

**GENERAL SYNOD**  
**DRAFT CHURCH REPRESENTATION AND MINISTERS MEASURE**  
**DRAFT AMENDING CANON NO. 39**  
**SECOND REPORT OF THE REVISION COMMITTEE**

**Summary**

As the Second Report of the Revision Committee for the draft Church Representation and Ministers Measure and draft Amending Canon No. 39 extends to over 600 paragraphs, it was thought that members might find a summary helpful. This summary document has accordingly been prepared by the Legal Office; it is not a substitute for the Report and reference should be made to the Report itself for the Revision Committee's consideration of the draft Measure and draft Canon and of proposals for amendment that it received.

**Second Report of the Revision Committee**

The Report is the second report to the General Synod by the Revision Committee. That is because the Committee decided in 2017 to divide what were originally the draft Church Representation, Ecumenical Relations and Ministers Measure and draft Amending Canon No. 38 so that the provisions concerned with ecumenical relations formed a separate Measure and separate Amending Canon, now the draft Ecumenical Relations Measure and draft Amending Canon No. 38. The Revision Committee reported those two pieces of legislation to the Synod in February 2018 in its First Report. They are to be considered for final approval at the July 2018 group of sessions.

The Second Report deals with the remaining provisions of the draft Measure and draft Amending Canon, now entitled respectively, 'Church Representation and Ministers Measure' and 'Amending Canon No. 39. The draft Measure is almost wholly concerned with replacing the Church Representation Rules with a new set of rules that are to be found in Schedule 1 to the Measure. The Measure also contains one provision relating to ministers that has survived from the original draft Church Representation, Ecumenical Relations and Ministers Measure. The Amending Canon contains provisions relating to the holding of services and some provisions relating to ministers that were contained in the original Amending Canon No. 38.

**Summary of the Report**

The Report is in four parts as follows:

**Part I – Introduction**

This provides the procedural background, details of the Revision Committee's meetings and a summary of its decisions. It introduces the two appendices.

## **Part II – Church Representation and Ministers Measure: Clause 1 and Schedule 1 (Church Representation Rules)**

### **A. Major issues**

Part IIA describes the major issues that were considered by the Revision Committee and the decisions taken by the Committee in respect of them. In outline, the major issues were as follows.

- ***Summary of main features of the new Rules***

The new Church Representation Rules implement a range of reforms that were initiated by the Simplification Task Group. These included the elimination of various procedural requirements relating to parish governance, the separation into a separate part of the Rules of model rules relating to parish governance, provision enabling parishes to make their own rules (with the agreement of the bishop's council), provision enabling connected parishes to establish joint councils in place of their separate PCCs, and updating the forms.

- ***Notes to accompany the new Rules***

The Committee has recommended that when the new Rules come to be published in booklet form they are printed with editorial notes to assist the user.

- ***Data Protection***

The Committee took account of recent changes to the law contained in the General Data Protection Regulation and the Data Protection Act 2018. The Rules have been designed to avoid any need to obtain consent from individuals for processing their personal data for the purposes of the Rules, as that would have resulted in a heavy burden being imposed on parishes and others. Instead, personal data can be processed in the ways required by the Rules on the basis that doing so 'is necessary for compliance with a legal obligation' and 'is necessary for the performance of a task carried out ... in the exercise of official authority'.

- ***Electronic communication***

The Rules now make comprehensive provision for the use of communication by email. Providing an email address is optional; but if it is provided, any communication under the Rules may be sent to that email address. An email will satisfy any requirements in the Rules of a communication in writing. Where in the past there was an obligation to pass on addresses (e.g. by the PCC secretary to the secretary of the deanery synod), any email address given by a person must also be passed on.

- ***Electronic voting in elections***

The Rules now facilitate the use of electronic voting methods in elections to diocesan synods and to the General Synod.

- ***Revision of church electoral roll and preparation of new roll***

The provisions relating to the revision of church electoral rolls and the preparation of new rolls have been simplified. Provision has been made to avoid a person's name incorrectly being removed from a roll. Rolls may be published electronically instead of in paper form.

- ***Mission initiatives***

The Rules now make mandatory provision for the representation of mission initiatives (i.e. initiatives that are established by bishops' mission orders) on deanery synods where the bishop so directs. They also provide for persons who worship in mission initiatives to be eligible for election to diocesan synods and the General Synod.

- ***House of Laity of the General Synod***

In the light of the outcome of the informal ballot of members of the General Synod held in July 2017, the Committee reinstated in the Rules provisions which provide that the members of the house of laity of each deanery synod are the electors in elections to the House of Laity of the General Synod. The Committee amended the Rules so that the apportionment of the number of members of the House of Laity between the provinces of Canterbury and York need not be 70:30 if the General Synod passes a resolution specifying some other proportion.

- ***Parochial Church Councils – ensuring lay majority***

The Committee made amendments that will ensure that the lay members of a Parochial Church Council will always form a majority of its membership.

- ***Parochial Church Councils – conduct of business by correspondence***

Provision is now made in the Rules to enable PCCs to conduct business by correspondence (whether on paper or by email) where the chair of the PCC decides that particular business can properly be conducted in that way.

- ***Joint Councils***

The Committee made amendments to the provisions relating to joint councils so that connected parishes can – if they wish – create joint councils while also reserving some functions to the PCCs of the individual parishes. But connected parishes who are willing to go further than that will be able to transfer all of their functions to a joint council so that their individual PCCs cease to operate.

- ***Disqualification etc. – safeguarding provisions***

While the Committee did not consider that safeguarding generally was within the scope of the Measure, it made some drafting amendments to improve provisions concerned with the granting of waivers from disqualification and with the suspension of the clergy and churchwardens.

## **B. Consideration of the draft Measure clause by clause including proposals for amendment**

Part IIB sets out the Committee's detailed consideration of the provisions of the new Church Representation Rules together with proposals for amendments that were received by the Committee. The Committee made a large number of amendments to the provisions of the Rules.

### **Part III – Church Representation and Ministers Measure: provisions relating to ministers**

Part III sets out the Committee's detailed consideration of the provisions of the Measure concerned with ministers together with proposals for amendment that were received by the Committee. The Committee made a number of amendments to these provisions, including by leaving some of them out of the Measure as revised by the Committee.

### **Part IV – Amending Canon No. 39**

Part IV sets out the Committee's detailed consideration of the provisions of the Amending Canon together with proposals for amendment that were received by the Committee. The Committee made a number of amendments to the provisions concerned with ministers, including by leaving some of them out of the Amending Canon as revised by the Committee.

### **Appendix I**

Appendix I contains a table of origins and a table of destinations showing where provisions that originally formed part of the new Church Representation Rules in Schedule 1 of the Church Representation, Ecumenical Relations and Ministers Measure are now to be found in Schedule 1 to the revised Measure, and where new provisions have been inserted.

### **Appendix II**

Appendix II shows the text of the Canons as now proposed to be amended by Amending Canon No. 39.

The Legal Office  
Church House, Westminster

June 2018