
STATUTORY INSTRUMENTS

1989 No. 2094

**The Church Representation Rules
(Amendment) (No. 1) Resolution 1989**

Casual Vacancies

14.—(1) In rule 39, for paragraph (1) there shall be substituted—

“(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) In rule 39, in paragraph (3) for the words “by elections” there shall be substituted the words “and elections to fill such casual vacancies shall be”.

(3) In rule 39, for paragraphs (5) and (6) there shall be substituted—

(a) “(5) 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;

the lay members of the bishop’s council and standing committee, acting in accordance with any direction of the diocesan synod, may decide within three months of the occurrence of the vacancy that the election to fill the casual vacancy shall be conducted by those papers in accordance with paragraph (6) of this rule.”

(4) In rule 39, paragraph (7) shall be renumbered (6) and, at the beginning thereof, there shall be inserted—

“Where the lay members of the bishop’s council and standing committee have decided under paragraph (5)(c) above that an election shall be conducted by the voting papers of the previous election,”

(5) In rule 39, after paragraph (6) as re-numbered there shall be inserted—

“(7) An election to fill a casual vacancy in either house of the diocesan synod shall be completed 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.”

(6) In rule 39(10) the words “and (6)” shall be omitted.

(7) In rule 39, after paragraph (10) there shall be inserted—

“(11) In calculating the period of six months referred to in paragraphs (5) and (7) of this rule—

- (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.

(12) In this rule the expression “casual vacancy” includes the case where insufficient candidates have been nominated to fill the places available.”