

# GENERAL SYNOD

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## JULY GROUP OF SESSIONS 2010

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### FIFTH NOTICE PAPER

#### SPECIAL AGENDA I LEGISLATIVE BUSINESS

##### ITEM 501

#### DRAFT BISHOPS AND PRIESTS (CONSECRATION AND ORDINATION OF WOMEN) MEASURE (GS 1708A) DRAFT AMENDING CANON No 30 (GS 1709A)

**Draft Measure and Draft Amending Canon for Revision  
(First Consideration at the February 2009 group of sessions)  
Article 7 and Article 8 business**

*Any re-numbering of clauses occasioned by the making of amendments will be carried out editorially by the Legal Office after the Revision Stage has been completed.*

#### DRAFT BISHOPS AND PRIESTS (CONSECRATION AND ORDINATION OF WOMEN) MEASURE

##### **Clause 1**

*A member of the Steering Committee to move:*

**511** That clause 1 stand part of the Measure.

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##### **Clause 2**

*The Revd Canon Simon Killwick (Manchester) and the Revd Simon Tillotson (Canterbury)<sup>1</sup> have given notice of the following amendments:*

**512** *The amendments set out in Appendix I (see p.11)*

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<sup>1</sup> Where two members have given notice, under SO 56(a), of amendments in identical terms the text of the amendment is printed once under the names of each of those members.

*The Revd Canon Simon Killwick (Manchester) and the Revd Rod Thomas (Exeter) have given notice of the following amendments:*

***(These amendments will not be moved if the amendments to which item 512 refers are carried)***

**513** *The amendments set out in Appendix II (see p.21)*

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*The Archbishop of Canterbury and the Archbishop of York have given notice of the following amendment:*

***(This amendment will not be moved if the amendments to which either item 512 or item 513 refers are carried)***

**514** In clause 2(1) *leave out* the words “way of delegation to” and after clause 2(1) *insert* —

“(2) The episcopal ministry referred to in subsections (1), (3) and (5) shall be exercisable by virtue of this section and shall not divest the bishop of the diocese of any of his or her functions.”

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*The Rt Revd David Stancliffe (the Bishop of Salisbury) has given notice of the following amendment:*

***(This amendment will not be moved if the amendments to which either item 512 or item 513 refers are carried)***

**515** *Leave out* paragraph (b) of clause 2(1).

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*Mr Kevin Carey (Chichester) has given notice of the following amendment:*

***(This amendment will not be moved if the amendments to which either item 512 or item 513 refers are carried)***

**516** In clause 2(5), at the end *insert* —

“(c) for the support of clergy and members of the laity in parishes which have not issued a Letter of Request under section 3(1) or (3).”

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Mr Tom Sutcliffe (Southwark) has given notice of the following amendment:

***(This amendment will not be moved if the amendments to which either item 512 or item 513 refers are carried)***

**517** *The amendment set out in Appendix III (see p.36)*

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A member of the Steering Committee to move:

***(This motion will not be moved if the amendments to which either item 512 or item 513 refers are carried.)***

**518** That clause 2 [(as amended)] stand part of the Measure.

*The Revd Canon Robert Cotton (Guildford) has given notice of his intention to speak against the motion that clause 2 stand part of the Measure.*

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### **Clause 3**

***If the amendments to which either item 512 or item 513 refers are carried no amendments or other motions will be moved in respect of clause 3.***

*Professor Anthony Berry (Chester) has given notice of the following amendment:*

**519** In clause 3(1) at the beginning *insert* “Subject to subsection (7)”;

in clause 3(3) at the beginning *insert* “Subject to subsection (7)”;

and after clause 3(6) *insert* —

“(7) Before issuing a Letter of Request under subsection (1) or (3), the parochial church council shall consult the persons whose names are entered on the church electoral roll of the parish.”.

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*Mr Gerald O’Brien (Rochester) has given notice of the following amendment:*

**520** After clause 3(1) *insert* —

“(2) Every parochial church council shall, within the period of 1 year commencing with the commencement date

and within each subsequent period of 5 years, if no resolution under subsection (1) is in force, be under a duty to hold a meeting to consider whether to pass such a resolution.”;

after clause 3(4) *insert* —

“(5) Where any of the events mentioned in subsection (3) or (4) have occurred the parochial church council of each parish belonging to the benefice shall, as soon as practicable, and subject to subsection (11), be under a duty to hold a meeting to consider whether to pass a resolution under subsection (3).”; and

after clause 3(11) *insert* —

“(12) Subsections (10) and (11) shall have effect in relation to a meeting at which a decision is taken not to issue a Letter of Request as they have effect in relation to a meeting at which a decision is taken to issue a Letter of Request.”.

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*The Revd Hugh Lee* (Oxford) has given notice of the following amendment:

**521** *Leave out* clause 3(9) and *insert* —

“(9) Any person exercising functions in relation to the appointment of an incumbent of or priest in charge for a benefice shall take account of—

- (a) any Letter of Request under subsection (3), or
- (b) the fact that no such Letter of Request has been issued.”.

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*The Revd Peter Hobson* (Leicester) has given notice of the following amendment:

**522** *Leave out* clause 3(10)(b) and (11)(b).

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*Mr Clive Scowen* (London) has given notice of the following amendment:

***(This amendment will not be moved if item 522 is carried)***

**523** In clause 3(10)(b) *leave out* all the words and *insert* “at least one of the conditions in subsection (12) is fulfilled”; and in clause 3(11)(b) *leave out* all the words and *insert* “at least one of the conditions in subsection (12) is fulfilled”; and after clause 3(11) *insert* —

“(12) The conditions referred to in subsections (10)(b) and (11)(b) above are—

- (i) that at least two-thirds of the members of the council who are entitled to attend are present when the motion is considered;
- (ii) that a majority of the members of the council who are entitled to attend vote in favour of the motion.”.

