
STATUTORY INSTRUMENTS

1984 No. 1039

ECCLESIASTICAL LAW, ENGLAND

**The Church Representation Rules
(Amendment) (No. 1) Resolution 1984**

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

7th July 1984

Laid before Parliament

23rd July 1984

Coming into Operation

1st January 1985

In pursuance of the powers conferred by section 7(1) of the Synodical Government Measure 1969 to amend by a 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 1981(1) and by the Diocese in Europe Measure 1980 the General Synod hereby resolve that the said rules shall be amended as follows:

Formation of Church Electoral Roll

1.—(1) In rule 1(2), add at the end a proviso—

“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.”

(2) In rule 1(7), for sub-paragraph (d) there shall be substituted—

“(d) ceases to reside in the parish, unless after so ceasing he continues, in any period of six months, to attend public worship in the parish, unless prevented from doing so by illness or other sufficient cause; or”

Revision of Roll and Preparation of New Roll

2.—(1) In rule 2(3), after the word “appoint.” there shall be inserted the words “Subject to the proviso to rule 1(2)”.

(2) In rule 2(4) for the word “1978” there shall be substituted the word “1990”.

Certification of Numbers on Rolls

3. In rule 4(1) for the word “July” there shall be substituted the word “June”.

Annual Meetings

4. In rule 5(3), paragraph (c) shall be re-lettered “(b)” and after paragraph (b) as re-lettered there shall be inserted—

“(c) if he is not resident in the parish and is not beneficed or licensed to any other parish, the parochial church council with the concurrence of the minister has declared him to be a habitual worshipper in the parish, such declaration being effective until the conclusion of the annual meeting in the year in which a new roll is prepared under rule 2 or his ceasing to be a habitual worshipper in the parish whichever is the earlier, but without prejudice to a renewal of such declaration; or

(d) if he is a co-opted member of the parochial church council in accordance with rule 12(1)(g).”

Business at Annual Meeting

- 5.—(1) In rule 8(3), after the word “affixed” there shall be inserted the words “for a period of at least fourteen days”.

(2) At the end of rule 8(3) there shall be inserted the words—
“and shall cause a copy to be sent to the secretary of the diocesan board of finance.”

Variation of Method of Election by Scheme

- 6.—(1) In rule 10A (1), for the words “upon the principal of proportional representation” there shall be substituted the words “by the method of the single transferable vote”.

(2) In rule 10A (2), the words from “secretary” to “before the” shall be omitted.

(3) In rule 10A (2), for the words from “of that synod” to the end there shall be substituted the words—

“of the diocesan synod which shall consider the scheme, determine whether or not the scheme shall come into operation and inform the secretary of the parochial church council of its decision.”

Conduct of Elections of Churchwardens

7. In rule 11(1), for the words “the preceding rule” there shall be substituted the words “rule 10”.

Parochial Church Council

8. For rule 12(1)(b) there shall be substituted—

“(b) any deaconess or lay worker licensed to the parish;”

Parishes with more than one Place of Worship

9. In rule 16(3), for the word “1968” there shall be substituted the word “1983”.

(2) In rule 16(4), for the words from “Such” to “also” there shall be substituted the words “A scheme may”.

(3) In rule 16(4), the words “in respect of any such church or place” shall be omitted.

(4) In rule 16(4), for the words “that church or place” there shall be substituted the words “any church or place”.

(5) For rule 16(5) there shall be substituted—

“(5) No scheme under this rule shall be valid unless approved by at least two-thirds of the persons present and voting at the annual meeting nor shall the scheme provide for it to come into operation until such date as the bishop's council and standing committee may determine being a date not later than the next ensuing annual meeting. Every such scheme shall on its approval be communicated to the bishop's council and standing committee of the diocesan synod which may determine—

“(a) that the scheme shall come into operation; or

(b) that the scheme shall not come into operation; or

(c) that the scheme shall come into operation with specified amendments, if such amendments are approved by an annual or special parochial church meeting and the scheme as amended is approved by at least two-thirds of the persons present and voting at that meeting.”

