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SCHEDULES

SCHEDULE 3

CHURCH REPRESENTATION RULES

Annotations:

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))

APPENDIX II

GENERAL PROVISIONS RELATING TO PAROCHIAL CHURCH COUNCILS

- 1 (a) The minister of the parish shall be chairman of the parochial church council (hereinafter referred to as “the council”).
- (b) A lay member of the council shall be elected as vice-chairman of the council.
- (c) During the vacancy of the benefice [^{F1}or]when the chairman is incapacitated by absence or illness or any other cause [^{F2}or when the minister invites him to do so]the vice-chairman of the council shall act as chairman and have all the powers vested in the chairman.
- (d) The council may appoint one of their number to act as secretary of the council. If no member is appointed so to act the council shall appoint some other fit person with such remuneration (if any) as they shall think fit. The secretary shall have charge of all documents relating to the current business of the council except that, unless he is the electoral roll officer; he shall not have charge of the roll. He shall be responsible for keeping the minutes, shall record all resolutions passed by the council and shall keep the secretary of the diocesan synod and deanery synod informed as to his name and address.
- (e) The council may appoint one or more of their number to act as treasurer solely or jointly. Failing such appointment, the office of treasurer shall be discharged [^{F3}by some other fit person or] jointly by such of the churchwardens as are members of the council, or, if there is only one such churchwarden, by the churchwarden solely. No remuneration shall be paid to any person in respect of his appointment as treasurer.
- (f) The council shall appoint an electoral roll officer, who may but need not be a member of the council and may be the secretary, and if he is not a member may pay to him such remuneration as it shall think fit. He shall have charge of the roll.

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- ^{F4}(g)
- ^{F5}(g)
- [^{F6}(g) If an independent examiner or auditor to the Council is not appointed by the annual meeting or if an independent examiner or auditor appointed by the annual meeting is unable or unwilling to act, an independent examiner or auditor (who shall not be a member of the council) shall be appointed by the council for a term of office ending at the close of the next annual meeting. The remuneration (if any) of the independent examiner or auditor shall be paid by the council.]
- [^{F7}(h) For the purposes of this paragraph, where a special cure of souls in respect of a parish has been assigned to a vicar in a team ministry, or where there has been no such assignment but a special responsibility for pastoral care in respect of the parish has been assigned to a member of the team under section 20(8A) of the Pastoral Measure 1983, that vicar or that member, as the case may be, shall be deemed to be the minister unless incapacitated by absence or illness or any other cause, in which case the rector in the team ministry shall be deemed to be the minister.]

Annotations:

Amendments (Textual)

- F1** Word substituted by [S.I. 1980/178, para. 19](#).
- F2** Words inserted by [S.I. 1980/178, para. 19](#).
- F3** Words in [Sch. 3 Appendix II para. \(1\)\(e\)](#) inserted (1.1.1995) by [S.I. 1994/3118, para. 60](#).
- F4** [Sch. 3 Appendix II para. \(1\)\(g\)](#) omitted (1.1.1995) by virtue of [S.I. 1994/3118, para. 61](#).
- F5** [Sch. 3 Appendix II para. \(1\)\(g\)](#) omitted (1.5.1997) by virtue of [S.I. 1995/3243, para. 12](#).
- F6** [Sch. 3 Appendix II para. \(1\)\(g\)](#) inserted (1.5.1997) by virtue of [S.I. 1995/3243, para. 12](#).
- F7** [Sch. 3 Appendix II para. \(1\)\(h\)](#) inserted (1.5.1996) by [1995 No. 1, s. 11](#); Instrument dated 12.2.1996 made by [Archbishops of Canterbury and York](#).

