

# **GENERAL SYNOD**

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## **FEBRUARY GROUP OF SESSIONS 2020**

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### **EIGHTH NOTICE PAPER**

#### **MOTIONS AND AMENDMENTS, ETC**

**Notice of motions and amendments received. Amendments will subsequently be marshalled, in the order in which they are to be taken, on the daily Order Papers.**

#### **ITEM 507 - 509**

**HOUSE OF LAITY ELECTION RULES 2020 (GS 2164),  
CLERGY ELECTION RULES 2020 (GS 2165),  
CONVOCATIONS (ELECTIONS TO UPPER HOUSE) RULES  
2020 (GS 2166)**

Under SO 71(2), due notice has been given that members wish to have the House of Laity Election Rules 2020 (GS 2164), Clergy Election Rules 2020 (GS 2165) and Convocations (Elections to Upper House) Rules 2020 (GS 2166) debated.

#### **ITEM 8**

**WINDRUSH COMMITMENT AND LEGACY (GS 2156A and  
GS 2156B)**

*The Bishop of Leicester* to move as an amendment:  
'In paragraph (a) after "Christ's Church," *insert* "and apologise for,".'

#### **ITEM 9**

**SAFEGUARDING: RESPONSE TO RECOMMENDATIONS IN  
IICSA MAY 2019 INVESTIGATION REPORT (GS 2158)**

*The Bishop of Huddersfield* to move the following amendment–  
‘After “That this Synod” *insert* “(a)”;

At the end insert a semicolon followed by:

- “(b) welcome the statement in paragraph 4.1 of the response that the National Safeguarding Steering Group (NSSG) “remains committed to ensuring that words of apology are followed by concrete actions”;
- (c) urge the NSSG to bring forward proposals to give effect to that commitment that follow a more fully survivor-centred approach to safeguarding, including arrangements for redress for survivors;
- (d) request that the NSSG keep the Synod updated on the development and implementation of responses to recommendations relating to the Church of England that are made by the Inquiry, including by submitting a report for debate by the Synod not later than July 2021.”.’

## **ITEM 10**

### **CLIMATE EMERGENCY AND CARBON REDUCTION TARGET (GS 2159)**

*The Very Revd Andrew Nunn* (Dean of Southwark) to move the following amendments:

‘In paragraph (a), after “dioceses,” *insert* “cathedrals”.’

‘In paragraph (c), after “Diocesan Synod” *insert* “and cathedral Chapter”.’

*Dr John Appleby* (Newcastle) to move as an amendment:

‘After paragraph (c), *insert*:

- “( ) urge all parts of the Church of England to set appropriate milestones for their own progress towards the target in paragraph (a), at suitable intervals aligned with the three year reporting framework”.’

*Revd Canon Prof Martin Gainsborough* (Bristol) to move as an amendment:

‘In paragraph (a) *leave out* “2045 at the latest” and *insert* “2030”.’

## **ITEM 11**

### **END TO PAUPERS’ FUNERALS**

*The Revd Christopher “Tiffer” Robinson* (St Edmundsbury and Ipswich) to move as an amendment:

‘*Leave out* “to establish a Task Force including representatives of the Houses of Bishops, Clergy and Laity to” and *insert* “to direct and resource the Life Events Advisory Group, in consultation with the Churches Funeral Group and the British Council of Funeral Services to:”.’

‘After paragraph (ii) *insert*:

(iii) Report progress made with reference to the above by the end of 2021.”.’

## **ITEM 13**

### **GENERAL SYNOD ELECTIONS 2020: ALLOCATION OF SEATS (GS 2162)**

*Mr David Lamming* (St Edmundsbury and Ipswich) to move:

‘In paragraph (b), *leave out* “70 to 30, so that 135 members are to be elected” to the end’ and *insert* “75 to 25, so that 145 members are to be elected in the Province of Canterbury and 48 members elected in the Province of York, the numbers to be elected for each diocese being those set out at Appendix E of GS 2162”.’

## **ITEM 14**

### **THROUGH HIS POVERTY (GS 2149A AND GS 2149B)**

*The Revd Dr Jason Roach* (London) to move the following amendments:

‘In paragraph (a) *leave out* “, in contrast to Jesus,” and after “disadvantaged communities” *insert* “despite the gospel being good news for the poor”.’

