
STATUTORY INSTRUMENTS

1994 No. 3118

ECCLESIASTICAL LAW, ENGLAND

**The Church Representation Rules
(Amendment) Resolution 1994**

*Made (passed by the General
Synod with the requisite
majority in each House)*

29th November 1994

Laid before Parliament

8th December 1994

Coming into force - -

1st January 1995

In pursuance of the powers conferred by section 7(1) of the Synodical Government Measure 1969⁽¹⁾ to amend by resolution of the General Synod the Church Representation Rules, that is to say, the rules contained in Schedule 3 to the said Measure, as amended by the Church Representation Rules (Amendment) Resolutions 1973 to 1989⁽²⁾ by the Diocese in Europe Measure 1980⁽³⁾ and by the Care of Churches and Ecclesiastical Jurisdiction Measure 1991⁽⁴⁾ the General Synod hereby resolve that the said rules should be amended as follows:

1. In rule 1, paragraph (2) shall be omitted and there shall be inserted—

“(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.

⁽¹⁾ 1969 No. 2.

⁽²⁾ S.I.1973/1865, 1980/178, 1981/959, 1950, 1984/1039, 1040, 1989/2094, 2095.

⁽³⁾ 1980 No. 2.

⁽⁴⁾ 1991 No. 1.

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."

and paragraphs (3) to (9) shall be renumbered (4) to (11).

2. In rule 1, in paragraph (4) (as renumbered) the words "paragraph (2)" shall be omitted and there shall be inserted the words "paragraphs (2) and (3)".

3. In rule 1, in paragraph (8) (as renumbered) the words from "No name" to the end shall be omitted and there shall be inserted the words "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."

4. In rule 1, in paragraph (9)(d) (as renumbered) after the word "months", there shall be inserted the word "habitually" and in paragraph (9)(e) after the word "not" where secondly occurring there shall be inserted the word "habitually".

5. In rule 2, in paragraph (3) the words from "subject to" to the end shall be omitted and there shall be inserted the words—

"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."

6. In rule 2, in paragraph (7) all words in the second sentence shall be omitted and there shall be inserted the words—

"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."

7. Rule 4 shall be omitted and there shall be inserted—

"4. 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."

8. Rules 4A to 8 shall be re-numbered 5 to 9 and in rule 9 (as re-numbered) in paragraph (1) all words in sub-paragraph (a) shall be omitted and there shall be inserted—

"(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;"

9. In rule 9 (as re-numbered), in paragraph (2) after the word "cause" there shall be inserted the words "a copy of the said roll to be available for inspection at the meeting and shall cause".

10. In rule 9 (as re-numbered), paragraphs (4) and (5) shall be omitted and there shall be inserted—

“(4) The annual meeting shall in the manner provided by rule 11—

- (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;
- (d) appoint the auditor to the Council who shall not be a member of the council;

and the elections and appointments shall be carried out in the above order.”

and paragraphs (6) to (9) shall be renumbered as paragraphs (5) to (8).

11. Rule 9 shall be renumbered rule 10 and in that rule, paragraphs (1), (1A) and (1B) shall be omitted and there shall be inserted—

“(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.”

12. In rule 10 (as renumbered), in paragraph (2) the word “elected” shall be omitted and there shall be inserted the word “appointed”.

13. In rule 10 (as renumbered), paragraph (3) shall be omitted and there shall be inserted—

“(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 from serving on that parochial church council by the bishop under section 10(6) of the Incumbents (Vacation of Benefices) Measures 1977 and 1993;
- (c) to serve on the parochial church council if he is disqualified from being a charity trustee under the Charities Act 1993”.

14. Rule 10 shall be renumbered as rule 11 and in paragraph (1) of that rule all words from the beginning to “10A and” shall be omitted and there shall be inserted the words “Subject to the provisions of any resolution under rule 12” and, in paragraph (8) of that rule the present paragraph shall be lettered (a) and, at the end there shall be inserted—

“(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 recount 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.”

15. Rule 10A shall be renumbered as rule 12 and, in paragraphs (1) and (2) of that rule the words “make a scheme” shall be omitted and there shall be inserted the words “pass a resolution”.

16. In rule 12 (as renumbered), paragraph (4) shall be omitted and there shall be inserted—

“(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.”

