

Draft Bishops and Priests (Consecration and Ordination of Women) Measure

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A DRAFT OF A MEASURE

To make provision for the consecration of women as bishops and for the continuation of provision for the ordination of women as priests; to repeal the Priests (Ordination of Women) Measure 1993; and for connected purposes.

1 Provision for consecration of women as bishops and ordination of women as priests

- (1) It shall continue to be lawful for the General Synod to make provision by Canon for enabling a woman to be ordained to the office of priest if she otherwise satisfies the requirements of Canon Law as to the persons who may be ordained as priests.
- (2) It shall be lawful for the General Synod to make provision by Canon for enabling a woman to be consecrated to the office of bishop if she otherwise satisfies the requirements of Canon Law as to the persons who may be consecrated as bishops.
- (3) The Priests (Ordination of Women) Measure 1993 (1993 No. 2) is repealed.
- (4) The transitional provisions set out in Schedule 1 shall have effect.

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 selected under section 3(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), (3) 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 not withdrawn it ceases to hold that office, the declaration shall cease to have effect forthwith.

3 Nomination of suffragan sees

- (1) The archbishop of each province shall, from time to time, nominate one or more suffragan sees in his or her province from which the holders (being men) may be selected by diocesan bishops of that province to exercise, in relation to parishes in their dioceses whose parochial church councils have, on grounds of theological conviction, requested arrangements to be made and in relation to the persons mentioned in section 4(3), episcopal functions specified in section 4 or in a Code of Practice issued under section 4.
- (2) Any parish whose parochial church council has requested such arrangements or any such arrangements as are referred to in section 4(2) to be made and has not rescinded its request shall be known as a “petitioning parish”.

4 Code of Practice

- (1) The House of Bishops shall draw up, and promulgate, guidance in a Code of Practice containing arrangements for the exercise by way of delegation from the diocesan bishop of episcopal functions in relation to petitioning parishes and, in particular, as to—
 - (a) the celebration of the sacraments and other divine service;
 - (b) pastoral care;
 - (c) disciplinary matters and, in particular, the identity of those responsible for exercising disciplinary functions;
 - (d) appointments of clergy in petitioning parishes;
 - (e) ministerial review and development of the clergy in petitioning parishes;
 - (f) the sponsorship of candidates for ordination training from petitioning parishes;
 - (g) the appointment, consecration and authorisation of complementary bishops holding the suffragan sees nominated under section 3(1);
 - (h) consultation and co-operation between diocesan and complementary bishops on specified matters; and
 - (i) procedures for petitioning parishes to make and rescind requests for arrangements for the exercise of episcopal functions.

- (2) A Code of Practice issued under this section shall also contain arrangements making provision in relation to parishes whose parochial church councils have stated that, on grounds of theological conviction, they are unable to accept—
 - (a) a woman as the incumbent or priest-in-charge of the benefice or as team vicar for the benefice; or
 - (b) a woman as the minister who presides at or celebrates the Holy Communion or pronounces the Absolution,
and have requested arrangements to be made.
- (3) A Code of Practice issued under this section shall also make provision for clergy, deaconesses, readers and lay workers, whether or not in petitioning parishes, who, on grounds of theological conviction, are unable to accept the ministry of a woman as a bishop.
- (4) A Code of Practice issued under this section shall also contain arrangements for the promotion and support, in dioceses where the diocesan bishop has made the declaration set out in section 2(1)(b), of the ministry of clergy who are women.
- (5) 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.
- (6) Episcopal functions for which a Code of Practice may make provision under subsection (1) may be exercised by way of delegation from the diocesan bishop by—
 - (a) a holder of a suffragan see selected under section 3(1);
 - (b) any male suffragan bishop, whether or not that bishop holds a see in the diocese in question;
 - (c) a male stipendiary assistant bishop of the diocese in question; or
 - (d) any male diocesan bishop of another diocese.
- (7) Before selecting a bishop to exercise episcopal functions under subsection (6) the diocesan bishop shall consult the parochial church council of the petitioning parish in relation to which the episcopal functions are to be exercised.
- (8) Any bishop exercising episcopal functions under subsection (6) shall be known as a “complementary bishop”.
- (9) The House of Bishops may include in a Code of Practice such other provisions as appear to it to be appropriate to give effect to this section.
- (10) The House of Bishops may amend or replace any Code issued under subsection (1) by a further Code of Practice issued in accordance with this section.
- (11) A Code of Practice which contains provisions falling within Article 7 of the Constitution of the General Synod set out in Schedule 2 to the Synodical Government Measure 1969 (1969 No. 2) shall be laid in draft before the General Synod and, after it has been considered by the General Synod, it shall be referred, with any amendment, to the House of Bishops to be dealt with in accordance with the provisions of Article 7 and the Standing Orders of the Synod relating thereto and subsections (12) to (15) shall not apply.
- (12) A Code of Practice which does not contain provisions falling within Article 7 of the Constitution of the General Synod shall be laid in draft before the

General Synod and, if it is approved by the General Synod without amendment, the Code shall be issued by the House of Bishops.