‘In paragraph (b) after “situation” *insert* “, such as:

- (i) actively seeking to select and train more people from disadvantaged communities
- (ii) deploying more resources into reaching people from disadvantaged communities
- (iii) gathering and disseminating stories of good practice from churches working in disadvantaged communities”.’

*The Revd Catherine Pickford* (Newcastle) to move the following amendments:

‘In the opening words *leave out* “explores”;

In paragraph (a) and in paragraph (b), at the beginning *insert* “explores”;

After paragraph (b) insert—

“( ) builds upon the work of the GRA:CE project in exploring the links between social action, discipleship, and church growth”.’

## **ITEM 19**

### **56<sup>th</sup> REPORT OF THE STANDING ORDERS COMMITTEE (GS 2157)**

Mr David Lamming (St. Edmundsbury and Ipswich) to move the following amendment—

After item 20 insert—

#### **“Standing Order 131 (relevant elections)**

20A. In Standing Order 131, for “135” in each place it appears, substitute “135M”.’

## Item 24

Mr David Lamming (St. Edmundsbury and Ipswich) to move the following amendments to item 24—

In the proposed Standing Order 135E(1), after sub-paragraph (a) insert—

“(aa) if any decision to which the appeal relates was made by a person other than the Clerk, give a written notification to that person,

(ab) in the case of an appeal under SO 135(2), give a written notification to the person to whom the invitation to nominate or voting paper was given.”.

In the proposed Standing Order 135E, after paragraph (1) insert—

“(1A) A person to whom a notification is given under paragraph (1)(a) or (ab) is entitled to make written representations to the relevant judge on a decision to which the appeal relates.

(1B) The Clerk is entitled to provide the relevant judge with a written explanation of the reasons for any decision made by the Clerk to which the appeal relates.

(1C) A person to whom a notification is given under paragraph (1)(aa) is entitled to provide the relevant judge with a written explanation of the reasons for the decision which that person made.

(1D) Representations under paragraph (1A) or an explanation under paragraph (1B) or (1C) must be made within seven days of the referral of the notice of appeal.

(1E)A notification under paragraph (1)(a), (aa) or (ab) must include an explanation of the entitlement to make representations or an explanation (as the case may be).”

4. After the proposed Standing Order 135E insert—

**“135EA. Summary election appeal: parties**

- (1) On a summary election appeal, each of the following is a party to the appeal (in addition to the appellant)—
  - (a) the Clerk,
  - (b) any person to whom a notification is given under SO 135E(1)(aa), and
  - (c) each relevant person.
- (2) Each of the following is a relevant person—
  - (a) on an appeal under SO 135(2), the person to whom notification was given under SO 135E(1)(ab);
  - (b) on an appeal under SO 135A(1) or (2), the person whose nomination is the subject of the appeal;
  - (c) on an appeal under SO 135B(1)(a) or (b), the person whose election is the subject of the appeal;
  - (d) on an appeal under SO 135B(2) or (4), any person to whom a notification is given under SO 135E(1)(a).

In the proposed Standing Order 135F(2), leave out sub paragraph (b) and insert—

*“(b) any representations or explanation made in accordance with SO 135E(1D).”*

In the proposed Standing Order 135F(11), leave out “notify” and insert “give a written notification to”.

In the proposed Standing Order 135H(1), after paragraph (a) insert—

“(aa) if any decision to which the appeal relates was made by a person other than the Clerk, give a written notification to that person,”.

In the proposed Standing Order 135H(2), leave out “candidate in the election” and insert “person referred to in paragraph (1)(a) and (aa)”.

In the proposed Standing Order 135H, after paragraph (2) insert—

“(2A) A person to whom a notification is given under paragraph (1)(a) is entitled to make written representations to the panel appointed under SO 135I(1) on a decision to which the appeal relates.

(2B) The Clerk is entitled to provide that panel with a written explanation of the reasons for any decision made by the Clerk to which the appeal relates.