- 17.** Rules 11 and 12 shall be renumbered as rules 13 and 14 and in rule 14 (as renumbered)
- (a) in paragraph (1) after the words “rule 1(4)” there shall be inserted the words “and paragraph (3) of this rule.”; and
 - (b) in paragraph (1)(c) the words “actual communicant members of the Church of England” shall be omitted and there shall be inserted the words “actual communicants”.

18. In rule 14 (as renumbered)

- (a) all words in paragraph 1(d) shall be omitted and there shall be inserted the words—
 - “(d) 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.”; and
- (b) in paragraph 1(g) the words “actual lay communicant members of the Church of England of seventeen” shall be omitted and there shall be inserted the words “actual lay communicants of sixteen” and in paragraph 2 the words “actual communicant member of the Church of England” shall be omitted and there shall be inserted the words “actual communicant”.

and paragraphs (1A) to (4) shall be renumbered as paragraphs (2) to (5).

19. In rule 14 (as renumbered), paragraph (3) as renumbered shall be omitted and there shall be inserted—

- “(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;
 - (c) if he is disqualified from being a charity trustee under the Charities Act 1993 or from serving on that parochial church council by the bishop under section 10(6) of the Incumbents (Vacation of Benefices) Measures 1977 and 1993, on 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.”

20. Rules 13 to 17A shall be renumbered as rules 15 to 20 and

- (a) in rule 18 (as renumbered) paragraphs (5A) to (10) shall be renumbered as paragraphs (6) to (11); and
- (b) in rule 20 (as renumbered), in paragraph (1) sub-paragraph (a) shall be omitted and there shall be inserted—
 - “(a) for establishing a team council comprising—
 - (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.”

21. Rules 17B to 19 shall be renumbered as rules 21 to 24 and in rule 24 (as renumbered), all words in paragraphs (2)(d) and (2)(e) shall be omitted and there shall be inserted—

- “(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.”

and paragraphs (2A) to (4) shall be renumbered as paragraphs (3) to (7).

22. In rule 24 (as renumbered), all words in paragraph (6)(d) (as renumbered) shall be omitted and there shall be inserted—

- “(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.”.

23. Rule 20 shall be renumbered as rule 25 and,

- (a) in paragraph (2) of that rule all words after “rule 4” shall be omitted and there shall be inserted the words “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”; and
- (b) in paragraph (5) of that rule all words from the beginning to “preceding rule” shall be omitted and there shall be inserted the words “A direction by the appropriate members of the Bishop’s Council making provision under rule 24(2)(d) or 24(6)(e)”.

24. Rules 21 to 23A shall be renumbered as rules 26 to 29 and in rule 29 (as renumbered) the paragraph shall be numbered (1) and at the end there shall be inserted—

“(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.

(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.”.

- 25.** Rules 24 and 25 shall be renumbered as rules 30 and 31 and
- (a) in rule 30 (as renumbered) paragraphs (1A) to (5) shall be renumbered as paragraphs (2) to (7);
 - (b) in rule 30(5)(c) (as renumbered) the words “actual communicant members of the Church of England” shall be omitted and there shall be inserted the words “actual communicants”;
 - (c) in rule 30 (as renumbered) leave out the words “excluding the registrar of the diocese (if so elected)” from paragraphs (4)(a)(iv) and (5)(a)(iii);
 - (d) in rule 30 (as renumbered) at the end there shall be inserted—

“(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.”; and

- (e) in rule 31 (as renumbered), in paragraph (2) the words “or is working or residing in the deanery” shall be omitted and the words “other than the co-opted members” shall be omitted and there shall be inserted the words “being the persons referred to in rule 24(2) and not including the persons co-opted to the deanery synod under rule 24(7)”.

26. In rule 31 (as renumbered), in paragraph (3) the words “member of the Church of England” shall be omitted and there shall be inserted the words “as defined in rule 54(1)” and all words after “other than” shall be omitted and there shall be inserted the words “persons co-opted to the deanery synod under rule 24(7)”. and paragraphs (3A) to (7) shall be renumbered as paragraphs (4) to (9).

27. In rule 31 (as renumbered), paragraph (7) as renumbered shall be omitted and there shall be inserted—

“(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.”.

28. In rule 31 (as renumbered), in paragraph (8) as renumbered the words “two houses” shall be omitted and there shall be inserted the words “houses of clergy and laity”.

