

2004 No. 1889

ECCLESIASTICAL LAW, ENGLAND

**The Church Representation Rules (Amendment)
Resolution 2004**

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

10th July 2004

Laid before Parliament

28th July 2004

*Coming into force in accordance with
Rule 19*

In exercise of the powers conferred by section 7(1) of the Synodical Government Measure 1969(a) 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 1999(b), by the Diocese in Europe Measure 1980(c), by the Patronage (Benefices) Measure 1986(d), by the Care of Churches and Ecclesiastical Jurisdiction Measure 1991(e), by the Priests (Ordination of Women) Measure 1993(f), by the Team and Group Ministries Measure 1995(g), by the National Institutions Measure 1998(h), by the Cathedrals Measure 1999(i) and by the Synodical Government (Amendment) Measure 2003(j), the General Synod hereby resolve that the said Rules be amended as follows:

Revision of roll and preparation of new roll

1. In Rule 2—
 - (a) in paragraph (4) for “1990” there shall be substituted “2007”; and
 - (b) in paragraph (7), in the last sentence, after the words “the new roll” there shall be inserted the words “it shall come into effect and”.

Annual reports

2. In Rule 9(4), in the second sentence, for the words from “the annual report” to “copies” there shall be substituted the words “copies of the annual report and statements”.

Qualifications of persons to be chosen or elected by annual meetings

3. For rule 10(1)(c) there shall be substituted the following sub-paragraph—

“(c) he is of sixteen years or upwards.”.

(a) 1969 No. 2.
(b) S.I. 1973/1865, 1980/178, 1981/959, 1950, 1984/1039, 1040, 1989/2044, 2095, 1994/3118, 1995/3243, 1999/2112.
(c) 1980 No. 2.
(d) 1986 No. 3.
(e) 1991 No. 1.
(f) 1993 No. 2.
(g) 1995 No. 1.
(h) 1998 No. 1.
(i) 1999 No. 1.
(j) 2003 No. 1.

Conduct of elections at annual meetings

4. In Rule 11—

(a) for paragraph (7) there shall be substituted the following paragraph—

“(7) Votes may be given—

(a) by show of hands, or

(b) if one or more persons object—

(i) on voting papers signed by the voter on the reverse thereof; or

(ii) if at least one tenth of the persons present and voting at the meeting so request, on numbered voting papers.”; and

(b) at the end there shall be added the following paragraph—

“(11) Where a vote is conducted in accordance with paragraph (7)(b)(ii) above, a record shall be made of the identity of each person to whom a numbered voting paper is issued and any such record, so long as it is retained, shall be kept separate from the voting papers.”.

Variation of method of election

5. In Rule 12(1) there shall be added at the end the words “, except that where the vote is conducted in accordance with Rule 11(7)(b)(ii), those rules shall have effect with the omission of any requirement that the voting paper be signed by the voter”.

Membership of deanery synods

6. In rule 24—

(a) for paragraph (2)(e) there shall be substituted the following sub-paragraph—

“(e) one or more clerks in Holy Orders holding permission to officiate in the diocese who are resident in the deanery or who have habitually attended public worship in a parish in the deanery during the preceding six months. One clerk may be elected or chosen for every ten such clerks or part thereof, elected or chosen in such manner as may be approved by the bishop by and from such clerks”; and

(b) in paragraphs (6)(c) and (7) for the word “eighteen”, in each place, there shall be substituted the word “sixteen”.

Election and choice of members of deanery synods

7. In rule 25(2) for the words “shall be related” there shall be substituted the words “shall be calculated by reference” and after the words “rule 4” there shall be inserted the words “or the number of parish churches or districts in each parish or a combination of both such methods, in each case in such manner as the diocesan synod shall determine”.

Representation of cathedral clergy and laity

8. For rule 27(1)(b) there shall be substituted the following sub-paragraph—

“(b) in the case of a cathedral church which is not a parish church, of lay persons who are on the roll of members of the cathedral community (hereinafter in these rules referred to as “the community roll”) required to be kept under section 9 of the Cathedrals Measure 1999 or, in the case of Westminster Abbey, St George’s Chapel, Windsor and the cathedral church of Christ in Oxford, who are declared by the dean to be habitual worshippers at the cathedral church and whose names are not entered on the roll of any parish.”.

