

**This explanatory memorandum is laid before Parliament by the  
General Synod**

**1. (i) Title of the Instrument:**

**THE CHURCH REPRESENTATION RULES (AMENDMENT)  
RESOLUTION 2004 (2004 No. 1889)**

**(ii) Laying Authority and Purpose:**

The General Synod of the Church of England.

The Church Representation Rules (Amendment) Resolution amends the Church Representation Rules, that is to say Schedule 3 to the Synodical Government Measure 1969 (as previously amended).

**(iii) Department responsible:**

The Legal Office of the National Institutions of the Church of England.

**2. Description:**

The Resolution makes a number of amendments to the Church Representation Rules, which provide for the constitution and proceedings of diocesan and deanery synods and make further provision for the synodical government of the Church of England. The changes relate to synodical government at all levels, including the rules governing the membership of the House of Laity of the General Synod and elections to that House.

**3. Matters of special interest to the Joint Committee on Statutory Instruments /  
Select Committee on Statutory Instruments:**

Not applicable: the Resolution does not fall within the terms of reference of these Committees. However, the relevant information is as follows:

**(i) Fees increases:** Not applicable.

**(ii) 21-day rule:** Certain amendments will come into force on 1<sup>st</sup> August 2004 (see rule 19(3)(a)). These amendments need to come into force before the election of new deanery synods (due to take place early in 2005) and in time to remove a requirement under the procedures for determining the number of lay

members to be elected to the General Synod from 2005 (which would otherwise be required to be completed by 1<sup>st</sup> August 2004.)

- (iii) **If the instrument comes into force before it was laid:** It does not.
- (iv) **If the instrument uses novel or especially complex powers:** It does not.

#### **4. Legislative Background:**

##### **(i) General:**

The Synodical Government Measure 1969 makes provision for synodical government within the Church of England. Detailed provisions ('the Church Representation Rules'), relating to synodical government at parish, deanery, diocesan and national levels, are contained in Schedule 3 to the Measure. The General Synod has power to amend the Church Representation Rules by resolution and has done so on a number of previous occasions.

##### **(ii) EU legislation:**

The Resolution does not implement EU legislation.

#### **5. Extent:**

The Resolution applies only to England (apart from a small number of parishes wholly or partly in England which are within the Church in Wales) and to about 20 parishes wholly or partly in Wales which are within the Church of England.

#### **6. European Convention on Human Rights:**

Not applicable, as the Resolution is to be taken on the negative resolution procedure and does not amend primary legislation. However, the Legal Office is of the view that the Resolution is fully compatible with Convention rights.

#### **7. Policy background:**

The purpose of the Synodical Government Measure 1969 is to provide the Church with a system of representative government at parish, deanery, diocesan and national level, with involvement on the part of bishops, clergy and lay people alike.

The Resolution makes changes to synodical structures and procedures at all levels of the Church, representing the completion of the most substantial review of the Church of England's system of synodical government since the creation of the General Synod in 1970. This process started in 1993 with the appointment of a review group under the chairmanship of Lord Bridge of Harwich. A number of the proposals made by the review group formed the basis of what became the Synodical Government (Amendment) Measure 2003 (2003 No. 1). A number of its other proposals, including ones relating to the size and composition of the General Synod, form the basis of the Resolution, alongside other miscellaneous changes to synodical structures and

processes. The Resolution therefore represents the culmination of a long process of consideration, consultation and discussion within the Church.

**8. Impact:**

The only impact will be upon the synodical structures of the Church.

**9. Contact:**

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