

**GENERAL SYNOD**

**DRAFT SCHEME AMENDING THE DIOCESE IN EUROPE  
CONSTITUTION 1995**

*Approved by the General Synod on the [ ...] July 2006*

**WHEREAS:**

1. Paragraph 48 of the Diocese in Europe Constitution 1995 ('the Constitution') provides that amendments to the Constitution are to be embodied in a draft scheme which, if approved by not less than two-thirds of the Diocesan Synod of the Diocese in Europe present and voting, shall be laid by the diocesan Bishop before the General Synod.
2. The Constitution provides that no amendment to paragraphs 1 to 6, 22, 40, 41 or 48 (d) of the Constitution shall be made unless embodied in a draft scheme and an affirmative resolution of the General Synod obtained.
3. On the 20th day of May 2003 the Diocesan Synod of the Diocese in Europe approved by not less than two-thirds of those present and voting the amendments to the Constitution to be made by clauses 1, 2, 4, 5 and 6 of the draft scheme set out in the Schedule hereto ('the Scheme'), which include amendments to paragraph 6 of the Constitution.
4. On the 30th day of May 2006 the Diocesan Synod of the Diocese in Europe approved by not less than two-thirds of those present and voting the amendment to the Constitution to be made by clause 3 of the Scheme.

I NOW THEREFORE lay the Scheme before the General Synod for approval.

Dated this 8th day of June 2006

+ *Geoffrey Europe*

Bishop of Gibraltar in Europe

## **THE SCHEDULE**

### Scheme amending the Diocese in Europe Constitution 1995

1. Leave out paragraph 6 and insert:

“6(a) The diocesan bishop shall be appointed by the Archbishop of Canterbury, the Bishop of London and a person in episcopal orders nominated by the Standing Committee of the Anglican Consultative Council, acting jointly.

(b) The Standing Committee of the Diocesan Synod, together with the diocesan members of the General Synod, shall act as the Vacancy in See Committee for the Diocese. It shall follow the Vacancy in See procedures as laid down by the General Synod for all the other dioceses.

(c) Before an appointment is made, a consultation shall take place between the Archbishop of Canterbury, the Bishop of London, the bishop nominated by the Standing Committee of the Anglican Consultative Council, the central members of the Crown Nominations Commission and those persons elected by the Standing Committee of the Diocesan Synod.”

2. Leave out paragraphs 14 and 15 and insert:

“14(a)The Cathedral Church of the Diocese is the Cathedral Church of the Holy Trinity in Gibraltar.

(b) There are two Pro-Cathedrals -

The Collegiate Church and Pro-Cathedral of Saint Paul the Apostle at Valletta in Malta; and  
The Pro-Cathedral of the Holy Trinity, Brussels.

15(a) The Cathedral and Pro-Cathedrals are governed by Statutes which came into force on the tenth day of February 1997, the Feast of the Shipwreck of Saint Paul. Such Statutes remain in full force and effect and may be amended in accordance with those Statutes.

(b) Any provisions of the former Statutes which are necessary to preserve the rights or property of the Cathedral or the Pro-Cathedrals in the civil law shall remain in force.”

3. Leave out paragraph 23 and insert:

“Proceedings against a bishop, priest or deacon who, when the misconduct in question was alleged to have occurred, held the diocesan Bishop’s Licence or resided in the Diocese in Europe (not being misconduct involving matters of doctrine, ritual or ceremonial), or who is alleged to have officiated as a minister in the diocese without authority, shall be dealt with in accordance with the provisions of the Clergy Discipline Measure 2003 as it applies within the Diocese in Europe (or such other statutory modification of that Measure for the time being in force).”

4. In paragraph 31(a) leave out the words “vicar general” and insert the words “diocesan secretary”.

5. In paragraph 31(d) leave out the words “Churchwardens (Appointment and Resignation) Measure 1964” and insert the words “Churchwardens Measure 2001 or any subsequent Measure replacing this passed by the General Synod”.

6. Leave out sub-paragraphs (v) and (vi) of paragraph 39(a) and insert:

“(v) one of the lay representatives of the Diocese serving on the General Synod where no proctor in Convocation or lay representative is serving on the Bishop’s Council by virtue of (i) to (iv) above. The said lay representatives shall choose one of their number to serve on the Council and, if they cannot agree on the choice, the Chairman of the House of Laity of the Diocesan Synod shall choose one of them to serve;

(vi) not more than four other persons nominated by the Bishop.

Persons chosen or nominated under sub-paragraphs (v) or (vi) above shall serve for a term of three years or until the Bishop's Council is reconstituted following an election to the Diocesan Synod whichever shall be the shorter. A person may be chosen or nominated for a further term or terms."