

GENERAL SYNOD

DRAFT CHURCH OF ENGLAND MARRIAGE MEASURE

REPORT OF THE STEERING COMMITTEE OF MEMBERS IN CHARGE

**Chair** The Very Revd George Nairn-Briggs (Dean of Wakefield) (Northern Deans)

**Members** The Revd Gillian Calver (Canterbury)  
The Right Worshipful Sheila Cameron QC (Dean of the Arches and Auditor) (Ex officio)  
The Right Revd Nigel Stock (Bishop of Stockport) (Northern Suffragans)  
Mr Geoffrey Tattersall QC (Manchester)  
Canon Stella Vernon (York)

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1. The draft Church of England Marriage Measure (“the Measure”) received First Consideration from the General Synod (“the Synod”) at the July 2006 Group of Sessions. It was committed to a Revision Committee, which reported to the Synod in February 2006. After taking note of the Revision Committee’s report (GS 1616Y), the Synod proceeded to take the Revision Stage in full Synod, and then resolved to commit the Measure for further Revision in Committee under SO 58.
2. On the second day of the July 2007 Group of Sessions the Synod took note of the Further Revision Committee Report (GS 1616YY), and also took the Further Revision Stage of the draft Measure. The Synod made one amendment to the version of the Measure then before it (**GS 1616B**); this was as follows:

**Clause 1(13):** *leave out* the words from “by virtue of” in the fourth line to “in” in the seventh line and *insert* the word “with”.

The Measure then stood committed to the Steering Committee (“the Committee”) under Standing Order 59(a) in respect of its Final Drafting.

3. The Committee has met once subsequently during the July 2007 Group of Sessions to complete its work under Standing Order 59(a).
4. Under Standing Order 59 the Committee may propose Drafting Amendments or Special Amendments or both. These categories are defined in SO 59(g): a Drafting Amendment means an amendment where only the wording of the Measure is altered and not its substance, whereas a Special Amendment means an amendment considered necessary or desirable by the Steering Committee because the Measure is not sufficiently clear or because some criticism not considered by the Synod or any Revision Committee has been brought to the notice of the Steering Committee.
5. The Committee now makes its report to the Synod on the final drafting of the version of the Measure previously before the Synod (GS 1616B) at the July 2007 Group of Sessions, as amended at the Further Revision Stage.

6. The Committee does not consider that the Measure requires any drafting amendments, but it gives notice of its intention to move **two Special Amendments**, both of which make purely technical changes.

***Clause 1(12)(a)***

In subparagraph (iv), at the beginning *insert* the words “where none of the above sub-paragraphs applies”.

**NOTE:** The Committee is putting forward this amendment in order to ensure that clause 1(12)(a) is fully consistent with the decisions taken by the Revision Committee which are recorded in paragraph 118 of GS 1616Y. Clause 1(12)(a) sets out the meaning of “minister” for the purposes of clause 1. The effect of the amendment is that **in the case of a team ministry:**

- (a) If there is a priest within clause 1(12)(a)(i) who has a special cure of souls for the area including the church where the marriage is to take place, he or she will be the “minister” for the purposes of clause 1;
- (b) If not, the incumbent or priest-in-charge will be the minister;
- (c) If neither (a) nor (b) above applies, the “minister” will be the team vicar appointed as “acting team rector” for certain purposes under section 20(14) of the Pastoral Measure 1983 or, if there is none, the person who has held office of team vicar for longest in the team ministry; and
- (d) if there is no-one in any of the previous categories, the rural dean.

***Clause 2(1)***

*Leave out* the words from “a person” in the fifth line to “connection” in the seventh line and *insert* the words “one of the persons to be married to swear that one or both of those persons has a qualifying connection with a parish within the meaning of section 1(3) above and to state the nature of that connection”.

**NOTE:** This amendment relates to the issue of a common licence for a marriage on the basis that one or both of the couple have a qualifying connection with the parish where the marriage is to take place. Under section 16 of the Marriage Act 1949 as it stands at present, where a common licence is to be issued for a marriage on the basis that at least one of the couple has his or her usual place of residence in the parish or is entered on the church electoral roll, the application may be made and the affidavit in support of it may be sworn by that person or by the other party to the intended marriage. The amendment applies the same principle in relation to cases under the Measure.

It also makes clear that in cases under the Measure, the affidavit in support of the application must not merely state that one of the parties has a qualifying connection under the Measure but must also set out the nature of the connection.

**George Nairn-Briggs**  
**Chair**  
**On behalf of the Steering Committee**  
**9th July 2007**