- 2 The council shall hold not less than four meetings in each year. Meetings shall be convened by the chairman and if not more than four meetings are held they shall be at quarterly intervals so far as possible.
- 3 The chairman may at any time convene a meeting of the council. If he refuse or neglect to do so within seven days after a requisition for that purpose signed by not less than one-third of the members of the council has been presented to him those members may forthwith convene a meeting.
- 4 (a) Except as provided in paragraph 8 of this Appendix, at least ten clear days before any meeting of the council notice thereof specifying the time and place of the intended meeting and signed by or on behalf of the chairman of the council or the persons convening the meeting shall be posted at or near the principal door of every church, or building licensed for public worship in the parish.
- (b) Not less than seven days before the meeting a notice thereof specifying the time and place of the meeting signed by or on behalf of the secretary shall be [^{F8}posted or delivered] to every member of the council. Such notice shall contain the agenda of

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the meeting including any motion or other business proposed by any member of the council of which notice has been received by the secretary.

[^{F9}The notice required by this sub-paragraph shall not be required for a council meeting immediately following the annual parochial church meeting being a council meeting which has been called solely for the purpose of appointing or electing any officers of the Council or the members of the standing committee thereof provided that the notice required by sub-paragraph (a) hereof has been given.]

[^{F10}(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.]

Annotations:

Amendments (Textual)

F8 Words substituted by S.I. 1989/2094, para. 18(1)

F9 Paragraph inserted by S.I. 1989/2094, para. 18(1)

F10 Para. 4(c) inserted by S.I. 1984/1039, para. 30(2)

5 Subject to the provisions of [^{F11}rules [^{F12}22 and 23]] the chair at a meeting of the council shall be taken:—

(a) by the chairman of the council if he is present;

[^{F13}(b) subject to paragraphs (c) and (d) hereof, if the chairman of the council is not present, by the vice-chairman of the council if he is present;

(c) if the benefice is vacant and a minister acting as priest-in-charge of a parish in respect of which rights of presentation are suspended, by the priest-in-charge;]

[^{F14}[^{F15}(d) In the case of a parish in the area of a benefice for which a team ministry is established, by the rector in that ministry if he is present and both the vicar in that ministry who would if he were present be entitled, by virtue of a provision in a pastoral scheme or the bishop's licence, to preside and the vice-chairman of the council are not present].

Provided that at any such meeting the chairman [^{F16}presiding] shall, if he thinks it expedient to do so or the meeting so resolves, vacate the chair either generally or for the purposes of any business in which he has a personal interest or for any other particular business.

Should neither the chairman or vice-chairman [^{F17}, the vice chairman, nor, where sub-paragraphs (c) and (d) above apply, the priest-in-charge or rector] be available to take the chair for any meeting or for any particular item on the agenda during a meeting then a chairman shall be chosen by those members present from among their number and the person so chosen shall preside for that meeting or for that particular item.

Annotations:

Amendments (Textual)

F11 Words substituted by S.I. 1989/2094, para. 18(2)(i)

F12 Words in Sch. 3 Appendix II para. 5 amended (1.1.1995) by S.I. 1994/3118, para. 63, Sch.

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- F13** Appendix II para. 5(b)(c) substituted for (b) by S.I. 1989/2094, **para. 18(2)(ii)**
- F14** Para. 5(c) inserted by S.I. 1981.959, para. 11(1)
- F15** Appendix II para. 5(c) renumbered (d) by S.I. 1989/2094, **para. 18(2)(iii)**
- F16** Words substituted by S.I. 1981/959, **para. 11(2)(a)**
- F17** Words substituted by S.I. 1989/2094, **para. 18(2)(iv)**

- 6 No business shall be transacted at any meeting of the council unless at least one-third of the members are present thereat and no business which is not specified in the agenda shall be transacted at any meeting except by the consent of three-quarters of the members present at the meeting.
- 7 The business of a meeting of the council shall be transacted in the order set forth in the agenda unless the council by resolution otherwise determine.
- 8 In case of sudden emergency or other special circumstances requiring immediate action by the council a meeting may be convened by the chairman of the council at not less than three [^{F18}clear]days’ notice in writing to the members of the council but the quorum for the transaction of any business at such meetings shall be a majority of the then existing members of the council and no business shall be transacted at such meeting except as is specified in the notice convening the meeting.