(6) Rule 16(6) shall be omitted and paragraphs (7) to (11) shall be re-numbered (6) to (10).

(7) In rule 16(9) as re-numbered, for the words from “27(3)” to the end there shall be substituted the words “27(5) of the Pastoral Measure 1983”.

Joint Parochial Church Council

10.—(1) In rule 17(1), for the word “1968” there shall be substituted the word “1983”.

(2) For rule 17(4) there shall be substituted—

“(4) No scheme under this rule shall be valid unless approved by at least two-thirds of the persons present and voting at the annual meeting nor shall the scheme provide for it to come into operation until such date as the bishop's council and standing committee may determine being a date not later than the next ensuing annual meeting. Every such scheme shall on its approval be communicated to the bishop's council and standing committee of the diocesan synod which may determine—

(a) that the scheme shall come into operation; or

(b) that the scheme shall not come into operation; or

(c) that the scheme shall come into operation with specified amendments, if such amendments are approved by an annual or special parochial church meeting and the scheme as amended is approved by at least two-thirds of the persons present and voting at the meeting.”

(3) Rules 17(5) and (6) shall be omitted and paragraphs (7) to (10) shall be re-numbered (5) to (8).

(4) In rule 17(7) as re-numbered, for the words from “17(2)” to “1968” there shall be substituted the words “18(2) of the Pastoral Measure 1983”.

Team Councils

11.—(1) In rule 17A(1), for the word “1968” there shall be substituted the word “1983”.

(2) For rule 17A(4) there shall be substituted—

“(4) No scheme under this rule shall be valid unless approved by at least two-thirds of the persons present and voting at the annual meeting nor shall the scheme provide for it to come into operation until such date as the bishop's council and standing committee may

determine being a date not later than the next ensuing annual meeting. Every such scheme shall on its approval be communicated to the bishop's council and standing committee of the diocesan synod which may determine—

- “(a) that the scheme shall come into operation; or
- (b) that the scheme shall not come into operation; or
- (c) that the scheme shall come into operation with specified amendments, if such amendments are approved by an annual or special parochial church meeting and the scheme as amended is approved by at least two-thirds of the persons present and voting at that meeting.”

(3) Rule 17A(5) and (6) shall be omitted and paragraphs (7) to (9) shall be re-numbered (5) to (7).

Group Councils

12.—(1) In rule 17B(1) for the word “1968” there shall be substituted the word “1983”.

(2) In rule 17B(3), for the word “(9)” there shall be substituted the word “(7)”.

Membership of Deanery Synods

13.—(1) After rule 19(2) there shall be inserted—

“(2A) Where an extra parochial place is not in a deanery it shall be deemed for the purposes of these rules to belong to the deanery 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.”

(2) The existing rule 19(2A) shall be re-numbered “19(2B)” and for the words “sub-paragraph (e) of the preceding paragraph” there shall be substituted the words “paragraph (2)(e) above.”

(3) In rule 19(3)(d), the word “whole-time” shall be omitted.

Election and Choice of Members

14.—(1) In rules 20(1) and 20(4), the words “subject to the provisions of rule 20A” shall be omitted.

(2) Rule 20A (election and choice of members in 1982) shall be omitted.

Procedure of Deanery Synods

15. At the end of rule 23(1)(a) there shall be inserted—

“and that they shall agree between them who shall chair each meeting of the synod or particular items of business on the agenda of the synod.”

Membership of Diocesan Synods

16.—(1) In rule 24(3)(a)(iv), for the word “the” after “being” there shall be substituted “an ex officio or co-opted member of the House of Laity of the General Synod or a”

(2) At the end of rule 24(4) there shall be inserted the words—

“Except in regard to their appointment the nominated members shall have the same rights and be subject to the same rules as elected members. Where necessary the bishop's council and standing committee shall designate the deanery synod of which the nominated member shall be a member

and, where a nominated lay person is on more than one electoral roll, he shall choose the parochial church council of which he is to be a member.”

Elections of members of Diocesan Synod by Deanery Synods

17.—(1) In rule 25(6), the words from “Provided that” to “the number 270” shall be omitted.