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*The Reverend Paul Benfield* (Blackburn) has given notice of the following amendment:

***(This amendment will not be moved if item 522 or item 523 is carried)***

**524** In clause 3(10)(b) *leave out* “two-thirds” and *insert* “one half”.

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*The Revd Paul Benfield* (Blackburn) and *Mr Gerald O’Brien* (Rochester) have given notice of the following amendment:

**525** In clause 3(10) *leave out* paragraph (c).

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*The Revd Paul Benfield* (Blackburn) has given notice of the following amendment:

***(This amendment will not be moved if item 522 or item 523 is carried)***

**526** In clause 3(11)(b) *leave out* “two-thirds” and *insert* “one half”.

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*Dr Brian Walker* (Winchester) has given notice of the following amendment:

- 527** In clause 3(14) after “members” *insert* “entitled to attend and attending the meeting and”.
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*A member of the Steering Committee* to move:

- 528** That clause 3 [(as amended)] stand part of the Measure.

*The Revd Canon Robert Cotton* (Guildford) has given notice of his intention to speak against the motion that clause 3 stand part of the Measure.

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#### **Clause 4**

*A member of the Steering Committee* to move:

- 529** That clause 4 stand part of the Measure.

*The Revd Canon Robert Cotton* (Guildford) has given notice of his intention to speak against the motion that clause 4 stand part of the Measure.

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#### **Clause 5**

*The Revd Canon Robert Cotton* (Guildford) has given notice of the following amendment:

***(This amendment will not be moved if the amendments to which item 512 or item 513 refer are carried or if item 518 is carried)***

- 530** *Leave out* clause 5(1) and *insert* —

“(1) The House of Bishops shall draw up, and promulgate, guidance in a Code of Practice as to such matters as it considers appropriate to give effect to this Measure.”.

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*The Archbishop of Canterbury* and *the Archbishop of York* have given notice of the following amendment:

***(This amendment will be moved if item 514 is carried)***

- 531** In clause 5(1)(b) at the end *insert* —

“and, in particular, arrangements for co-ordinating the exercise of episcopal ministry under section 2(1), (3) and

(5) by the bishop of the diocese and any other bishop who exercises episcopal ministry in accordance with those subsections.”.

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*A member of the Steering Committee to move:*

***(This motion will not be moved if the amendments to which either item 512 or item 513 refers are carried)***

**532** That clause 5 [(as amended)] stand part of the Measure.

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### **Clause 6**

*A member of the Steering Committee to move:*

***(This motion will not be moved if the amendments to which item 512 refers are carried)***

**533** That clause 6 stand part of the Measure.

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### **Clause 7**

*A member of the Steering Committee to move:*

**534** That clause 7 [(as amended)] stand part of the Measure:

*Mr Robert Key (Salisbury) has given notice of his intention to speak against the motion that clause 7 stand part of the Measure.*

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### **Clause 8**

*The Revd Peter Hobson (Leicester) has given notice of the following amendment:*

***(This amendment will be moved if item 522 is carried)***

**535** In clause 8(3)(c) *leave out* all the words after “were omitted”.

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*Mr Clive Scowen (London) has given notice of the following amendment:*

***(This amendment will be moved if item 523 is carried)***

**536** In clause 8(3)(c) *leave out* “(11)(b)” and *insert* “(12)”.

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*A member of the Steering Committee to move:*

**537** That clause 8 [(as amended)] stand part of the Measure.

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**Clause 9**

*A member of the Steering Committee to move:*

**538** That clause 9 stand part of the Measure.

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**Clause 10**

*A member of the Steering Committee to move:*

***(This motion will not be moved if the amendments to which item 513 refers are carried)***

**539** That clause 10 stand part of the Measure.

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**After clause 10**

*The Revd Dr Miranda Threlfall-Holmes (Universities, Durham & Newcastle) has given notice of the following amendment:*

**540a** That the following new clause be generally approved:

**[ ] Expiry of Measure**

This Measure, except sections 1(1) and (2) and 11, shall cease to have effect on the expiry of the period of 40 years commencing with the commencement date.”.

***If the motion that the clause be generally approved is carried, a member of the Steering Committee to move:***

**540b** That the clause be inserted in the Measure.

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*The Revd Paul Benfield (Blackburn) has given notice of the following amendment:*

**541a** That the following new clause be generally approved:

**[ ] Amendment etc of Measure or Canon**

A motion for the final approval of a Measure or Canon of the Church of England which amends or repeals any provision of this Measure or of any Canon promulgated under section 1 above shall not be deemed to be carried unless it receives

the assent of a majority in each House of the General Synod of not less than two-thirds of those present and voting.”.

***If the motion that the clause be generally approved is carried, a member of the Steering Committee to move:***

**541b** That the clause be inserted in the Measure.

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### **Clause 11**

*The Revd Paul Benfield* (Blackburn) has given notice of the following amendment:

**542** In clause 11(2) at the end *insert* “but they shall not appoint a day for the purpose of this subsection unless a Measure of the General Synod making provision as to the relief of hardship incurred by persons resigning from ecclesiastical service by reason of opposition to the promulgation of a Canon under section 1 above has been enacted”.

