

GENERAL SYNOD

DRAFT AMENDING CANON NO. 28

REPORT BY THE HOUSE OF BISHOPS

1. Draft Amending Canon No. 28 ('the Amending Canon') completed its revision stage at the February 2008 group of sessions of the General Synod. Under Standing Order 59 the Amending Canon then stood committed to the Steering Committee in respect of its Final Drafting. In the event, as reported in the First Notice Paper for the July 2008 group of sessions, the Steering Committee considered that no further amendments were required and that there were no other matters to report to the Synod.
2. Since the Amending Canon represents 'Article 7 Business' for the purposes of the General Synod's Constitution and Standing Orders, following its Final Drafting stage it stood referred to the House of Bishops in accordance with Article 7(1) of the Constitution and Standing Orders 60(a) and 64. The effect of those provisions is that it may only be submitted for Final Approval by the Synod "*in terms proposed by the House of Bishops and not otherwise*".
3. The House considered the Amending Canon at its meetings in May and October 2008. At its October 2008 meeting the House resolved to amend the Amending Canon, so that it ended after the word "*benefices*" in what was previously sub-paragraph 2(b)(i) (thus omitting the obligation placed on the bishop to have regard to the extent and frequency of "*the provision of services of Holy Communion according to the rites of other participating Churches in the area of the local ecumenical project*").
4. Points made in debate in favour of the amendment included that:
 - whilst it was not denied that ecumenical courtesy required a degree of recognition of the authenticity of Word and Sacrament in services of Holy Communion conducted by non-episcopally ordained clergy according to the rites of other 'participating Churches', that was a different issue from whether it was right to require bishops of the Church of England to have to take account of the availability of such services when exercising their powers under Canon B 14A; and
 - it was undesirable to imply, as the Amending Canon did, that services of Holy Communion conducted by non-episcopally ordained clergy according to the rites of other 'participating Churches' were equivalent to services of Holy Communion conducted by episcopally ordained clergy according to the rites of the Church of England – whether for the purposes of the obligation imposed by Canon B 15.1 or more generally.
5. Points made in debate against the amendment included that:
 - ecumenical courtesy required that bishops should take account of the availability of services of Holy Communion conducted by non-episcopally ordained clergy according to the rites of other 'participating Churches';

- to refuse to take account of such services would run counter to the theology underlying local ecumenical partnerships, which involved a degree of recognition of the authenticity of Word and Sacrament in the other participating Churches; and
 - even if bishops had to take account of the availability of such services, the precise weight to be attached to that consideration was a matter for them, in the circumstances of the particular case.
6. Following its acceptance of the amendment, the House went on to pass the motion required by Standing Order 10(b)(iii) of its Standing Orders, ie:
- “That subject to the requirements of the Standing Orders of the Synod concerning reference of the business to the Convocations and to the House of Laity, draft Amending Canon No 28 as amended be returned to the Synod in the form approved by the House for consideration on the Final Approval Stage.”*
7. Following the amendment made by the House, the Amending Canon takes the form shown in GS 1642B.
8. In accordance with Standing Order 86(a) of the General Synod, the question of whether either of the Convocations or the House of Laity required a reference of the Amending Canon to them was referred to them for decision. All three bodies decided that they did not require the Amending Canon to be referred to them.
9. The Amending Canon will accordingly be laid before the General Synod for Final Approval at the February 2009 group of sessions, in the form shown in GS 1642B.

On behalf of the House

+ ROWAN CANTUAR:

Chairman

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