(2) In rule 25(6), for the words from “numbers” to “include” there shall be substituted the words “number 270 specified in this paragraph includes”

18.—(1) In rule 26(1), for the words “last day of June” there shall be substituted “fifteenth day of July.”

(2) At the end of rule 26(1), there shall be inserted—

“and such period and dates fixed shall be communicated to the secretaries of the deanery synods.”

(3) In rule 26(4), for the words from “determine” to “and the” there shall be substituted the words “make a determination as to which form of voting paper is to be used by the deaneries in that election, and that”

(4) In rule 26(5) for the words from “signed” to “elector” there shall be substituted “, on the reverse thereof, signed by the elector and with his full name written.”

Procedure of Diocesan Synods

19.—(1) In rule 28(1)(e) for the word “two” there shall be substituted “three” and for the words “the bishop” where first occurring there shall be substituted “(except a matter referred to the diocesan synod by the General Synod under the provisions of Article 8 of the Constitution) the diocesan bishop”

and for the words “the bishop” at the end of the subparagraph there shall be substituted the words “the diocesan bishop”

(2) In rule 28(1)(f) all words after “voting” shall be omitted.

(3) After rule 28(1)(f) there shall be inserted a new subparagraph—

“(g) that every other question shall be decided by the votes of all the members of the diocesan synod present and voting, the assent of the three Houses being presumed, unless the diocesan bishop (if present) requires or any ten members require that a separate vote of each House be taken.”

(4) The present sub-paragraphs “(g)” to “(j)” of rule 28(1) shall be re-lettered “(h)” to “(k)” and in sub-paragraph (i) as re-lettered for the words “the bishop” there shall be substituted the words “the diocesan bishop”

(5) In Rule 28(1)(j) as re-lettered for the words “the bishop” there shall be substituted the words “the diocesan bishop”.

Membership of House of Laity

20. In rule 29(1)(b) for the words from “two” to “province” there shall be substituted the words “three members, two from the Province of Canterbury and one from the Province of York”.

Number of Elected Members

21. In rule 30, for paragraph (1) there shall be substituted—

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“(1) The total number of members directly elected and specially elected from the dioceses in the Province shall not exceed one hundred and seventy for Canterbury and eighty for York and no diocese shall have fewer than three directly elected members (except the diocese in Europe which shall elect two members, and the diocese of Sodor and Man which shall elect one member). Ex officio and co-opted members (as defined in rule 35) shall be additional to the said total number.

In this rule the term “specially elected” means the representatives of the religious communities referred to in rule 29(1) hereof and the representatives of the Channel Islands elected in accordance with the provisions of the Channel Islands (Representation) Measure 1931 and such persons shall be included in the said total number.

(1A) The total number of members to be elected by the diocesan electors of all the dioceses shall be fixed by resolution of the General Synod not later than the last day of November in the fourth year after the last preceding election of the house of Laity (but subject as hereinafter provided), and the resolution shall apportion the number so fixed to the Provinces of Canterbury and York in a proportion of sixty eight to thirty two or as nearly as possible thereto and shall divide the number among the dioceses so that the number of members to be elected by the several dioceses are as nearly as possible proportionate to the total number of names certified for them under the following paragraph.”

Qualification of Elected Members

22.—(1) For rule 31(1) there shall be substituted—

“(1) Subject to the provisions of rule 1(3) and of paragraphs (1A) and (1B) of this rule, a lay person shall be qualified for election for any diocese by the diocesan electors of the diocese if—

- (a) he is an actual communicant member of the Church of England,
- (b) he is of eighteen years of age on the date of the dissolution of the General Synod;
- (c) his name is at 6.00 a.m. on the date of dissolution of the General Synod entered on the roll of any parish in the diocese or who at any time within the period of two months beginning one month immediately before that date is declared by the dean of the cathedral church to be a habitual worshipper at that cathedral church.”