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*A member of the Steering Committee to move:*

**543** That clause 11 [(as amended)] stand part of the Measure.

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### **Schedule 1**

*A member of the Steering Committee to move:*

***(This motion will not be moved if the amendments to which item 513 refers are carried)***

**544** That Schedule 1 [(as amended)] stand part of the Measure.

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### **Schedule 2**

*A member of the Steering Committee to move:*

***(This motion will not be moved if the amendments to which item 512 or item 513 refers are carried)***

**545** That Schedule 2 stand part of the Measure.

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### **Schedule 3**

*A member of the Steering Committee to move:*

***(This motion will not be moved if the amendments to which item 513 refers are carried)***

**546** That Schedule 3 stand part of the Measure.

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### **Schedule 4**

*A member of the Steering Committee to move:*

**547** That Schedule 4 stand part of the Measure.

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### **Long Title**

*A member of the Steering Committee to move:*

**548** That the Long Title stand part of the Measure.

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### **DRAFT AMENDING CANON No 30**

*A member of the Steering Committee to move en bloc (with the permission of the Chairman):*

**549** That paragraphs 1 – 9 stand part of the Canon.

**Item 512**

*The mover of the amendments to move:*

**512a** That clauses 2 and 3 be left out of the Measure and that the following clauses be generally approved –

**“2 Creation of Additional Dioceses**

(1) On such day as the Archbishops of Canterbury and York shall jointly appoint (“the appointed day”) –

(a) the suffragan bishoprics of Ebbsfleet and Richborough in the province of Canterbury and Beverley in the province of York shall be abolished,

(b) 3 new diocesan bishoprics of the same names as the respective suffragan bishoprics mentioned in paragraph (a) shall be founded, and

(c) 3 new dioceses corresponding to those bishoprics shall be created in accordance with subsection (5).

(2) The holders of the suffragan sees of Ebbsfleet , Richborough and Beverley, if in office immediately before the appointed day, shall on that day, be the first bishops of the new dioceses mentioned in subsection (1)(c).

(3) The bishops of the bishoprics specified in subsection (1)(b) shall be corporations sole, with all such rights, privileges and jurisdictions as are possessed by any other diocesan bishop in England.

(4) The dioceses of Ebbsfleet and Richborough shall be part of the province of Canterbury and the bishops of those dioceses shall be subject to the metropolitan jurisdiction of the Archbishop of Canterbury and the diocese of Beverley shall be part of the province of York and the bishop of that diocese shall be subject to the metropolitan jurisdiction of the Archbishop of York.

(5) The dioceses of Ebbsfleet, Richborough and Beverley shall consist of the parishes which have passed a resolution under section 5(1) and those parishes shall be allocated to a diocese in accordance with Regulations.

### **3 Declaration of bishop relating to female bishops and priests**

(1) A male bishop may make a declaration that he will neither participate in the consecration of a woman to the office of bishop nor ordain a woman to the office of priest.

(2) A declaration of a bishop under subsection (1) shall be made –

(a) in the case of the holders of the sees of Ebbsfleet, Richborough and Beverley, if in office on the appointed day, within the period of one month from the appointed day,

(b) in the case of any other bishop appointed to be bishop of an additional diocese, within one month from the date upon which his election to that office is confirmed,

(c) in the case of a bishop licensed to serve in an additional diocese forthwith upon his licensing.

(3) A declaration by a bishop under subsection (1) shall be contained in a written notice signed by him.

(4) A bishop who has made a declaration under subsection (1) may by written notice signed by him withdraw the declaration.

(5) Where the bishop of an additional diocese withdraws the declaration under subsection (4) he shall thereupon cease to be bishop of that diocese.

(6) A copy of any notice given under subsection (3) or (4) shall be sent to the following –

(a) Her Majesty;

(b) the archbishop of the province concerned;

(c) the secretary of the diocesan synod of the diocese concerned;

(d) the registrar of the province concerned; and

(e) the registrar of the diocese concerned.

#### **4 Appointment and Consecration of Bishops of the Additional Dioceses**

(1) No person shall be appointed to be a bishop of an additional diocese unless

- (a) he is male,
- (b) he is willing to make the declaration set out in section 3(1),
- (c) he has been ordained deacon and priest by a male bishop, and
- (d) in the case of a person in episcopal orders, he has been consecrated bishop by at least 3 male bishops.

(2) The archbishop of the relevant province shall cause a bishop of an additional diocese to be consecrated only by bishops who have made the declaration in section 3(1).

#### **5 Parishes**

(1) Subject to the following provisions of this section, any parochial church council may on or after the appointed day, on grounds of theological conviction (whether of members of the council or of other persons), pass the resolution set out in Part I of Schedule 2 and, from the date specified in the resolution, the parish shall cease to be comprised in the diocese to which it belongs and, instead, be transferred to and comprised in the relevant additional diocese.

(2) Subject to the following provisions of this section, a parochial church council of a parish which has passed the resolution under subsection (1) may pass the resolution set out in Part II of Schedule 2 and, from the date specified in the resolution, the parish shall (subject to subsection (7)), cease to be comprised in the relevant additional diocese and, instead, be comprised in the relevant diocese.

(3) No motion for a resolution in the form set out in Part II of Schedule 2 shall be considered by a parochial church council within the period of 5 years commencing with the resolution.

(4) A motion for a resolution in the form set out in Part I of Schedule 2 shall not be considered by a parochial church council if the incumbent or priest in charge of the benefice concerned, or any team vicar or assistant curate for that benefice, is a woman ordained to the office of priest.

(5) A resolution shall not be passed by a parochial church council under subsection (1) or (2) unless –

- (a) except where notice of a vacancy has been sent to the secretary of the council under section 7(4) of the Patronage (Benefices) Measure 1986, the secretary of the council has given to the members of the council at least 4 weeks notice of the time and place of the meeting at which the motion proposing the resolution is to be considered; and
- (b) the meeting is attended by at least one half of the members of the council entitled to attend.