- (13) If the Code has been approved by the General Synod with amendment, it shall be referred to the House of Bishops.
- (14) Where a draft Code of Practice is referred to the House of Bishops under subsection (13) then the House of Bishops may either –
- (a) make the Code as so amended; or
 - (b) 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.
- (15) Where the Business Committee of the General Synod determines that a Code of Practice which does not contain provisions falling within Article 7 of the Constitution of the General Synod 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 subsection (12), be deemed to have been approved by the General Synod without amendment.

5 Duty to have regard to Code of Practice

Any person who exercises any functions, whether episcopal or other functions, shall be under a duty to have regard to any Code of Practice issued under this Measure.

6 Interpretation

- (1) In this Measure “the commencement date” means the day appointed, under section 8(2), for the coming into force of this Measure and “functions” means any functions exercisable under any Measure or other enactment or any Canon or other instrument or otherwise and includes powers and duties.
- (2) This Measure shall apply in relation to a guild church designated and established under section 4 of the City of London (Guild Churches) Act 1952 (15 & 16 Geo. 6 & 1 Eliz. 2 c.38) as it applies to a parish, but as if the references to the parochial church council of the parish were references to the guild church council of the guild church.

7 Amendment and repeals

- (1) In section 17(8) of the Dioceses, Pastoral and Mission Measure 2007 (2007 No. 1), for the words following the words “or to any see” to the end there shall be substituted the words “nominated under section 3(1) of the Bishops and Priests (Consecration and Ordination of Women) Measure 20...”.
- (2) The enactments mentioned in Schedule 2 are repealed to the extent specified in the second column of the Schedule.

8 Citation, commencement and extent

- (1) This Measure may be cited as the Bishops and Priests (Consecration and Ordination of Women) Measure 20...
- (2) This Measure shall come into force on such day as the Archbishops of Canterbury and York may jointly appoint and different days may be appointed for different provisions.
- (3) Subject to the following provisions of this section this Measure shall extend to the whole of the provinces of Canterbury and York except the Channel Islands and the Isle of Man.
- (4) This Measure may be applied to the Channel Islands, as defined in the Channel Islands (Church Legislation) Measures 1931 and 1957, or either of them, in accordance with those Measures.
- (5) If an Act of Tynwald or an instrument made under an Act of Tynwald so provides, this Measure shall extend to the Isle of Man subject to such exceptions, adaptations or modifications as may be specified in the Act of Tynwald or instrument.

SCHEDULES

SCHEDULE 1

Section 1(4)

TRANSITIONAL PROVISIONS

- 1 Subject to paragraph 2, any resolution passed under section 3 of the Priests (Ordination of Women) Measure 1993 (1993 No. 2) (“the 1993 Measure”) and in force immediately before the commencement date shall, unless rescinded, continue in force for the period of 5 years commencing with that date and the provisions of Part II of that Measure, so far as they relate to resolutions under section 3, including the power to rescind a resolution under section 3(2), shall continue to apply to any such resolution.
- 2 Where a resolution in force under section 3 of the 1993 Measure relates to a benefice which comprises more than one parish the parochial church council of any parish comprised in that benefice, other than the council which passed the resolution, may, either before the commencement date or before the expiry of the period of 5 years mentioned in paragraph 1, pass a resolution stating that it wishes the resolution to cease to have effect and, where it does so, the resolution shall either not continue in force under paragraph 1 or, if it has already continued in force under that paragraph, cease to have effect forthwith.

SCHEDULE 2

Section 7(2)

REPEALS

<i>Measure</i>	<i>Extent of repeal</i>
1969 No. 2, The Synodical Government Measure 1969	In Schedule 3 – in Rule 18, paragraph (3)(iv). in Rule 19(1)(c), the words “and its functions under section 3 of the Priests (Ordination of Women) Measure 1993”. in Rule 19(2) the words “and its functions under section 3 of the Priests (Ordination of Women) Measure 1993”. in Rule 20(1)(c), the words “and its functions under section 3 of the Priests (Ordination of Women) Measure 1993, as may be so specified”. in Rule 20(2), the words “and its functions under section 3 of the Priests (Ordination of Women) Measure 1993”.

<i>Measure</i>	<i>Extent of repeal</i>
1969 No. 2, The Synodical Government Measure 1969 – <i>cont.</i>	in Rule 21(1)(c) the words “and section 3 of the Priests (Ordination of Women) Measure 1993”. in Rule 21(3) the words “and section 3 of the Priests (Ordination of Women) Measure 1993”.
1983 No. 1, The Pastoral Measure 1983	In section 20(8), the Proviso. In section 21(1), the Proviso.
1986 No. 3, The Patronage (Benefices) Measure 1986	In section 11(1), the word “and” at the end of paragraph (e) and paragraph (f). In section 13(5), the Proviso. In section 35(7)(a) the words “(including the terms of any resolution under section 3(1) of the Priests (Ordination of Women) Measure 1993 affecting the benefice in question)”.
2007 No. 1, The Dioceses, Pastoral and Mission Measure 2007	In section 13(1), the words “or functions under section 2 of the Priests (Ordination of Women) Measure 1993”. In section 14(1), the words “or functions under section 2 of the Priests (Ordination of Women) Measure 1993”. In section 47, subsection (15).