

GENERAL SYNOD
DRAFT CHURCH OF ENGLAND (ECCLESIASTICAL PROPERTY) MEASURE

REPORT OF THE STEERING COMMITTEE OF MEMBERS IN CHARGE

Chair: The Venerable Clive Mansell (Rochester)

Members: Mrs Julie Dziegiel (Oxford)
The Reverend Canon Perran Gay (Truro)
Mr Robert Key (Salisbury)
The Reverend Christopher Hobbs (London)
Mrs Debrah McIsaac (Salisbury)

1. The draft Church of England (Ecclesiastical Property) Measure ('the draft Measure') received First Consideration from the General Synod at the November 2013 group of sessions and was committed to a Revision Committee. At the July 2014 group of sessions the Synod took note of the report of that Committee (GS 1921Y) and completed the Revision Stage for the draft Measure which then stood committed to the Steering Committee under Standing Order 59(a) in respect of its Final Drafting.
2. The Steering Committee has conducted its remaining business by correspondence under Standing Order 59(f). It now returns the draft Measure (GS 1921B) to the Synod for Final Drafting and Final Approval.
3. Under Standing Order 59, on the Final Drafting Stage the Steering Committee may propose 'Drafting Amendments' or 'Special Amendments' or both. These two categories of amendments are defined in SO 59(g) as follows –
 - (i) a Drafting Amendment means an amendment where only the wording of the Measure is altered and not its substance; and
 - (ii) a Special Amendment means an amendment considered necessary or desirable by the Steering Committee because the Measure is not sufficiently clear or because some other criticism not considered by the Synod or any Revision Committee has been brought to the notice of the Steering Committee.
4. The Steering Committee has agreed the Drafting Amendments shown in bold type in GS 1921B, which have been identified on final scrutiny of the draft Measure as necessary corrections or minor improvements to the text. An explanation for each of these Drafting Amendments is given in the Annex.
5. The Steering Committee does not propose any Special Amendments to the draft Measure.

On behalf of the Committee
Clive Mansell
Chair

October 2013

**EXPLANATION OF DRAFTING AMENDMENTS TO THE DRAFT MEASURE
(shown in bold in GS 1921B)**

Clause 1

1. Subsection (1) has been amended to reflect a point raised at Revision Committee: the amendments of section 6 of the Parochial Church Councils (Powers) Measure 1956 (“the 1956 Measure”) are contained in subsection (2) to (6), and subsection (7) inserts a new section.
2. Subsection (4) removes a reference which had become outdated and is in any event not necessary because the reference to “other consents required by law” in section 6(5) of the 1956 Measure would cover the point.

Clause 2

3. Subsection (5) has been amended to make it clear that the indemnity will be provided by the managing trustees of the property.
4. Subsection (6)(d) is new: it mirrors the amendment to section 6(5) of the 1956 Measure, as the reference to the Charity Commission is not necessary to achieve the desired effect.

Clause 3

5. The words “Church of England” and the brackets have been removed from the short title of the Measure as they were unnecessary.

Long title

6. The words “and for connected purposes” have been omitted from the long title: they were intended to cover the free-standing provision for the making of orders by the Archbishops’ Council. The Revision Committee amended the draft Measure so that the order-making process is dealt with in the amendments to the 1956 Measure and the Incumbents and Churchwardens (Trusts) Measure 1964, so this limb of the long title is no longer required.