(3)**
- F42** Rule 26(7) inserted by S.I. 1980/178, **para. 9(4)**

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- F43** Words in **Sch. 3 rule 26** para. (7) amended (1.1.1995) by S.I. 1994/3118, para. 63, **Sch.**
- F44** **Rule 26(8)** (originally 26(7)) renumbered by S.I. 1980/178, **para. 9(5)**
- F45** Words substituted by S.I. 1973/1865, **para. 15(5)**
- F46** Word substituted by S.I. 1981/1650, **para. 3(3)**

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