(2C) A person to whom a notification is given under paragraph (1)(aa) is entitled to provide that panel with a written explanation of the reasons for the decision which that person made.

(2D) Representations under paragraph (2A) or an explanation under paragraph (2B) or (2C) must be made within 28 days of referral of the notice of appeal.

(2E) The Clerk and any person to whom a notification is given under paragraph (2)(a) are each entitled to make written representations to the panel appointed under SO 135I(2) on the question of whether the panel should consider the appeal.

(2F) Representations under paragraph (2E) must be made within seven days of the notification under paragraph (2)(a) being given.

(2G) A notification under paragraph (1)(a) or (aa) or (2)(a) must include an explanation of the entitlement to make representations or an explanation (as the case may be).”

After the proposed Standing Order 135H insert—

**“135HA. Full election appeal: parties**

- (1) On a full election appeal, each of the following is a party to the appeal (in addition to the appellant)—
  - (a) the Clerk,
  - (b) any person to whom a notification is given under SO 135H(1)(aa), and
  - (c) each relevant person.
- (2) Each of the following is a relevant person—
  - (a) on an appeal under SO 135B(1)(c), the person whose election is the subject of the appeal;
  - (b) on an appeal under SO 135B(3), any person to whom a notification is given under SO 135H(1)(a).”

In the proposed Standing Order 135J, leave out paragraph (2) and insert—

- “(2) A preliminary assessment of an appeal is an assessment as to whether there are arguable grounds of appeal; and, in conducting a preliminary assessment, the panel may consider only—
  - (a) the notice of appeal and any accompanying written submissions, and

(b) any representations or explanation made in accordance with SO 135E(1D) or SO 135H(2D).”

In the proposed Standing Order 135J(6), leave out “notify” and insert “give a written notification to”.

In the proposed Standing Order 135K, leave out paragraph (1) and insert—

“(1) A panel appointed under SO 135I(2) may decide to consider the appeal only if, having regard to all the circumstances, it is satisfied that there is a good reason to allow the appeal to proceed.

(1A) The matters which the panel considers in making that decision must include—

(a) the purported notice of appeal and any accompanying written submissions (whether on the question of why notice of appeal was not given within the required period or on any other point), and

(b) any representations made in accordance with SO 135H(2F).”

In the proposed Standing Order 135K(2), leave out subparagraph (c) and insert—

“(c) the panel must ensure that each notification required under SO 135H(1)(a) or (aa) is given to the person concerned (and, once that has been done, SO 135H(2A) to (2D) and (2G) applies in relation to the notification).”

In the proposed Standing Order 135K, after paragraph (2) insert—

“(2A) Where the panel has decided to consider the appeal and the period for making representations in accordance with SO 135H(2D) has expired, the panel

may proceed to conduct a preliminary assessment of the appeal under SO 135J.”

In the proposed Standing Order 135K(3), leave out “notify” and insert “give a written notification to”.

In the proposed Standing Order 135M(2), after paragraph (6) insert—

“(6A)The panel must give a written notification to the parties to the appeal of the decision on the appeal and the reasons for its decision.”

## **ITEM 500**

### **DIOCESAN BOARDS OF EDUCATION MEASURE (GS 2131A)**

#### **Draft Measure for Revision**

*Mr Carl Hughes* (Southwark) to move:

#### **Clause 3**

Clause 3, page 1, line 22, leave out paragraph (b).

Clause 3, page 1, line 30, leave out “or (b)”.

#### **Clause 4**

Clause 4, page 2, line 28, leave out “either of the following”.

Clause 4, page 2, line 32, leave out paragraph (b).

#### **Clause 5**

Clause 5, page 3, line 25, after “which” insert “, before the first scheme is made under section 3,”.

Clause 5, page 3, line 35, leave out subsection (3).

#### **Clause 13**

Clause 13, page 9, leave out lines 6 and 7.

#### **Schedule 1**

Schedule 1, page 17, leave out paragraph 2.

*Mr David Lamming* (St. Edmundsbury and Ipswich) to move the following amendments—

**Clause 17**

Clause 17, page 11, line 11, at end insert—

“(3) A report under subsection (2) must—

- (a) be in writing, and
- (b) be posted on the diocese’s website or, in a case where there is a joint DBE, on each diocese’s website.