Annotations:

Amendments (Textual)

- F18** Word inserted by S.I. 1973/1865, **para. 36**

- 9 The meeting of the council shall be held at such place as the council may direct or in the absence of such direction as the chairman may direct.
- 10 The business of the Council shall be decided by a majority of the members present and voting thereon.
- 11 In the case of an equal division of votes the chairman of the meeting shall have a second or casting vote.
- 12 (a) The names of the members present at any meeting of the council shall be recorded in the minutes.
- (b) If one-fifth of the members present and voting on any resolution so require, the minutes shall record the names of the members voting for and against that resolution.
- (c) Any member of the council shall be entitled to require that the minutes shall contain a record of the manner in which his vote was cast on any resolution.
- ^{F19}(d)
- [^{F20}(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.

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- ^{F21}(e)
- [^{F22}(e) The independent examiner or auditor of the council’s financial statements, the bishop, the archdeacon and any 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.]

Annotations:

Amendments (Textual)

- F19** Sch. 3 Appendix II para 12(d) omitted (1.1.1995) by virtue of S.I. 1994/3118, para. 62.
- F20** Sch. 3 Appendix II paras. (d)-(g) inserted (1.1.1995) by S.I. 1994/3118, para. 62.
- F21** Sch. 3 Appendix II para. 12(e) omitted (1.5.1997) by virtue of S.I. 1995/3243, para. 13.
- F22** Sch. 3 Appendix II para. 12(e) inserted (1.5.1997) by S.I. 1995/3243, para. 13.

- 13 Any meeting of the council may adjourn its proceedings to such time and place as may be determined at such meeting.
- 14 (a) The council shall have a standing committee consisting of not less than five persons. The minister and such of the churchwardens as are members of the council shall be ex-officio members of the standing committee, and the council shall by resolution appoint at least two other members of the standing committee from among its own members and may remove any person so appointed. [^{F23}Unless removed from office, the appointed members shall hold office from the date of their appointment until the conclusion of the next annual meeting of the parish.]
- (b) The standing committee shall have power to transact the business of the council between the meetings thereof subject to any directions given by the council.

Annotations:

Amendments (Textual)

- F23** Words inserted by S.I. 1989/2094, para. 18(3)

- 15 The council may appoint other committees for the purpose of the various branches of church work in the parish and may include therein persons who are not members of the council. The minister shall be a member of all committees ex-officio.
- [^{F24}16 An independent examiner or auditor of the Council’s financial statements shall—
- (a) have a right of access with respect to books, documents or other records (however kept) which relate to the said financial statements;

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- (b) have a right to require information and explanations from past or present treasurers or members of the council and, in case of default, the independent examiner or auditor may apply to the Charity Commissioners for an order for directions pursuant to section 44(2) of the Charities Act 1993 or any statutory modification thereof for the time being in force.]

Annotations:

Amendments (Textual)

F24 [Sch. 3](#) Appendix II para. 16 inserted (1.5.1997) by [S.I. 1995/3243](#), [para. 16](#).

- [^{F25}17] No proceedings of the council shall be invalidated by any vacancy in the membership of the council or by any defect in the qualification or election of any member thereof.

Annotations:

Amendments (Textual)

F25 [Sch. 3](#) Appendix II para. 16 renumbered as para. 17 (1.5.1997) by [S.I. 1995/3243](#), [para. 14](#).

- [^{F26}18] Any question arising on the interpretation of this Appendix shall be referred to the bishop of the diocese and any decision given by him or by any person appointed by him on his behalf shall be final.

Annotations:

Amendments (Textual)

F26 [Sch. 3](#) Appendix II para. 17 renumbered as para. 18 (1.5.1997) by [S.I. 1995/3243](#), [para. 14](#).

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Changes and effects yet to be applied to the whole Measure associated Parts and Chapters:

Whole provisions yet to be inserted into this Measure (including any effects on those provisions):