(6) The competent body of a religious community, school or other institution may consider and pass the resolutions set out in Parts I and II of Schedule 2 with the necessary modifications.

(7) Where a parochial church council or the appropriate body referred to in subsection (6) has passed a resolution in the form set out in Part I or II of Schedule 2 and proceedings are pending or in progress in relation to a faculty petition or under the Incumbent (Vacation of Benefices) Measure 1977, the resolution shall not come into force until the bishop of the diocese comprising the parish of that parochial church council has signified in writing that the proceedings have been disposed of.

(8) A copy of any resolution passed by a parochial church council in accordance with this section shall be sent to the following –

- (a) the bishop of the diocese concerned,
- (b) the registrar of the diocese concerned,
- (c) the diocesan secretary of the diocese concerned,
- (d) the rural dean of the deanery concerned, and

- (e) the lay chairman of the deanery synod.

## **6 Bishops and priests of additional dioceses**

(1) No person shall exercise episcopal functions in an additional diocese unless he is a man who has made the declaration in section 3(1).

(2) A woman shall not –

- (a) be appointed to be the incumbent or priest in charge of or team vicar for a benefice to which a parish whose parochial church council has passed a resolution under section 5(1) belongs, or

- (b) preside at or celebrate the Holy Communion or pronounce the Absolution in such a parish.

## **7 Ecclesiastical Offences**

It shall be an offence against the laws ecclesiastical, for which proceedings may be taken under the Clergy Discipline Measure 2003, for any bishop to act in contravention of a declaration made under section 3(1).

## **8 Regulations**

(1) The House of Bishops may make Regulations for giving effect to sections 2 to 6.

(2) Without prejudice to the generality of subsection (1), Regulations may make provision for –

- (a) founding new bishoprics and creating new dioceses in addition to the dioceses specified in section 2(1)(c);

- (b) for abolishing any new bishopric and dissolving any new diocese;

- (c) subject to subsection (3), any of the matters for which Part II of and Schedule 2 to the Dioceses, Pastoral and Mission Measure 2007 makes provision or for disapplying or modifying any such provision;

- (d) any matter for which the Mission and Pastoral Measure 2007 makes provision;

- (e) specifying the relevant dioceses and the relevant additional dioceses for the purposes of section 5 and Schedule 2;
  - (f) matters relating to property and finance; and
  - (g) different cases and circumstances and transitional, incidental and consequential, matters.
- (3) Subsection (2)(c) shall not be construed as enabling any additional diocese to be dissolved or any area of an additional diocese to be transferred to a diocese other than an additional diocese or the transfer of an additional diocese or parts of the area of an additional diocese from one province to the other province.
- (4) Without prejudice to subsection (2)(c) and subject to subsection (3), Regulations may apply, amend or adapt any enactment or instrument.
- (5) A draft of any Regulations proposed to be made shall be laid before the General Synod and, if they are approved by the General Synod without amendment, the Regulations shall be made by the House of Bishops.
- (6) If the draft Regulations are approved by the General Synod with amendment, they shall be referred to the House of Bishops.
- (7) Where the draft Regulations are referred to the House of Bishops under section (6), then the House of Bishops may either –
- (a) make the Regulations as so amended, or
  - (b) withdrew the draw Regulations for further consideration in view of any amendment by the General Synod,
- and the Regulations shall not come into force until they have been approved by the General Synod and made by the House of Bishops.
- (8) Where the Business Committee of the General Synod determines that draft Regulations do not need to be debated by the General Synod then, unless –

(a) notice is given by a member of the General Synod in accordance with its Standing Orders that he or she wishes the draft Regulations to be debated, or

(b) notice is given by any such member that he or she wishes to move an amendment to the draft Regulations, the draft Regulations shall, for the purposes of subsection (5), be deemed to have been approved by the General Synod without amendment.

(9) The Statutory Instruments Act 1946 shall apply to any Regulations made under this section as if they were a statutory instrument and were made when issued by the House of Bishops and as if this Measure were an Act providing that any such Regulations shall be subject to annulment in pursuance of a resolution of either House of Parliament.”.

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***If the motion that the above clauses be generally approved is carried a member of the Steering Committee to move:***

**512b** That new clauses 2 to 8 be inserted in the Measure.

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***If that motion is carried, a member of the Steering Committee will then move item 529.***

***The following amendments in this Appendix will only be moved if items 512a and b are carried.***

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*The mover of the amendments to move:*

**512c** *Leave out* clauses 5 and 6.

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### **Clause 7**

*The mover of the amendments to move:*

**512d** In clause 7, leave out paragraphs (a) to (e) and *insert* –  
“the creation of new bishoprics and dioceses under section 2, any declaration by a bishop under section 3(1), the provisions of section 4, any resolution passed by a parochial church council under section 5(1), and any provision of Regulations.”.

***A member of the Steering Committee will then move item 534.***

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### **Clause 8**

*The mover of the amendments to move:*

**512e** In clause 8(1)(a), at the beginning *insert* the following definitions –

““additional diocese” means a diocese specified in section 2(1)(c) and any other diocese created in pursuance of section 8(2)(a);

“the appointed day” means the day appointed under section 2(1);”;

*leave out* the definitions of “episcopal ministry”, “functions” and “parishioners”;

and at the end *insert* the following definitions –

“Regulations” means Regulations made under section 8(1);

“relevant diocese” and “relevant additional diocese” mean, respectively, any diocese specified as such in Regulations made under section 8(2)(e).”.

