



# Church of England Assembly (Powers) Act 1919

## 1919 CHAPTER 76

An Act to confer powers on the National Assembly of the Church of England constituted in accordance with the constitution attached as an Appendix to the Addresses presented to His Majesty by the Convocations of Canterbury and York on the tenth day of May nineteen hundred and nineteen, and for other purposes connected therewith. [23rd December 1919]

WHEREAS the Convocations of Canterbury and York have recommended in Addresses presented to His Majesty on the tenth day of May nineteen hundred and nineteen, that, subject to the control and authority of His Majesty and of the two Houses of Parliament, powers in regard to legislation touching matters concerning the Church of England shall be conferred on the National Assembly of the Church of England constituted in the manner set forth in identical terms in the Appendix attached to their several Addresses :

And whereas it is expedient, subject to such control and authority as aforesaid, that such powers should be conferred on the Church Assembly so constituted :

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

### **1 Definitions.**

In this Act—

- (1) " The National Assembly of the Church of England " (hereinafter called " the Church Assembly") means the Assembly constituted in accordance with the constitution set forth in the Appendix to the Addresses presented to His Majesty by the Convocations of Canterbury and York on the tenth day of May nineteen hundred and nineteen, and laid before both Houses of Parliament;

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*Status: This is the original version (as it was originally enacted).*

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- (2) " The Constitution " means the Constitution of the Church Assembly set forth in the Appendix to the Addresses presented by the Convocations of Canterbury and York to His Majesty as aforesaid ;
- (3) " The Legislative Committee " means the Legislative Committee of the Church Assembly appointed in accordance with the provisions of the Constitution ;
- (4) " The Ecclesiastical Committee " means the Committee established as provided in section two of this Act;
- (5) " Measure " means a legislative measure intended to receive the Royal Assent and to have effect as an Act of Parliament in accordance with the provisions of this Act.

## **2 Establishment of and Ecclesiastical Committee of the Privy Council.**

- (1) There shall be a Committee of members of both Houses of Parliament styled " The Ecclesiastical Committee. "
- (2) The Ecclesiastical Committee shall consist of fifteen members of the House of Lords, nominated by the Lord Chancellor and fifteen members of the House of Commons nominated by the Speaker of the House of Commons, to be appointed on the passing of this Act to serve for the duration of the present Parliament and thereafter to be appointed at the commencement of each Parliament to serve for the duration of that Parliament.  

Any casual vacancy occurring by the reason of the death, resignation, or incapacity of a member of the Ecclesiastical Committee shall be filled by the nomination of a member by the Lord Chancellor or the Speaker of the House of Commons, as the case may be.
- (3) The powers and duties of the Ecclesiastical Committee may be exercised and discharged by any twelve members thereof, and the Committee shall be entitled to sit and to transact business whether Parliament be sitting or not, and notwithstanding a vacancy in the membership of the Committee. Subject to the provisions of this Act, the Ecclesiastical Committee may regulate its own procedure.

## **3 Measures passed by Church Assembly to be submitted to Ecclesiastical Committee.**

- (1) Every measure passed by the Church Assembly shall be submitted by the Legislative Committee to the Ecclesiastical Committee, together with such comments and explanations as the Legislative Committee may deem it expedient or be directed by the Church Assembly to add.
- (2) The Ecclesiastical Committee shall thereupon consider the measure so submitted to it, and may, at any time during such consideration, either of its own motion or at the request of the Legislative Committee, invite the Legislative Committee to a conference to discuss the provisions thereof, and thereupon a conference of the two committees shall be held accordingly.
- (3) After considering the measure, the Ecclesiastical Committee shall draft a report thereon to Parliament stating the nature and legal effect of the measure and its views as to the expediency thereof, especially with relation to the constitutional rights of all His Majesty's subjects.

- (4) The Ecclesiastical Committee shall communicate its report in draft to the Legislative Committee, but shall not present it to Parliament until the Legislative Committee signify its desire that it should be so presented.
- (5) At any time before the presentation of the report to Parliament the Legislative Committee may, either on its own motion or by direction of the Church Assembly, withdraw a measure from further consideration by the Ecclesiastical Committee but the Legislative Committee shall have no power to vary a measure of the Church Assembly either before or after conference with the Ecclesiastical Committee.
- (6) A measure may relate to any matter concerning the Church of England, and may extend to the amendment or repeal in whole or in part of any Act of Parliament, including this Act:  
  
Provided that a measure shall not make any alteration in the composition or powers or duties of the Ecclesiastical Committee, or in the procedure in Parliament prescribed by section four of this Act.
- (7) No proceedings of the Church Assembly in relation to a measure shall be invalidated by any vacancy in the membership of the Church Assembly or by any defect in the qualification or election of any member thereof.

#### **4 Procedure on measures reported on by the Ecclesiastical Committee.**

When the Ecclesiastical Committee shall have reported to Parliament on any measure submitted by the Legislative Committee, the report, together with the text of such measure, shall be laid before both Houses of Parliament forthwith, if Parliament be then sitting, or, if not, then immediately after the next meeting of Parliament, and thereupon, on a resolution being passed by each House of Parliament directing that such measure in the form laid before Parliament should be presented to His Majesty, such measure shall be presented to His Majesty, and shall have the force and effect of an Act of Parliament on the Royal Assent being signified thereto in the same manner as to Acts of Parliament :

Provided that, if upon a measure being laid before Parliament the Chairman of Committees of the House of Lords and the Chairman of Ways and Means in the House of Commons acting in consultation, shall be of opinion that the measure deals with two or more different subjects which might be more properly divided, they may, by joint agreement, divide the measure into two or more separate measures accordingly, and thereupon this section shall have effect as if each of the measures resulting from such division had been laid before Parliament as a separate measure.

#### **5 Short title.**

This Act may be cited as the Church of England Assembly (Powers) Act, 1919.