- s. 4(2)(d) (e) inserted by 2003 No. 1 s. 1(1)
- Sch. 2 art. 4(2) substituted by 2006 No. 1 s. 8(a)
- Sch. 2 art. 5(4) substituted by 2006 No. 1 s. 8(b)
- Sch. 2 art. 8(1) words repealed by 2013 No. 1 s. 2(2)(a)
- Sch. 3 rule 46A(1) Sch. 3 rule 46A renumbered as Sch. 3 rule 46A(1) by 2016 No. 1 s. 2(11)
- Sch. 3 rule 42(1)(h) added by 2014 No. 1 s. 9(a)
- Sch. 3 rule 14(1)(aa) inserted by 2003 No. 1 s. 1(2) Sch. para. 3
- Sch. 3 rule 27A inserted by 2007 No. 1 s. 49(4)
- Sch. 3 rule 9(2A) inserted by 2016 No. 1 s. 5(4)
- Sch. 3 rule 46A cross-heading inserted by 2016 No. 1 s. 3(1)
- Sch. 3 rule 46A(1)(aa)-(ad) inserted by 2016 No. 1 s. 3(1)
- Sch. 3 rule 46A(2) inserted by 2016 No. 1 s. 2(11)(c)
- Sch. 3 rule 46B inserted by 2016 No. 1 s. 3(3)
- Sch. 3 rule 46C 46D and cross-heading inserted by 2016 No. 1 s. 3(4)
- Sch. 3 rule 54(9) inserted by 2016 No. 1 s. 3(6)
- Sch. 3 rule 36(3) inserted by S.I. 2014/2113 para. 4
- Sch. 3 rule 39(6A) inserted by S.I. 2014/2113 para. 12
- Sch. 3 rule 48(8A) inserted by S.I. 2014/2113 para. 14
- Sch. 3 rule 48(12) inserted by S.I. 2014/2113 para. 15
- Sch. 3 rule 18(5A) omitted by 2003 No. 1 s. 1(2) Sch. para. 6(b)
- Sch. 3 Appendix 1 Section 5(4) omitted by S.I. 2014/2113 para. 19
- Sch. 3 rule 18(3)(iv) repealed by 2014 No. 2 Sch.
- Sch. 3 rule 9(1)(d) substituted by 2018 No. 3 Sch. 3 para. 8
- Sch. 3 rule 39(12) substituted by S.I. 2014/2113 para. 13
- Sch. 3 Appendix 2 para. 5(a)-(c) substituted for Sch. 3 Appendix 2 para. 5(a)-(d) by 2003 No. 1 s. 1(2) Sch. para. 9(a)
- Sch. 3 Appendix 1 Section 2 word inserted by S.I. 2014/2113 para. 17
- Sch. 3 Appendix 1 Section 3 word inserted by S.I. 2014/2113 para. 18
- Sch. 3 rule 31(8) word substituted by 2003 No. 1 s. 1(2) Sch. para. 7
- Sch. 3 rule 46(1)(e) word substituted by 2016 No. 1 s. 3(2)(a)
- Sch. 3 Appendix 1 s. 4 Note 3 word substituted by 2006 c. 50 Sch. 8 para. 54(3)(b)
- Sch. 3 Appendix 1 s. 6 Note word substituted by 2006 c. 50 Sch. 8 para. 54(4)(b)
- Sch. 3 rule 46A(a) word substituted by 2006 c. 50 Sch. 8 para. 54(2)(b)
- Sch. 3 rule 10(1)(a) words inserted by 2003 No. 1 s. 1(2) Sch. para. 2
- Sch. 3 Appendix 1 s. 4 Note (3) words inserted by 2016 No. 1 s. 3(7)
- Sch. 3 Appendix 1 s. 6 words inserted by 2016 No. 1 s. 3(8)
- Sch. 3 Appendix 1 s. 6 words inserted by 2016 No. 1 s. 3(9)
- Sch. 3 rule 54(1) words inserted by 2016 No. 1 s. 3(5)
- Sch. 3 Appendix 1 Section 1 words inserted by S.I. 2014/2113 para. 16
- Sch. 3 rule 39(3) words inserted by S.I. 2014/2113 para. 5
- Sch. 3 rule 39(3) words inserted by S.I. 2014/2113 para. 8
- Sch. 3 rule 39(3)(i) words inserted by S.I. 2014/2113 para. 6
- Sch. 3 rule 39(3)(ii) words inserted by S.I. 2014/2113 para. 7
- Sch. 3 rule 39(4) words inserted by S.I. 2014/2113 para. 10
- Sch. 3 rule 18(3)(i) words omitted by 2003 No. 1 s. 1(2) Sch. para. 6(a)
- Sch. 3 rule 18(6) words omitted by 2003 No. 1 s. 1(2) Sch. para. 6(c)
- Sch. 3 rule 54(1) words omitted by 2003 No. 1 s. 1(2) Sch. para. 8

