

**GENERAL SYNOD
ELECTION RULES**

INTRODUCTION

1. The Synod has before it the following—
 - House of Laity Election Rules
 - Clergy Election Rules
 - Convocations (Election to Upper House) Rules
 - Single Transferable Vote Rules
 - Church Representation Rules (Amendment) Resolution.
2. The new election rules give effect to two significant policy changes – the introduction of online elections for each House and comprehensive rules on appeals. Subject to that, the new rules largely consolidate and harmonise the existing ones. In particular, the structure of the elections to each House (who does what when etc.) is as it was. Each set of new rules is in gender-neutral language.
3. The new rules may seem dauntingly long. However, it was thought that members would find it convenient to have a new suite of rules rather than several sets of fiddly textual amendments to the existing rules, not least as those rules already contain many inconsistencies. Also, it is necessary to have separate rules for elections to the House of Laity as the Church Representation Rules do not now include rules for those elections but instead confer power for them to be made separately.
4. The rules on electronic voting are consistent for each House (for the Upper House of Convocation, there is to be no paper-based voting at all). There will be an online facility (known as an “elections portal”) for nominations and voting. The presiding officer for each election will run the online facility with the assistance of a body nominated by the Business Committee (likely to be Civica Election Services). Voters who do not provide an email address must use the paper-based system.
5. The religious communities do not wish to participate in electronic voting and so the new rules provide for their elections to be conducted by paper. The composition of the religious communities constituency will not change for the forthcoming elections, because the new legislation on religious communities (given Final Approval in July 2019) will not come into force until after the elections.
6. The rules on appeals are consistent for each House and provide for several new matters. They clarify rights of appeal relating to the eligibility of a voter and the validity of a nomination. They introduce two new procedures: a fast-track procedure for cases which raise a point of law (for example, whether a vote should have been allowed); and a more lengthy procedure for cases which involve disputes of fact (for example, whether the conduct of the election affected the result). The new rules also make detailed specific provision about the findings which are possible on each type of appeal, instead of the current general provision which does not fit in every case.

7. The Church Representation Rules (Amendment) Resolution inserts equivalent provisions on appeals to ensure consistency for elections under the Church Representation Rules. And it corrects a handful of drafting errors in those Rules. The Resolution also, in anticipation of amendments made to the draft Cathedrals Measure in Revision Committee, amends the definition of “community roll” to ensure that only those whom the dean of the cathedral concerned declares to be habitual worshippers are entitled to be represented on deanery synod.
8. The Single Transferable Vote Rules restate the existing Rules but with new provisions to take account of online voting. The new Rules make minor improvements to the layout and structure of the existing Rules by, for example, avoiding duplication with the election rules on some procedural matters and by breaking down long and dense provisions into something more manageable.

SUMMARY OF CHANGES

Appeals

- The summary procedure will be for appeals relating to the validity of a nomination and for appeals against the result of an election on the grounds of whether a candidate was duly elected or qualified to stand or whether a vote should or should not have been allowed. There is not to be a free-standing appeal against the allowance or disallowance of a vote; that matter is instead just to provide the grounds for an appeal against the result of an election. (*See CRR 59A (Amendment Resolution para 5); Laity 34; Clergy 51; Upper House 26.*)
- The full procedure will be for appeals relating to the eligibility of a voter and for appeals against the result of an election on the grounds of whether there was a misrepresentation of a material fact, how the election was conducted or whether there is an error in the register of electors.
- On a summary appeal, there is to be a two-day period for bringing the appeal and the appeal is to be determined within seven days (or five working days, in other words). On a full appeal, there is to be a 14-day period for bringing the appeal. (*See CRR 60(3) to (6), 61(3) and (4) (Amendment Resolution paras 6 and 7); Laity 35(3) to (6), 38(3) to (5); Clergy 52(3) to (6), 55(3) to (7); Upper House 27(3) to (6), 30(3) and (4).*)
- The new Rules attempt to set out comprehensive provision for appeals relating to whether a person is a qualified elector. (*See Laity 31; Clergy 48; Upper House 23.*)
- The notice of appeal is generally to be given to the presiding officer for the election. (*See CRR 60(2) and 61(2) (Amendment Resolution paras 6 and 7); Laity 35(2); Clergy 52(2).*)
- The CRR Amendment Resolution amends the CRRs so that an enrolment appeal is to be dealt with as a full appeal. (*See CRR 57(9) to (12) (Amendment Resolution para 2(2).*)

- The Resolution also amends the Churchwardens Measure to ensure that the appeal provisions in it are consistent with those in the CRRs. (*See CRR Amendment Resolution para 10(3).*)

Other matters

- A nomination form must include any title or preferred style the candidate has and the voting form must specify the candidate's name as it appears on the nomination. (*See Laity 6(2)(a), 10(4)(a), 18(2)(a), 22(2)(a); Clergy 25(3)(a), 28(4)(a), 35(2)(a), 39(2)(a); Upper House 9(3)(a), 13(3)(a).*)
- A nomination form must, for clergy, specify the ecclesiastical office held and, for laity, specify the parish on whose roll the candidate's name is entered. (*See Laity 6(2)(b); Clergy 25(3)(b).*)
- A nomination form and voting form must specify whether the candidate has been a member of the General Synod (rather than just of the House or Convocation for which the person currently wishes to stand). (*See Laity 6(2)(d), 18(2)(c); Clergy 25(3)(d), 35(2)(c); Upper House 9(3)(c).*)
- There is express provision for the registers of electors not to include co-opted members, since they are not entitled to vote. (*See CRR 27(4) (Amendment Resolution para 11); Clergy 5(3)*)
- On religious communities elections, the presiding officer is to be the provincial registrar rather than the head of each religious community (*See Laity Part 4; Clergy Part 7*)