(2) At the beginning of rule 31(1A) there shall be inserted the words “Subject to the provisions of rule 1(3) and of paragraph (1B) of this rule,”

(3) After Rule 31(1A) there shall be inserted—

“(1B) A person shall be disqualified from being nominated for election as a member of the General Synod if he holds any paid office or employment appointment to which is or may be made or confirmed by the General Synod, the Convocations, the Central Board of Finance, the Church Commissioners for England (except that such disqualification shall not apply to any Commissioner so appointed in receipt of a salary or other emoluments), the Church of England Pensions Board or the Corporation of the Church House.”

Conduct of Election

23.—(1) In rule 33(3) after the word “writing” there shall be inserted the words “shall include the year of the candidate's birth”.

(2) At the end of rule 33(3) there shall be inserted—

“and to 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 received after the due date.”

(3) For rule 33(4) there shall be substituted—

“(4) 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.”

Ex officio and co-opted members of the House of Laity

24. In rule 35(3), the proviso shall be omitted and at the end of that rule there shall be inserted the words “Where such members are on more than one electoral roll, they shall choose the parochial church council of which they are to be a member.”

Appeals

25.—(1) In rule 36(2) after the words “Diocesan Synod” there shall be inserted the words “or the choosing of a retired clerk in Holy Orders in accordance with rule 19(2)(e),” and for the words from “rural dean” where first occurring to the word “archdeacon” there shall be substituted the words “lay chairman of the deanery synod”.

(2) In rule 36(4) after the word “their” where secondly occurring there shall be inserted the word “lay” and at the end of rule 36(4) there shall be added the words “The decision of such members shall be final.”

(3) For rule 36(5) there shall be substituted—

“(5) In any appeal arising under this rule except an appeal arising out of an election to the House of Laity of the General Synod, the bishop or the lay chairman of the deanery synod, as the case may be, shall, unless the parties agree to a settlement of their dispute, refer any appeal to the bishop's council and standing committee of the diocese who, in an appeal concerning an election of the House of Clergy of the diocesan synod, shall appoint three or a great number being an odd number of their clerical members to consider and decide the appeal and, in an appeal concerning lay persons, the bishop's council and standing committee shall appoint three or a greater number, being an odd number of their lay members to consider and decide the appeal. Their decision shall be final.”

(4) In rule 36(6) for the words from “standing committee” to “appointed” there shall be substituted the words “Standing Committee or bishop's council, as the case may be,”

(5) In rule 36(7) for the words from “standing committee” to “rule” there shall be substituted the words “Standing Committee or bishop's council, as the case may be,”.

Vacation of seat by member ceasing to be qualified for election

26.—(1) In rule 37(1), after paragraph (d) there shall be inserted—

“(e) any elected member of the House of Laity of the General Synod takes any paid office or employment as provided by rule 31(1B);”

(2) For rules 37(2) and 37(3) there shall be substituted—

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“(2) If the name of a person to whom paragraph 1(a) of this rule applies is entered on the roll of any parish in the diocese other than that of the parish mentioned in 1(a) above or if he is declared under rule 22 to be a habitual worshipper at the cathedral church of the diocese, his seat shall not be vacated under this rule if, before the vacancy occurs, the parochial church council so resolve.

(3) If a person to whom paragraph (1)(b) of this rule applies continues to work or reside in the diocese, his seat shall not be vacated under this rule if, before the vacancy occurs, the clerical members of the standing committee of the deanery synod so resolve.

(4) If the name of a person to whom paragraph (1)(c) of this rule applies is entered on the roll of any parish in the diocese other than that of the parish mentioned in 1(c) above or if he is declared under rule 22 to be a habitual worshipper at the cathedral church of the diocese, his seat shall not be vacated under this rule if, before the vacancy occurs, the lay members of the standing committee of the deanery synod so resolve.”

and paragraphs (4) and (5) shall be re-numbered (5) and (6).

(3) In rule 37(5) as re-numbered after the word “IF” there shall be inserted the words “the lay members of” and after the word “determined” there shall be inserted the words “before the vacancy occurs.”

Casual Vacancies

27.—(1) In rule 39(5) after the words “occurrence of the vacancy” there shall be inserted the words “In the event of a casual vacancy in the House of Laity of the General Synod not being filled within six months of the occurrence of the vacancy, the vacancy shall remain unfilled until the next general election of the House of Laity.”