Membership of diocesan synods

9. In rule 30(5)(c) for the word “eighteen” there shall be substituted the word “sixteen”.

Elections of members of diocesan synods by deanery synods

10. In rule 31(3) for the word “eighteen” there shall be substituted the word “sixteen” and for the words from “a lay person” to “associated with the deanery” there shall be inserted the words “on the community roll or, in the case of Westminster Abbey, St George’s Chapel, Windsor and the cathedral church of Christ in Oxford declared by the dean to be an habitual worshipper at the cathedral church”.

Membership of the House of Laity

11. In rule 35(1)—

- (a) in sub-paragraph (b) for the words from the beginning to “number” there shall be substituted the words “two members chosen by and from the members of religious communities having their mother house in either province”; and
- (b) there shall be added at the end the following sub-paragraph—
 - “(d) not less than three nor more than four members elected or chosen in such manner as may be determined by the Forces Synodical Council as soon as practicable after any dissolution of the General Synod, being actual communicants, provided that the total number of persons elected or chosen to serve on the General Synod by virtue of this sub-paragraph, paragraph 1(d) of the provisions relating to the Convocation of Canterbury of Canon H 2 and paragraph 1(bb) of Canon H 3 shall not exceed seven.”.

Number of elected members

12. In rule 36—

- (a) in paragraph (1) for “170” there shall be substituted “136” and for “80” there shall be substituted “59”, before the words “Ex-officio” there shall be inserted the words “The representatives of the religious communities referred to in rule 35(1)(b), the elected or chosen persons referred to in rule 35(1)(d),” and the words “the representatives of the religious communities referred to in Rule 35(1) and” shall be omitted;
- (b) in paragraph (2) for the words “November in the fourth” there shall be substituted the words “February in the fifth”, for the words “68 to 32” there shall be substituted the words “70 to 30”, after the words “among the dioceses” there shall be inserted the words “(using such divisor method as may from time to time be specified for the purpose by the Business Committee of the General Synod)” and for the words “certified under the following paragraph” there shall be substituted the words “on the rolls of the parishes of the diocese in question”;
- (c) paragraph (3) shall be omitted; and
- (d) in paragraph (5) the words “before the fourth year after the last preceding election of the House of Laity or” and the words “during that year” shall be omitted.

Qualifications of elected members

13. In rule 37—

- (a) in paragraph (1)(a) at the end there shall be added the words “but as if, in that definition, for the words “whose name is on the roll of a parish and” there were substituted the word “who””;
- (b) in paragraph (1)(c) before the words “who at any time” there shall be inserted the words “, in the case of a cathedral which is not a parish church, on the community roll or, in the case of Westminster Abbey, St George’s Chapel, Windsor and the cathedral church of Christ in Oxford is a person”; and
- (c) in paragraph (2) for the words “at which he is an habitual worshipper” there shall be substituted the words “on whose community roll his name is entered”.

Conduct of elections

14. In rule 39—

- (a) in paragraph (4) after the words “the candidate’s birth” there shall be inserted the words “and a statement as to whether the candidate is seeking re-election and, if so, as to the dates of the candidate’s previous service” and for the words “ending on a date specified” there shall be substituted the words “ending on such date as may be specified”;
- (b) in paragraph (5)(b) after the word “electors” there shall be inserted the words “(including, if an elector has authorised the use of an electronic mail address, that address)”;
- (c) in paragraph (6) for the words “Sufficient copies of the addresses” there shall be substituted the words “One copy of the address” and after the word “delivered” there shall be inserted the words “or sent by electronic mail”; and
- (d) in paragraph (8) after the words “each candidate” there shall be inserted the words “and a statement as to whether the candidate is seeking re-election and, if so, as to the dates of the candidate’s previous service”.

Term of office of members of the General Synod and other bodies

15. In rule 41 after the words “House of Laity” there shall be inserted the words “, of the members elected or chosen under rule 35(1)(d) above”.

Vacation of seat by member ceasing to be qualified for election

16. In rule 46—

- (a) in paragraph (1)(a) after the words “as the case may be,” there shall be inserted the words “on the community roll of the cathedral church of the diocese or”;
- (b) in paragraph (1)(c) after the words “(in appropriate cases)” there shall be inserted the words “of being on the community roll of the cathedral church of the diocese or”;
- (c) in paragraph (1)(d) after the words “or of being” there shall be inserted the words “, as the case may be, on the community roll of the cathedral church of the diocese or”;
- (d) in paragraph (2) after the words “that paragraph” there shall be inserted the words “or, as the case may be, on the community roll of the cathedral church of the diocese”;
- (e) in paragraph (4) after the word “above” there shall be inserted the words “or, as the case may be, on the community roll of the cathedral church of the diocese”; and
- (f) after paragraph (5) there shall be inserted the following paragraph—

“(5A) The lay members of the bishop’s council and standing committee shall not later than one year after the determination referred to in paragraph (5) above and annually thereafter review the membership of a member to whom paragraph (1)(d) above applies and determine whether he is able and willing as mentioned in paragraph (5) above.”.