(4) A DBE may make a report under subsection (2) by way of an oral presentation (in addition to making it in accordance with subsection (3)); and if the bishop’s council and standing committee of the diocese specifies the form in which the presentation is to be made, it must be made in that form.”

**Schedule 2**

Schedule 2, page 21, line 20, at end insert—

“(5A) At least three of those persons must become members by virtue of sub-paragraph (5)(b).”

Schedule 2, page 21, line 20, at end insert—

“(5B) The number of persons who are members by virtue of sub-paragraph (5)(c) must not exceed one-quarter of the total membership.”

Schedule 2, page 21, line 27, leave out “one person” and insert “two persons”.

Schedule 2, page 21, line 27, at end insert “, and

“(c) provision for the number of persons co-opted not to exceed one-quarter of the total membership.”

Schedule 2, page 21, line 28, leave out “sub-paragraph (5) has” and insert “sub-paragraphs (5) to (5B) have”.

Schedule 2, page 22, line 27, after “DBE” insert “; but the chair of a committee or sub-committee must be a member of the DBE”.

## **ITEM 501**

### **CATHEDRALS MEASURE (GS 2136A)**

#### **Draft Measure for Revision**

*Mr Adrian Greenwood* (Southwark) to move:

#### **Clause 1**

Clause 1, page 1, line 8, leave out “and work” and insert “, work and unity”.

*Dr Michael Todd* (Truro) to move:

#### **Clause 10**

Clause 10, page 6, line 13, after “affairs of the cathedral,” insert “and its finances;”.

*The Chair of the Steering Committee* (Canon Robert Hammond) (Chelmsford) to move:

#### **Clause 41**

Clause **41**, page **22**, line **38**, after “canon” insert “holding office under Common Tenure”.

Clause **41**, page **22**, line **44**, at end insert—

“(2A) Sections 3A and 3B of that Measure (inserted by subsection (1)) apply in the case of a person who holds the office of dean or residentiary canon on freehold as they apply in the case of a person who holds that office under common tenure.”

Clause **41**, page **23**, line **3**, after “(1)” insert “(including as it is applied by subsection (2A))”.

Schedule **1**, page **30**, line **15**, at end insert—

“(3A) For the purposes of sub-paragraph (2)(b), a residentiary canon is not to be regarded as carrying out cathedral duties if the Chapter considers that the duties carried out by that residentiary canon are of such a minor nature that they should be disregarded for those purposes.”

(3B) Any question arising as to the nature of cathedral duties carried out by a residentiary canon is to be determined by the bishop as Visitor.”

Schedule 1, page 32, leave out from line 42 to line 4 on page 33.

*The Very Revd David Ison* (Dean of St Paul’s) to move:

In Schedule 1, page 32, line 41, at end *insert*—

“( ) may not be a suffragan or assistant bishop or archdeacon in the diocese or the bishop’s chaplain or the diocesan secretary”.’

*Mr Carl Hughes* (Southwark) to move:

### **New Clause**

After Clause 5, insert the following New Clause—

“5A Constitution: provision for community rolls

- (1) In the case of a cathedral which is not a parish church, the constitution must require the formation and maintenance of a roll which contains the name of each person—
  - (a) who is baptised,
  - (b) who is aged 16 or over,
  - (c) who has made one of the following two declarations, and
  - (d) whose application for enrolment for the purposes of this subsection has been granted.
- (2) The first declaration is that the person—
  - (a) is a member of the Church of England or of a Church in communion with it, and

- (b) has habitually attended public worship at the cathedral during the preceding six months.
- (3) The second declaration is that the person—
  - (a) is a member in good standing of a Church which is not in communion with the Church of England but subscribes to the doctrine of the Holy Trinity,
  - (b) is also a member of the Church of England, and
  - (c) has habitually attended public worship at the cathedral during the preceding six months.
- (4) In the case of a cathedral which is not a parish church, the constitution must permit the formation and maintenance of a roll which contains the name of each person—
  - (a) who is not eligible for inclusion on the roll maintained for the purposes of subsection (1), but
  - (b) who is a member of the cathedral community, and
  - (c) whose application for enrolment for the purposes of this subsection has been granted.
- (5) In the case of a cathedral which is, or part of which is, a parish church, the constitution must permit the formation and maintenance of a roll which contains the name of each person—
  - (a) who is not eligible for inclusion on the church electoral roll of the parish, but
  - (b) who is a member of the cathedral community, and
  - (c) whose application for enrolment for the purposes of this subsection has been granted.”