(2) In rule 39(6), for the words from “the date of” where first occurring to “subsequent” there shall be substituted the words “1st August in the year of the last general election to that House or the date of any subsequent declaration of the result of an” and for the words “upon the principle of proportional representation” there shall be substituted the words “by the method of the single transferable vote”.

(3) In rule 39(6), for the words from “the bishop's council” to “agree” there shall be substituted the words “within three months of the occurrence of the vacancy the bishop's council and standing committee, acting in accordance with any directions of the diocesan synod, so decide.”

(4) At the end of rule 39(7) there shall be inserted the words—
“Provided that no continuing candidate elected during the original count shall be excluded.”

Special Provisions

28. In rule 43(1)(c) there shall be inserted at the end, the words—

“provided that such power shall not be exercised in relation to the conduct of the elections referred to in Rules 33 and 39 of these Rules;”

Forms

29.—(1) In Appendix I, in section 1 for the words ‘have habitually attended’ there shall be substituted the words ‘a habitual attender at’ and there shall be inserted a new Note 4—

“4. In this Form ‘parish’ means an ecclesiastical parish”

(2) In Appendix I, in sections 2, 3 and 4 at the end there shall be inserted a Note—

“In this Notice ‘parish’ means an ecclesiastical parish.”

(3) In Appendix I, in section 5 in paragraph 3 for the words “proportional representation” there shall be substituted the words “the single transferable vote”.

(4) In Appendix I, in section 7 for the words “Instructions to Voters” there shall be substituted the words “Guidance to Voters”; in paragraph 1 of section 7 for the words “on the reverse thereof” there shall be substituted the words “and the full name written on the reverse” and in paragraph 6 of section 7, for the words “voted upon and signed” there shall be substituted the words “completed on the reverse thereof.”

(5) In Appendix I, in section 8 for the words “Instructions to Voters” to the end of the form there shall be substituted—
“Guidance to Voters

General Provisions relating to Parochial Church Councils

30.—(1) In Appendix II, in paragraph 1(g), after the word “auditors” where thirdly occurring there shall be inserted “(who shall not be members of the council)”.

(2) In Appendix II, in paragraph 4, after sub-paragraph (b) there shall be inserted:

“(c) If for some good and sufficient reason the chairman, vice-chairman and secretary, or any two of them, consider that a convened meeting should be postponed, notice shall be given to every member of the council specifying a reconvened time and place within fourteen days of the postponed meeting.”

(3) In Appendix II, in paragraph 12(d) for the words from “or a person” to “minutes” there shall be inserted—

“or the archdeacon or a person authorised by either of them in writing, shall have access to the minutes or part thereof”

Citation, interpretation and commencement

31.—(1) This resolution may be cited as the Church Representation Rules (Amendment) (No. 1) Resolution 1984, and the Church Representation Rules (Amendment) Resolutions 1973 to 1981 and this Resolution may be cited together as the Church Representation Rules (Amendment) Resolutions 1973 to 1984.

(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 1981 and by the Diocese in Europe Measure 1980.

(3) This Resolution shall come into operation on the first day of January 1985.

Approved by the General Synod

W.D. Pattinson
Secretary-General

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EXPLANATORY NOTE

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, makes amendments of the Church Representation Rules contained in Schedule 3 to that Measure. These changes include:—

- (a) the amendment of the procedure for approving parochial schemes;
- (b) increasing from two to three the number of lay religious to be elected to the General Synod;
- (c) the adjustment of the total number of laity elected to the General Synod;
- (d) the disqualification of certain employees of the Church from standing for election to the General Synod;
- (e) the inclusion on the voting paper of a candidate's year of birth when standing for election to the General Synod;
- (f) the abolition of the diocesan electoral commission for the hearing of appeals and its replacement by the clergy or lay members (as appropriate) of the bishop's council and standing committee; and
- (g) a provision that a casual vacancy shall remain unfilled until the next general election if not filled within six months of the vacancy occurring.