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***Items 537 to 543 will then be moved.***

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### **Schedule 1**

*The mover of the amendments to move:*

**512f** *Leave out* paragraph 3.

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***A member of the Steering Committee will then move item 544.***

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### **New Schedules**

*The mover of the amendments to move:*

**512g** That Schedule 2 be left out of the Measure and that the following Schedule be generally approved —

“SCHEDULE 2  
RESOLUTIONS

Part I

Parish Resolution to join an additional diocese

In accordance with section 5 of the Bishops and Priests (Consecration and Ordination of Women) Measure 20....., this parochial church council, on grounds of theological conviction, resolves that the parish shall, with effect from ....., be transferred to and comprised in the relevant additional diocese.

Signed

Secretary of the Parochial Church Council

Part II

Parish resolution to transfer from an additional diocese

In accordance with section 5 of the Bishops and Priests (Consecration and Ordination of Women) Measure 20....., this parochial church council resolves that the parish, with effect from ....., be transferred to and be comprised in the relevant diocese.

[Either: The parish has been comprised in the additional diocese of [ ] since ..... (specify appointed day).] [Or: The resolution for the parish to be transferred to the relevant additional diocese was passed on .....]

Signed

Secretary of the Parochial Church Council”.

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***If the motion that the new Schedule 2 be generally approved is carried, a member of the Steering Committee to move:***

**512h** That the new Schedule 2 be inserted in the Measure.

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***A member of the Steering Committee will then move items 546 to 549.***

**Item 513**

*The mover of the amendments to move:*

**513a** That clauses 2 and 3 be left out of the Measure and that the following clauses be generally approved –

**“2 Declaration of bishop relating to female bishops and priests**

(1) A male bishop of a diocese may make one of the following declarations–

(a) that he will not participate in the consecration of a woman to the office of bishop; or

(b) that he will neither participate in the consecration of a woman to the office of bishop nor ordain a woman to the office of priest.

(2) A declaration of a bishop under subsection (1) shall be made–

(a) in the case of a bishop in office at the commencement date, within the period of 1 month from that date; and

(b) in the case of a bishop appointed to his office after that date, within the period of 1 month from the date on which his election to that office is confirmed.

(3) Any bishop consecrated or translated to a suffragan see nominated under section 4(1) shall make the declaration set out in subsection (1)(b) forthwith upon his consecration or translation.

(4) Subject to subsection (3), a male suffragan or assistant bishop (other than a diocesan bishop acting as an assistant bishop) may, at any time, make one of the declarations set out in subsection (1).

(5) A declaration by a bishop under subsection (1), (3) or (4) shall be contained in a written notice signed by him.

(6) A bishop who has made a declaration under subsection (1) or (4) may by written notice signed by him withdraw the declaration.

(7) A copy of any notice given under subsection (5) or (6) shall be sent to the following—

- (a) Her Majesty;
- (b) the archbishop of the province concerned;
- (c) the secretary of the diocesan synod of the diocese concerned;
- (d) the registrar of the province concerned; and
- (e) the registrar of the diocese concerned.

(8) Where the bishop of a diocese who has made a declaration under subsection (1) or a suffragan or assistant bishop who has made a declaration under subsection (3) or (4) and, except in the case of subsection (3), not withdrawn it ceases to hold that office, the declaration shall cease to have effect forthwith.

(9) A bishop who has made, and not withdrawn, a declaration under this section shall not act in contravention of the declaration.

### **3 Parishes**

(1) Subject to subsection (3), where —

- (a) the bishop of a diocese is a woman, or
- (b) being a man, the bishop of the diocese has not made, or has made but withdrawn, a declaration under section 2

a parochial church council of a parish may pass a resolution either in the form set out as resolution A or in the form set out as resolution B in Schedule 2 and any such parish shall be referred to in this Measure as a “petitioning parish”.

(2) Subject to the following provisions of the section a parochial church council which has passed a resolution under subsection (1) may by resolution rescind it, and the first-mentioned resolution shall continue in force until rescinded.

(3) A motion for a resolution in the form either of Resolution A or of Resolution B set out in Schedule 2 shall

not be considered by a parochial church council if the incumbent or priest in charge of the benefice concerned or a team vicar for the benefice (or, in the case only of Resolution A, any assistant curate for that benefice) is a woman ordained to the office of priest or, in the case only of Resolution A, a priest ordained by a bishop who is a woman.

- (4) A resolution shall not be passed by a parochial church council under subsection (1) or (2) unless –
- (a) except where notice of a vacancy has been sent to the secretary of the council under section 7(4) of the Patronage (Benefices) Measure 1986, the secretary of the council has given to the members of the council at least four weeks' notice of the time and place of the meeting at which the motion proposing the resolution is to be considered; and
  - (b) the meeting is attended by at least one half of the members of the council entitled to attend.
- (5) A copy of any resolution passed by a parochial church council under subsection (1) or (2) shall be sent by the secretary to the council to the following –
- (a) the bishop of the diocese concerned;
  - (b) the rural dean of the deanery concerned;
  - (c) the lay chairman of the deanery synod concerned;
  - (d) the registrar of the diocese concerned;
  - (e) the designated officer for the diocese concerned, within the meaning of section 7(5) of the Patronage (Benefices) Measure 1986;
  - (f) the registered patron of the benefice concerned, within the meaning of section 39(1) of that Measure.
- (6) Where a resolution under subsection (1) above is in force a person discharging any function in relation to the parish or benefice concerned shall not act in contravention of the resolution.