29. Rule 26 shall be renumbered as rule 32 and, in paragraph (2) of that rule the words “of a deanery synod” shall be omitted.

and paragraphs (2A) to (8) shall be renumbered as paragraphs (3) to (10).

30. In rule 32 (as renumbered), in paragraph (4) as renumbered all words after “shall be” where secondly occurring shall be omitted and there shall be inserted the words “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.”.

31. In rule 32 (as renumbered), paragraph (5) as renumbered shall be omitted and there shall be inserted—

“(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.”.

32. Rules 27 to 29 shall be renumbered as rules 33 to 35 and in rule 35 (as renumbered), paragraphs (1A) to (5) shall be renumbered as paragraphs (2) to (6) and in paragraph (3) as renumbered all words after “other than” where secondly occurring shall be omitted and there shall be inserted the words—

- “(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.”.

33. In rule 35 (as renumbered), in paragraph (4)(a) as renumbered all words after “communicant” shall be omitted and there shall be inserted the words “as defined in rule 54(1)”.

34. Rules 30 and 31 shall be renumbered as rules 36 and 37 and

- (a) in rule 36 (as renumbered) paragraphs (1A) to (4) shall be renumbered as paragraphs (2) to (5); and
- (b) in rule 37 (as renumbered), in paragraph (1) the words “paragraphs (1A) and (1B)” shall be omitted and there shall be inserted the words “paragraph (2)” and in sub-paragraph (a) all words after “communicant” shall be omitted and there shall be inserted the words “as defined in rule 54(1)”.

35. In rule 37 (as renumbered), paragraph (1A) shall be omitted and paragraphs (1B) and (2) and shall be renumbered as paragraphs (2) and (3).

36. Rules 32 and 33 shall be renumbered as rules 38 and 39 and in rule 39 (as renumbered), paragraph (2A) shall be omitted and there shall be inserted—

“(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.”

37. In rule 39 as (renumbered) paragraphs (3) to (6B) shall be omitted and there shall be inserted—

“(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 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 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 candidate in the election and to the Secretary General of the General Synod who shall cause it to be examined by an election scrutineer appointed by the Standing 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 Secretary General may direct.”

and paragraph (7) shall be renumbered as paragraph 13.

38. Rules 33A and 34 shall be renumbered as rules 40 and 41 and

- (a) in rule 40 (as renumbered) in paragraph (2) the words “section 1 of the Ecclesiastical Fees Measure 1962” shall be omitted and the words “the Ecclesiastical Fees Measure 1986” shall be inserted; and
- (b) in rule 41 as renumbered, the words “or as” shall be omitted and there shall be inserted the words “or to their continuing to be” and the title to the rule shall be omitted and there shall be inserted as title “Term of office of membership of General Synod and other bodies”.

39. Rule 35 shall be renumbered as rule 42 and

- (a) at the end of paragraph (1) of that rule there shall be inserted— “(f) the Chairman of the Church of England Pensions Board.”; and
- (b) in rule 42(2) (as renumbered) the words “actual lay communicant members of the Church of England” shall be omitted and there shall be inserted the words “actual lay communicants”.

40. In rule 42 (as renumbered), in paragraph (4) after the word “dissolution” where secondly occurring there shall be inserted the words

“or to their continuing to be ex-officio members of other bodies constituted under these rules during that period.”

41. Rules 36 and 36A shall be renumbered as rules 43 and 44 and in rule 44 (as renumbered), in paragraph (2)(c) all words after “House of Laity” where thirdly occurring shall be omitted and there shall be inserted the words—

“as specified in paragraph (5) of this rule.”.

42. In rule 44 (as renumbered), at the beginning of paragraph (4) there shall be inserted the words “subject to paragraph (6) of this rule”.

43. In rule 44 (as renumbered), after paragraph 4 there shall be inserted—

“(5) The Chairman and Vice-Chairman of the House of Laity of the General Synod shall 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.”

and paragraphs (5) to (10) shall be renumbered as paragraphs (6) to (11)

44. In rule 44 (as renumbered), in paragraph (9) (as renumbered) the words “as provided by paragraph (2)(c) above or where” shall be omitted and there shall be inserted the words “under paragraph (5) of this rule or where he or”.

45. In rule 44 (as renumbered), at the end of paragraph (10) (as renumbered) there shall be inserted the words “who shall appoint three or a greater number, being an odd number, of their lay members to consider and decide the appeal.”.