- Sch. 3 rule 46A(c) words omitted by 2014 No. 1 s. 9(b)
- Sch. 3 rule 46A(1)(a) words omitted by 2016 No. 1 s. 2(11)(a)
- Sch. 3 rule 46A(1)(b) words omitted by 2016 No. 1 s. 2(11)(b)
- Sch. 3 Appendix 1 Section 6 words omitted by S.I. 2014/2113 para. 20
- Sch. 3 rule 36(1) words omitted by S.I. 2014/2113 para. 3
- Sch. 3 rule 39(4) words omitted by S.I. 2014/2113 para. 11
- Sch. 3 rule 34(1)(c) words repealed by 2007 No. 1 Sch. 7
- Sch. 3 rule 19(1)(c) words repealed by 2014 No. 2 Sch.
- Sch. 3 rule 19(2) words repealed by 2014 No. 2 Sch.
- Sch. 3 rule 20(1)(c) words repealed by 2014 No. 2 Sch.
- Sch. 3 rule 20(2) words repealed by 2014 No. 2 Sch.
- Sch. 3 rule 21(1)(c) words repealed by 2014 No. 2 Sch.
- Sch. 3 rule 21(3) words repealed by 2014 No. 2 Sch.
- Sch. 3 Appendix 2 para. 5 words substituted by 2003 No. 1 s. 1(2) Sch. para. 9(b)
- Sch. 3 rule 14(1)(g) words substituted by 2003 No. 1 s. 1(2) Sch. para. 4
- Sch. 3 rule 16 words substituted by 2003 No. 1 s. 1(2) Sch. para. 5
- Sch. 3 rule 24(6)(b) words substituted by 2007 No. 1 s. 63(6)
- Sch. 3 rule 46(1)(f) words substituted by 2016 No. 1 s. 3(2)(b)
- Sch. 3 Appendix 1 s. 4 Note 3 words substituted by 2006 c. 50 Sch. 8 para. 54(3)(a)
- Sch. 3 Appendix 1 s. 6 Note words substituted by 2006 c. 50 Sch. 8 para. 54(4)(a)
- Sch. 3 Appendix 2 para. 16 words substituted by 2006 c. 50 Sch. 8 para. 54(5)
- Sch. 3 rule 46A(a) words substituted by 2006 c. 50 Sch. 8 para. 54(2)(a)
- Sch. 3 Appendix 1 Section 4 Note 3 words substituted by 2011 c. 25 Sch. 7 para. 21(4)
- Sch. 3 Appendix 1 Section 6 Note words substituted by 2011 c. 25 Sch. 7 para. 21(5)
- Sch. 3 Appendix 2 para. 16 words substituted by 2011 c. 25 Sch. 7 para. 21(6)
- Sch. 3 rule 46A(a) words substituted by 2011 c. 25 Sch. 7 para. 21(2)
- Sch. 3 rule 54(1) words substituted by 2011 c. 25 Sch. 7 para. 21(3)(a)
- Sch. 3 rule 54(1) words substituted by 2011 c. 25 Sch. 7 para. 21(3)(b)
- Sch. 3 Appendix 1 Section 6 words substituted by S.I. 2014/2113 para. 20
- Sch. 3 rule 35(1)(d) words substituted by S.I. 2014/2113 para. 2
- Sch. 3 rule 39(4) words substituted by S.I. 2014/2113 para. 9

Commencement Orders yet to be applied to the Synodical Government Measure 1969

Commencement Orders bringing legislation that affects this Measure into force:

- S.I. 2007/309 art. 2 3 Sch. commences (2006 c. 50)
- commences (2003 c. 1)
- 2006 No. 2 Instrument made by Archbishops commences (2006 No. 1)
- 2007 No. 3 Instrument made by Archbishops Commencement Order
- 2008 No. 1 Instrument made by Archbishops commences (2007 No. 1)