#### **4 Complementary Episcopal Arrangements**

(1) The bishop of the diocese, on receiving a copy of a resolution passed by a parochial church council under section 3(1), shall select a person, in accordance with subsection (4), who shall exercise, in relation to a petitioning parish and in place of the bishop of the diocese, the episcopal functions specified in Regulations made under section 5.

(2) Any episcopal functions exercised under this section shall be known as “transferred functions” and arrangements made under this section for the exercise of such episcopal functions shall be known as “complementary episcopal arrangements”.

(3) The archbishop of each province shall nominate one or more suffragan sees in his or her province from which the holders may be selected to exercise transferred functions in cases where they are selected by the diocesan bishop under subsection (4).

(4) Subject to subsection (5), transferred functions may be exercised –

(a) by a suffragan bishop selected by the bishop of the diocese from the holders of the sees nominated under subsection (3); or

(b) by a suffragan bishop or stipendiary assistant bishop serving in the diocese who has made a declaration in accordance with section 2(1)(b).

(5) Before selecting a bishop to exercise transferred functions under subsection (4) the diocesan bishop shall consult the parochial church council of the petitioning parish to which the transferred functions relate and that council may require the functions to be exercised by a suffragan bishop selected under subsection (4)(a).

(6) A person exercising transferred functions under this section shall be known as a “complementary bishop”.

(7) Where the secretary to a parochial church council has sent a copy of a resolution under section 3(2)

rescinding a resolution under section 3(1) the complementary episcopal arrangements shall cease to apply in relation to the parish in question from the date of the receipt by the bishop of the copy of the resolution.

## **5 Regulations**

(1) Regulations made by the House of Bishops shall make provision for carrying this Measure into effect and, without prejudice to the generality thereof, shall make provision for the matters set out in subsections (2) and (3).

(2) Regulations shall specify the transferred functions, being episcopal functions which appear to the House of Bishops to relate to –

- (a) the celebration of the sacraments and other divine service;
- (b) pastoral care;
- (c) disciplinary arrangements relating to the clergy of the petitioning parish;
- (d) ministerial review of the clergy of that parish;
- (e) appointments to ecclesiastical offices in that parish; and
- (f) sponsorship of candidates for ordination training from that parish.

(3) Regulations shall make special provision for clergy, deaconesses, readers and lay workers, whether in petitioning or other parishes, who are in conscience unable to accept –

- (a) a woman as the incumbent or priest in charge of a benefice or as a team vicar for a benefice, or
- (b) a woman as the minister who presides at or celebrates the Holy Communion or pronounces the Absolution, or
- (c) the ministry of a woman as a bishop, or
- (d) the ministry of a man ordained by a bishop who is a woman.

- (4) Regulations may also specify any other functions which appear to the House of Bishops to be appropriate to be exercised by a complementary bishop.
- (5) Regulations may make provision for the procedure for giving effect to any provision of this Measure including provision for consultation between the diocesan bishop and the complementary bishop in specified circumstances or in relation to specified functions and may contain such additional, consequential, incidental, supplementary and transitional provisions as appear to the House of Bishops to be necessary or appropriate, including amendments to any Measure or other enactment or Canon of the Church of England or other instrument.
- (6) A draft of any Regulations shall be laid before the General Synod and, if they are approved by the General Synod, whether with or without amendment, the draft Regulations shall be referred to the House of Bishops.
- (7) Where draft Regulations are referred to the House of Bishops under subsection (6) then –
- (a) if they have been approved by the General Synod without any amendment, the House of Bishops shall make the Regulations;
  - (b) if they have been approved by the General Synod with amendment, the House of Bishops may either –
    - (i) make the Regulations as so amended, or
    - (ii) withdraw the draft Regulations for further consideration in view of any amendment by the General Synod,

and the Regulations shall not come into force until they have been made by the House of Bishops.

- (8) Where the Business Committee of the General Synod determines that draft Regulations do not need to be debated by the General Synod then, unless–
- (a) notice is given by a member of the General Synod in accordance with its Standing Orders that he or she wishes the draft Regulations to be debated, or

(b) notice is so given by any such member that he or she wishes to move an amendment to the draft Regulations,

the draft Regulations shall, for the purposes of subsections (6) and (7), be deemed to have been approved by the General Synod without amendment.

9) The Statutory Instruments Act 1946 shall apply to any Regulations made by the House of Bishops under subsection (1) as if they were a statutory instrument and as if this Measure were an Act providing that any such Regulations should be subject to annulment in pursuance of a resolution of either House of Parliament.

## **6 Ecclesiastical offences**

It shall be an offence against the laws ecclesiastical, for which proceedings may be taken under the Clergy Discipline Measure 2003—

(a) for any bishop to act in contravention of a declaration under section 2(1); or

(b) for a bishop, priest or deacon to act in contravention of a resolution under section 3(1) or to permit any act in contravention of such a resolution to be committed in any church or any building licensed for public worship according to the rites and ceremonies of the Church of England.”.

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***If the motion that the above clauses be generally approved is carried a member of the Steering Committee to move:***

**513b** That new clauses 2 to 6 be inserted into the Measure.

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***If that motion is carried a member of the Steering Committee will then move item 529.***

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***The following amendments in this Appendix will only be moved if items 513a and b are carried.***

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*The mover of the amendments to move:*

**513c** That clause 5 be left out of the Measure and that the following clause be generally approved –

**“[ ] Code of Practice**

(1) The House of Bishops shall draw up, and promulgate, guidance in a Code of Practice as to the exercise of any functions discharged in accordance with complementary episcopal arrangements and as to any other matters which arise under or in connection with this Measure.