46. In rule 44 (as renumbered), after paragraph (11) (as renumbered) there shall be inserted—

“(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.”

47. Rules 36B to 39 shall be renumbered as rules 45 to 48 and in rule 48 (as renumbered), at the end of paragraph (3) there shall be inserted the words “The qualifying date for diocesan electors shall be determined in accordance with rule 35(5).”

48. In rule 48 (as renumbered), in paragraph (5)(c) all words after sub-paragraph (ii) shall be omitted and there shall be inserted the words “the election to fill the casual vacancy shall be conducted by those papers in accordance with paragraph (6) of this rule.”

49. In rule 48 (as renumbered), in paragraph (6) all words from the beginning to “an election shall” shall be omitted and there shall be inserted the words “Where an election is to”.

50. In rule 48 (as renumbered), in paragraph (7) after the word “completed” there shall be inserted the words “so far as possible” and paragraph (10) shall be omitted and paragraphs (11) and (12) shall be renumbered (10) and (11).

51. Rules 40 to 44 shall be renumbered as rules 49 to 54 and in rule 54 (as renumbered),

(a) in paragraph (1) the definitions of “actual communicant member of the Church of England” and “actual communicant member of a Church in communion with the Church of England” shall be omitted and there shall be inserted—

““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)”.

(b) in paragraph (c) in the definition of “minister” the words “scheme under the Pastoral Measure 1968” shall be omitted and there shall be inserted the words “pastoral scheme or order”; and

(b) in the definition of “parish” at the end there shall be inserted the words—

“(c) in relation to the Diocese in Europe, a chaplaincy which is constituted as part of the diocese.”

52. In Appendix I, Section 1 shall be omitted and there shall be inserted—

“Section 1

**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.

4. If you have any problems over this form, please approach the clergy or lay people responsible for the parish, who will be pleased to help you.

5. In this form 'parish' means ecclesiastical parish.

53. In Appendix I, in sections 2 and 3 the paragraph beginning “Under the Church Representation Rules” shall be omitted and there shall be inserted—

“Under the Church Representation Rules any persons are entitled to have their names entered on the roll, if they—

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

54. In Appendix I, in section 4 the words “For the election of sidesmen” shall be omitted and there shall be inserted the words “For the appointment of sidesmen”.

55. In Appendix I, in section 4, paragraph (a) where first occurring shall be omitted and there shall be inserted—

“(a) A report on changes in the Roll since the last annual parochial church meeting.”

and before the words “All persons” the word “Notes” shall be inserted and the paragraph beginning “All persons” shall be numbered “1”.

56. In Appendix I, in section 4, the two paragraphs beginning “Subject to” and the paragraph beginning “Any person” shall be omitted and there shall be inserted—

“2. Subject to the provisions of rule 12(2)(c), a person is qualified to be elected a parochial representative of the laity if—

- (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).

3. Any person whose name is on the electoral roll may be appointed as a sidesman.”

And the paragraph beginning “A scheme” shall be numbered as paragraph 4.

57. In Appendix I, in sections 5 and 6 the words “and members who were elected pursuant to rule 9(1B)” shall be omitted.

58. In Appendix I, in section 6 in the space for surname, Christian name and address there shall be inserted a column headed “Year for Birth”.

59. In Appendix I, in section 7 and 8, in the space headed “candidates' names, addresses” *add* “and year of birth”.

60. In Appendix II, in paragraph 1(e) after the word “discharged” there shall be inserted the words “by some other fit person or”.

61. In Appendix II, paragraph 1(g) shall be omitted and there shall be inserted—

“(g) If an auditor to the Council is not appointed by the annual meeting or if an auditor appointed by the annual meeting is unable or unwilling to act, an auditor (who shall not be a member of the Council) shall be appointed by the Council. The remuneration (if any) of the auditor shall be paid by the Council.”

62. In Appendix II, paragraph 12(d) shall be omitted and there shall be inserted—

“(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.

(e) The auditor of the Council’s accounts, the bishop and the archdeacon or a person authorised by one of them in writing shall have access to the approved minutes of council meetings without the authority of the Council.

(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.

(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.”

Amendments to the Rules consequent on the Renumbering

63. The amendments to the Rules set out in the Schedule to this resolution which are required as a consequence of the renumbering of the Rules shall have effect.

