

GENERAL SYNOD

STANDING ORDERS COMMITTEE

FIFTY SECOND REPORT OF THE COMMITTEE

1. The Standing Orders Committee ('the Committee') presents its 52nd Report to the Synod.
2. Our membership for the current quinquennium is as follows:

Appointed members:

Mr Geoffrey Tattersall QC (Manchester) (Chair)
The Revd Prebendary Simon Cawdell (Hereford)
Mrs Mary Durlacher (Chelmsford)
Mr David Robilliard (Channel Islands)
Mr Clive Scowen (London)
The Revd Dr Miranda Threlfall-Holmes (Durham).

Ex-officio members:

The Revd Canon Simon Butler (Prolocutor of the Lower House of the Convocation of Canterbury)
The Ven. Cherry Vann, Archdeacon of Rochdale (Prolocutor of the Lower House of the Convocation of York)
Dr Jamie Harrison (Chair of the House of Laity)
Canon Elizabeth Paver (Vice-Chair of the House of Laity).

PART I: AMENDMENTS IN CONNECTION WITH THE LEGISLATIVE REFORM MEASURE**Item 31: Proposed amendments to the Standing Orders in connection with the Legislative Reform Measure**

3. At the General Synod's February 2017 group of sessions, the draft Legislative Reform Measure completed its Revision stage, and was committed to the Steering Committee in respect of its final drafting. The report of the Revision Committee for the draft Measure (GS 2027Y) included in an appendix 'Illustrative Draft Standing Orders to be made in the Event that the Measure Passes into Law'.
4. Paragraph 103 of the Revision Committee report encouraged members of the Synod to consider the proposals and to send any observations or suggestions on them to the Standing Orders Committee. No such observations or suggestions were received by the Standing Orders Committee; nor were the illustrative draft Standing Orders the subject of any comment in the course of debate on the draft Measure at the February group of sessions.
5. At its April 2017 meeting, the Standing Orders Committee considered the illustrative draft Standing Orders in detail, and now makes this report to the Synod proposing their approval, subject to certain revisions.

6. **Item 31** on the First Notice Paper gives effect to the Revision Committee's proposals by introducing Standing Orders 69A-69J, relating to the composition and operation of the Scrutiny Committee and the consideration of Legislative Reform Orders by the Synod.
7. Standing Order 69A names the committee provided for by clause 6 of the Measure "the Scrutiny Committee", and makes express provision for the laying of draft orders before the Synod.
8. Standing Order 69B makes provision for the membership and chairing of the Scrutiny Committee, providing for a maximum of nine members: three elected by and from the Synod, to hold office for a term of five years (see Standing Order 69C); three appointed by the Appointments Committee of the Church of England on an *ad hoc* basis, to hold office only while the draft order for which they were appointed is under consideration (see Standing Order 69D); and the Archbishops' Council is able to appoint no more than two members, again on an *ad hoc* basis, either from among its own membership or from outside its membership.
9. Standing Order 69B also makes provision for the Chair of the Scrutiny Committee who will ordinarily be the Dean of the Arches and Auditor. If the Dean declines or is unable to act as Chair, one of the Vicars-General will take on the role. If they decline or are unable to act, the Dean may nominate another member of the General Synod.
10. The Standing Orders Committee discussed the appointment of assessors/advisers to the Scrutiny Committee, and whether provision ought to be made for that in the Standing Orders. Members were advised that the practice of including such consultants for Revision Committees was already established, without express provision, and for that reason to make such provision in the Standing Orders for the appointment of assessors/advisers to the Scrutiny Committee would imply that it was not possible to appoint them in the Revision Committee context. The Committee therefore agreed that the decision as to the appointment of such individuals ought to rest with the members of the Scrutiny Committee. (Their appointment would not be inconsistent with SO 69B(8) as they would not be members of the Committee.)
11. Standing Orders 69C and 69D specify the terms of membership for elected and appointed members respectively.
12. Regarding representations to the Scrutiny Committee, Standing Order 69E gives a member of the Synod or anyone else a period of 35 days within which to make representations, following the laying of a draft order before the General Synod. Where a member of the Synod has made a representation, he or she has the right to attend a meeting of the Scrutiny Committee to speak to the representation. If anyone else makes a representation, he or she will be able to attend to speak to it only if invited to do so by the Scrutiny Committee. The Standing Orders Committee decided to amend the initial illustrative draft of the Standing Order to clarify which personal data the Clerk to the Synod had a discretion to delete when representations are published online.
13. Standing Order 69F details the procedure by which the Scrutiny Committee will assess and consider the draft orders committed to it. The Standing Orders Committee decided to include, for reasons of clarity, the obligations of the Scrutiny Committee in full, as per the text of clause 6 of the draft Legislative Reform Measure.
14. The Scrutiny Committee's obligation to produce a report on its assessment and consideration of a draft order is dealt with in Standing Order 69G.