(2) Any code of practice issued under subsection (1) shall, in particular, include guidance as to –

(a) the appointment, consecration and authorisation of the suffragan bishops referred to in section 4, and

(b) consultation and co-operation between diocesan and complementary bishops on specified matters.

(3) A Code of Practice may make different provision for different circumstances, including different provision for different persons or groups of persons and for different parishes.

(4) The House of Bishops may amend or replace any Code issued under subsection (1) above by a further Code of Practice issued in accordance with this section.

(5) A Code of Practice shall be laid in draft before the General Synod and, if it is approved by the General Synod, whether with or without amendment, the draft Code shall be referred to the House of Bishops.

(6) Where a draft Code of Practice is referred to the House of Bishops under subsection (5) then –

(a) if it has been approved by the General Synod without any amendment, the House of Bishops may either

(i) make the code as so amended, or

(ii) withdraw the Code for further consideration in view of any amendment by the General Synod, and the Code shall not come into force until it has been issued by the House of Bishops.

(7) Where the Business Committee of the General Synod determines that a Code of Practice does not need to be debated by the General Synod then, unless –

(a) notice is given by a member of the General Synod in accordance with its Standing Orders that he or she wishes the Code to be debated, or

(b) notice is given by any such member that he or she wishes to move an amendment to the Code,

the Code shall, for the purposes of subsections (5) and (6), be deemed to have been approved without amendment.”.

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***If the motion that the above clause be generally approved is carried a member of the Steering Committee to move:***

**513d** That the above new clause be inserted into the Measure.

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***A member of the Steering Committee will then move item 533.***

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### **Clause 7**

*The mover of the amendments to move:*

**513e** In Clause, 7 *leave out* paragraphs (a) to (d) and *insert* –

“(a) section 2(1),

(b) any resolution passed under section 3(1),

(c) section 4,

(d) section 5,

(e) section 6,

(f) any provision in a Code of Practice under section 7.”.

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***A member of the Steering Committee will then move item 534.***

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## **Clause 8**

*The mover of the amendments to move:*

**513f** In clause 8 –

- (a) in subsection (1), *leave out* the definition of “parishioner”;
- (b) in subsection (2), *leave out* paragraph (c); and
- (c) in subsection (3), *leave out* paragraphs (a) to (d) and *insert* –  
“subsection (5)(e) were omitted”.

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***A member of the Steering Committee will then move items 537 and 538.***

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## **Clause 10**

*The mover of the amendments to move:*

**513g** *Leave out* clause 10.

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***Items 540 to 543 will then be moved.***

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## **Schedule 1**

*The mover of the amendments to move:*

**513h** That Schedule 1 be left out of the Measure and that the following Schedule be generally approved –

Section 1(4)

### **“SCHEDULE 1**

#### **TRANSITIONAL PROVISIONS**

1 In this Schedule “the 1993 Measure” means the Priests (Ordination of Women) Measure 1993.

2 Any resolution made under section 3 of the 1993 Measure and in force immediately before the commencement date shall continue in force from that date unless it is rescinded by a resolution passed by the parochial church council which made it under paragraph 3 of this Schedule and sections 3(6) and 7(b) shall apply in respect of any resolution which has effect under this

paragraph as they apply in respect of a resolution under 3(1).

3 The parochial church council which passed a resolution which continues in force under paragraph 2 may by resolution rescind it and section 3(4) and (5) shall apply in respect of any such resolution.”.

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***If the motion that the above Schedule be generally approved is carried a member of the Steering Committee to move:***

**513i** That new Schedule 1 be inserted into the Measure.

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*The mover of the amendments to move:*

**513j** That Schedule 2 be left out of the Measure and that the following schedule be generally approved –

Section 3(1)

“SCHEDULE 2  
FORMS OF PARISH RESOLUTION  
RESOLUTION A

1 That this parochial church council -

(a) would not accept a woman or a priest ordained by a bishop who is a woman as the minister who presides at or celebrates the Holy Communion or pronounces the Absolution in this parish or as the incumbent or priest in charge of the benefice or as a team vicar for the benefice, and

(b) requests that, so long as no declaration by the bishop of the diocese that he would take part neither in the ordination of women to the office of priest nor in the consecration of women to the office of bishop is in force, or so long as a woman holds office as bishop of this diocese, complementary episcopal arrangements be made for the parish.

## RESOLUTION B

2 That this parochial church council –

(a) would not accept a woman as the incumbent or priest in charge of the benefice or as a team vicar for the benefice, and

(b) requests that, so long as no declaration by the bishop of the diocese that he would take part neither in the ordination of women to the office of priest nor in the consecration of women to the office of bishop is in force, or so long as a woman holds office as bishop of this diocese, complementary episcopal arrangements be made for this parish.”.