Synodical Government Forms

17. In Appendix 1—

- (a) in Note 2(a) to section 4 there shall be added at the end the words “and, unless he is under the age of eighteen years at the date of the election, has been so entered for at least the preceding period of six months”;
- (b) for Note 2(c) to section 4 there shall be substituted the following Note—

“(e) he is of sixteen years or upwards;”;
- (c) in the heading to section 4A for the words “Rule 11(2)” there shall be substituted the words “Rule 12(2)”;
- (d) in sections 7 and 8 of Appendix I the column headed “Mark your vote in this column” shall be moved to the left hand side of the form.

General Provisions relating to parochial church councils

18. In paragraph 4(b) of Appendix II, at the end of the first sentence, there shall be added the words “or, if the member has authorised the use of an electronic mail address, to that address”.

Citation, interpretation and commencement

19.—(1) This Resolution may be cited as the Church Representation Rules (Amendment) Resolution 2004 and the Church Representation Rules (Amendment) Resolutions 1973 to 1999 and this Resolution may be cited together as the Church Representation Rules (Amendment) Resolutions 1973 to 2004.

(2) Any reference in this Resolution, except in paragraphs (3) and (4) below, to a numbered rule is a reference to the rule bearing that number in the Church Representation Rules, as amended by the Church Representation Rules (Amendment) Resolutions 1973 to 1999, by the Diocese in Europe Measure 1980, by the Patronage (Benefices) Measure 1986, by the Care of Churches and Ecclesiastical Jurisdiction Measure 1991, by the Priests (Ordination of Women) Measure 1993, by the Team and Group Ministries Measure 1995, by the National Institutions Measure 1998, by the Cathedrals Measure 1999 and by the Synodical Government (Amendment) Measure 2003.

(3) Subject to paragraph (4) below, this Resolution shall come into force as follows—

- (a) Rules 3, 6, 7, 8, 12(b), (c) and (d), 16(a) and (d) and this Rule shall come into force on 1st August 2004;
- (b) Rules 1, 2, 4, 5, 9, 10, 16(b) and (e), 17 and 18 shall come into force on 1st January 2005; and
- (c) All other Rules shall come into force on the same date as the date of the coming into force of Amending Canon No. 26.

(4) The following transitional provisions shall have effect—

- (a) Rules 6(a), 8 and 16(a) and (d) above shall not affect the membership of any member of a deanery synod holding office as such a member on the date of the coming into force of this Resolution;
- (b) Rules 10 and 16(b) and (e) shall not affect the membership of any member of a diocesan synod holding office as such a member on the date of the coming into force of this Resolution; and
- (c) Rules 11, 12, 13, 15 and 16(c) and (f) shall not affect the composition of the General Synod in existence on the date of the coming into force of this Resolution or the membership of a member holding office as such a member on that date.

10th July 2004

D M Williams
Clerk to the Synod

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.

Rule 1 changes the date for the preparation of new church electoral rolls. Rule 2 relates to the publication of the annual reports and financial statements of parochial church councils.

Rule 3 amends the qualifications of persons to be chosen or elected by annual meetings. Rules 4 and 5 amend the Rules which govern the method of elections conducted by annual meetings of parochial church councils and (in the case of rule 4) of churchwardens.

Rules 6, 7, 8 and 16(a) and (d) relate to the composition of deanery synods.

Rules 9, 10 and 16(b) and (e) relate to the composition of diocesan synods.

Rules 11, 12, 13 and 16 (c) and (f) amend the provisions relating to the composition of the House of Laity of the General Synod, and the qualifications for election to that House.

Rule 14 amends the procedure relating to the conduct of elections to the House of Laity.

Rule 15 relates to the term of office of members of the General Synod and other bodies.

Rules 17 and 18 amend the Synodical Forms relating to annual meetings and voting papers.

Rule 19(4) contains transitional provisions.

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