Citation, interpretation and commencement

64.—(1) This resolution may be cited as the Church Representation Rules (Amendment) Resolution 1994; and Church Representation Rules (Amendment) Resolutions 1973 to 1989 and this Resolution may be cited together as the Church Representation Rules (Amendment) Resolutions 1973 to 1994.

(2) Any reference in this Resolution to a numbered rule or Appendix is a reference to the rule or Appendix, as the case may be, bearing that number in the Church Representation Rules, as amended by the Church Representation Rules (Amendment) Resolutions 1973 to 1989, by the Diocese in Europe Measure 1980, and by the Care of Churches and Ecclesiastical Jurisdiction Measure 1991.

(3) This Resolution shall come into force on the first day of January 1995.

29th November 1994

P J C Mawer
Secretary-General

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

(paragraph 63)

AMENDMENTS REQUIRED AS A RESULT OF THE RENUMBERING OF THE RULES

Rule (existing numbering)	Words to be changed	New wording
1(3)	12(1)(e)	14(1)(e)
	19(3)(b)	24(6)(b)
2(5)	1(7)	1(9)
2(6)	1(2)(d)	1(2)(b) and (c)
4A(1)	19(3)(b)	24(6)(b)
4A(1)	1(3)	1(4)
	37	46
5(3)(d)	12(1)(g)	14(1)(g)
7(3)	10(8)	11(8)
8(4)	10	11
8(6)	6(6)	7(6)
	6(5)	7(5)
	6(6)	7(6)
	10	11
10(1)	10A	12
10(10)	23A of these rules	29
10A(1)	33(4)	39(7)
11(1)	10	11
12(1)	1(3)	1(4)
12(1A)	sub-paragraph (c) of paragraph (1)	paragraph (1)(d)
12(4)	1(bb) and (3)	(1)(c) and (4)
17B(3)	17A	20
18(3)	5	6
18A(3)	18	22
	paragraph (2)	paragraph (2) of that rule
19(2B)	(2)(e) above	(2)(e) of this rule
19(2C)	23A of these rules	29
19(3)	1(3)	1(4)
19(4)	23A of these rules	29
20(4)	19(2)(e)	24(2)(e)
	19(3)(c)	24(6)(c)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule (existing numbering)	Words to be changed	New wording
22(2)	Paragraph (2) of the last preceding rule	The provisions of rule 21(2)
24	paragraphs (1A) and (1B) shall be renumbered (2) and (3) and existing paragraphs (2) to (5) shall be renumbered as (4) to (7)	
24(2)	(1A)	(2)
25(3)	1(3)	1(4)
26(4)	25	31
26(7)	33(4)	39(7)
27(2)	21	26
29(4)	(2) and (3)	(3) and (4)
30(1)	35	42
	29(1) hereof	35(1)
31(1)	1(3) and of paragraph (1B)	1(4) and of paragraph (2)
31(2)	32(2)	38(2)
32(2)	paragraph (4) of the next following rule	rule 39(8)
36A(3)	(5)	(6) of this rule
36A(5)(a)	36	43
36A(6)(a)	36	43
36A(7)	(8) hereof	(9) of this rule
36B	36 and 36A	43 and 44
36B(e)	(f) hereof	(f) of this rule
37(1)(a)	22	27
(1)(c)	22	27
(1)(e)	31(1B)	37(2)
(1)(f)	36B hereof	45
37(2)	mentioned in (1)(a) above	referred to in that paragraph
	22	27
37(4)	mentioned in (1)(c) above	referred to in that paragraph
	22	27
39(6)	33(4)	39(8)
41A(4)	(3) hereof	(3) of this rule
43(1)(c)	33 and 39	39 and 48

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule (existing numbering)	Words to be changed	New wording
43(1)(d)	(c) above	paragraph (1)(c) of this rule
43(11)	(10) thereof	(10) of this rule
44(3)	(2) above	(2) of this rule
Appendix II para. 5	18 and 18A	22 and 23

EXPLANATORY NOTE

(This note is not part of the Resolution)

This Resolution of the General Synod of the Church of England, which was passed in accordance with section 7(1) of the Synodical Government Measure 1969, amends the Church Representation Rules contained in Schedule 3 to that Measure. The changes include making provision for dual membership, for changes in the Rules required by the Incumbents (Vacation of Benefices) (Amendment) Measure 1993 and the Charities Act 1993, for modifications of the retired clergy franchise and for modifications to the rules concerning elections and the appeal procedure.