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***If the motion that the above Schedule be generally approved is carried a member of the Steering Committee to move:***

**513k** That new Schedule 2 be inserted into the Measure.

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*The mover of the amendments to move:*

**513l** That Schedule 3 be left out of the Measure and that the following schedule be generally approved –

### Section 9

#### “SCHEDULE 3

#### MINOR AND CONSEQUENTIAL AMENDMENTS

#### Synodical Government Measure 1969

1 In the Church Representation Rules contained in Schedule 3 to the Synodical Government Measure 1969 (1969 No.2) –

(a) in rule 18(3)(iv) for the words “Priests (Ordination of Women) Measure 1993” there shall be substituted the words “Bishops and Priests (Consecration and Ordination of Women) Measure 20 ...”;

(b) in rule 19 –

- (i) in paragraph (1)(c) for the words “Priests (Ordination of Women) Measure 1993” there shall be substituted the words “Bishops and Priests (Consecration and Ordination of Women) 20 ...”;  
and
- (ii) in paragraph (2) for the words “Priests (Ordination of Women) Measure 1993” there shall be substituted the words “Bishops and Priests (Consecration and Ordination of Women) Measure 20 ...”;
- (c) in rule 20 –
  - (i) in paragraph (1)(c) for the words “Priests (Ordination of Women) Measure 1993” there shall be substituted the words “Bishops and Priests (Consecration and Ordination of Women) Measure 20 ...”;
  - (ii) in paragraph (2) for the words “Priests (Ordination of Women) Measure 1993” there shall be substituted the words “Bishops and Priests (Consecration and Ordination of Women) Measure 20 ...”;
- (d) in rule 21 –
  - (i) in paragraph (1)(c) for the words “Priests (Ordination of Women) Measure 1993” there shall be substituted the words “Bishops and Priests (Consecration and Ordination of Women) Measure 20 ...”;
  - (ii) in paragraph (3) for the words “Priests (Ordination of Women) Measure 1993” there shall be substituted the words “Bishops and Priests (Consecration and Ordination of Women) Measure 20 ...”;

### Pastoral Measure 1983

#### 2 In the Pastoral Measure 1983 (1983 No.1) –

(a) in section 20(8) after the words “Resolution A in Schedule 1 to the Priests (Ordination of Women) Measure 1993” there shall be inserted the words “Resolution A in Schedule 2 to the Bishops and Priests (Consecration and Ordination of Women) Measure 20 ...”;

(b) in section 21(1) after the words “section 3(1) of the Priests (Ordination of Women) Measure 1993 there shall be inserted the words “or section 3(1) of the Bishops and Priests (Consecration and Ordination of Women) Measure 20 ...”.

### Patronage (Benefices) Measure 1986

#### 3 In the Patronage (Benefices) Measure 1986 (1986 No.3)

—

(a) in section 11(1)(f) for the words “section 3(1) or (2) of the Priests (Ordination of Women) Measure 1993” there shall be substituted the words “Bishops and Priests (Consecration and Ordination of Women) Measure 20 ...”;

(b) in section 13(5) for the Proviso there shall be substituted the following proviso –

“Provided that this subsection shall not apply in respect of a benefice comprising a parish to which a resolution under section 3(1) of the Bishops and Priests (Consecration and Ordination of Women) Measure 20 ... applies, where the resolution is made solely on grounds of gender.”.

(c) in section 35(7) after the words “section 3(1) of the Priests (Ordination of Women) Measure 1993” there shall be inserted the words “or section 3(1) of the Bishops and Priests (Consecration and Ordination of Women) Measure 20 ...”.

### Dioceses, Pastoral and Mission Measure 2007

#### 4 In the Dioceses, Pastoral and Mission Measure 2007 –

(a) in section 13(1) for the words “Priests (Ordination of Women) Measure 1993” there shall be substituted the

words “Bishops and Priests (Consecration and Ordination of Women) Measure 20 ...”;

(b) in section 14(1) for the words “Priests (Ordination of Women) Measure 1993” there shall be substituted the words “Bishops and Priests (Consecration and Ordination of Women) Measure 20 ...”;

(c) in section 17(8), for the words following the words “or to any see” to the end, there shall be substituted the words “nominated under section 4(1) of the Bishops and Priests (Consecration and Ordination of Women) Measure 20 ...”; and

(d) in section 47(15) for the words “section 3(1) or 4(1) of the Priests (Ordination of Women) Measure 1993” there shall be substituted the words “section 3 of the Priests (Ordination of Women) Measure 1993 or section 3(1) of the Bishops and Priests (Consecration and Ordination of Women) Measure 20 ...”.

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***If the motion that the above Schedule be generally approved is carried a member of the Steering Committee to move:***

**513m** That new Schedule 3 be inserted into the Measure.

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***A member of the Steering Committee will then move items 547 to 549.***

### Item 517

In clause 2, at the end, *insert* —

“(10) Subject to subsection (11), the Archbishops of Canterbury and York shall jointly appoint a Commission, to be known as “the Review Commission”, consisting of 4 persons, who may be members of either the clergy or the laity.

(11) Two members of the Commission shall be persons who are opposed, on grounds of theological conviction, to the consecration of women as bishops and the ordination of women as priests and one member shall be a person who supports, on grounds of theological conviction, the consecration of women as bishops and the ordination of women as priests.

(12) The members of the Review Commission shall serve for a period of 10 years, but any member may resign his or her appointment (and the Archbishops may terminate an appointment) at any time before the expiry of that period.

(13) The Archbishops shall appoint a person to fill any vacancy arising by virtue of subsection (12) or otherwise, but —

(a) subsection (11) shall apply in relation to any appointment made under this section, and

(b) any person appointed to fill a vacancy shall serve for the unexpired portion of the term of office of the member whom that person replaces.

(14) It shall be the duty of the Commission to keep under review any scheme made under this section and to make and publish any comments on the scheme which appear to it to be appropriate.

(15) The composition of the Commission, when reviewing a scheme made under this section shall be as follows —

(a) where the scheme contains a statement by a bishop (if a man) that he will not ordain women to the office of

priest, the composition of the Commission shall include the member who supports the ordination of women to the office of priest, and

(b) where the scheme does not contain such a statement, the composition of the Commission shall exclude that member.

(16) The bishop of the diocese shall consult the Commission before making, reviewing or amending a scheme under this section and shall take account of any comments made by the Commission under subsection (14).”.