15. Standing Orders 69H and 69I (which take a more developed form than the corresponding provisions in the illustrative drafts proposed by the Revision Committee) provide for the procedures relating to the approval or referral back to the Scrutiny Committee of a draft order. Standing Order 69J provides the procedure for the withdrawal of a draft order by the Archbishops' Council at any point before it is approved.

PART II: MISCELLANEOUS AMENDMENTS TO THE STANDING ORDERS

Item 32: Standing Order 19 (Points of order, points of personal explanation and interruptions)

16. **Item 32** makes clear the fact that it is not possible to interrupt another member's speech to move a procedural motion, nor to move the motion for the clearing of the public gallery.

Items 33, 35 and 36: Standing Order 28 (Content of amendment); Standing Order 56 (Revision Committee: consideration); Standing Order 59 (Revision following Revision Committee: amendments)

17. **Items 33, 35 and 36** clarify the application of the requirement for amendments to legislation to be relevant to the provisions concerned.

Item 34: Standing Order 55 (Revision Committee: proposals for amendment)

18. **Item 34** replicates the amendment to the provision made in Standing Order 69E, clarifying which personal data the Clerk to the Synod had a discretion to delete, when representations to Revision Committees were published online.

Item 37: Standing Order 77 (Procedure for consideration of scheme: motion for reconsideration)

19. **Item 37** corrects a textual error in Standing Order 77.

Items 38 and 39: Standing Order 89 (Liturgical business: minor adjustments to form of service); Standing Order 105 (Ordinary reports)

20. **Items 38 and 39** correct cross-references in Standing Orders 89 and 105.

Item 40: Standing Order 123 (Vacancy in see)

21. **Item 40** restores, for clarity, the reference to the right of a bishop acting during a vacancy in see to attend a meeting of the General Synod, as well as the right to speak there.

Item 41: Standing Order 126 (Appointments Committee)

22. **Item 41** reflects an amendment to the National Institutions Measure 1998 made by the Church of England (Miscellaneous Provisions) Measure 2014, by reducing the number of members of the Archbishops' Council to be appointed to the Appointments Committee from four to two.

Item 42: Standing Order 153 (Definitions)

23. **Item 42** adds a definition of the term 'Final Approval debate', for reasons of clarity.

Items 43, 44 and 45: Standing Order 154 (Index)

24. **Items 43, 44 and 45** amend the title of Standing Order 154, referring no longer to an index but instead to ‘general interpretation’, and also make express provision for the definitions referred to in that section to have general application throughout the Standing Orders. Item 45 is a consequential amendment, in light of the addition of the definition of ‘Final Approval debate’ in Standing Order 153 (see Item 42 above).
25. The Business Committee has determined under Standing Order 40(5) that all of the proposed amendments to the Standing Orders set out in the First Notice Paper do not need to be debated. The Standing Orders Committee believes that this is justified for two reasons. First, the new Standing Orders 69A-69J have been consulted on, and no responses have been received from members. The Committee therefore considers the new Standing Orders not to be controversial. And second, as Items 32 to 45 are merely incidental and miscellaneous amendments, no substantive alterations to the Standing Orders are being proposed.
26. Under Standing Order 40(5), the amendments proposed will therefore be deemed to have been approved by the Synod without amendment unless: a) notice is given by not less than 5 members by 5.30 p.m. on Friday 7 July that they wish a proposed amendment to be debated; or b) notice is given by 5.30 p.m. on Tuesday 4 July of an amendment to any proposed amendment. If the amendments are approved, those contained in Item 31 will take effect upon the Legislative Reform Measure receiving the Royal Assent, and those in Items 32-45 will take effect immediately.

On behalf of the Committee:
Geoffrey Tattersall QC
Chair

May 2017