## **Schedule 1**

Schedule 1, page 31, line 31, leave out sub-paragraphs (2) to (4) and insert-

- "(2) If the constitution so provides, up to one-third of the non-executive members of the Chapter (other than the residentiary canons) may be elected--
- (a) where the cathedral is not a parish church, by the persons whose names are included on the roll

maintained for the purposes of section 5A(1) and, if there is a roll maintained for the purposes of section 5A(4), by the persons whose names are included on that roll, or

- (b) where the cathedral or part of it is a parish church, by the persons whose names are included on the church electoral roll of each parish and, if there is a roll maintained for the purposes of section 5A(5), by the persons whose names are included on that roll."

### **Schedule 5**

Schedule 5, page 38, line 22, leave out "paragraph 3(3)(a) of Schedule 1 to" and insert "section 5A(1) of".

### **ITEM 506**

### **CHURCH REPRESENTATION RULES (AMENDMENT)**

### **RESOLUTION 2020 (GS 2155)**

*A member of the Business Committee* to move as an amendment:

In paragraph 1(2), after "Part 3" insert "(other than paragraph 14)".

In paragraph 1(3), leave out "comes" and insert "and paragraph 14 come".

*Mr David Lamming* (St. Edmundsbury and Ipswich) to move the following amendments—

### **Paragraph 2**

Leave out paragraph (2) and insert—

"(2) After Rule 57 insert—

"57A. Enrolment appeals: referral and representations etc.

- (1) Where notice of an appeal under Rule 57 is given, the person to whom it is given must without delay (and in any event within 48 hours of receiving it unless the appellant

has in the meantime given written notice to withdraw the appeal)—

- (a) refer the notice to the bishop's council and standing committee,
  - (b) in the case of an appeal under Rule 57(3), given a written notification to the person to whose enrolment or removal from the roll or register the objection is made, and
  - (c) give a written notification to each person who made a decision to which the appeal relates.
- (2) Where a purported notice of appeal under Rule 57 is given out of time, the person to whom it is given must without delay (and in any event within 48 hours of receiving it unless the appellant has in the meantime given written notice to withdraw the appeal)—
  - (a) refer the purported notice to the bishop's council and standing committee, and
  - (b) give a written notification to each person referred to in paragraph (1)(b) and (c).
- (3) An appeal under Rule 57 is to be dealt with in accordance with Rules 61B to 61F and 61H.
- (4) A person to whom a notification is given under paragraph (1)(b) is entitled to make written representations to the panel appointed under Rule 61B(1) on a decision to which the appeal relates.
- (5) A person to whom a notification is given under paragraph (1)(c) is entitled to provide that panel with a written explanation of the reasons for the decision which that person made.
- (6) Representations under paragraph (4) or an explanation under paragraph (5) must be made within 28 days of referral of the notice of appeal.
- (7) A person to whom a notification is given under paragraph (2)(b) is entitled to make written representations to the

panel appointed under Rule 61B(2) on the question of whether the panel should consider the appeal.

- (8) Representations under paragraph (7) must be made within seven days of the notification under paragraph (2)(b) being given.
- (9) A notification under paragraph (1)(b) or (c) or (2)(b) must include an explanation of the entitlement to make representations or an explanation (as the case may be).
- (10) A reference in this Part to an “enrolment appeal” is a reference to an appeal under Rule 57.”

### **Paragraph 6**

In paragraph 6, in the proposed Rule 60A(1), after subparagraph (c) insert “, and

“(d) in the case of an appeal under Rule 58(1) or (2), the person whose nomination is the subject of the appeal.”

In paragraph 6, in the proposed Rule 60A, after paragraph (1) insert—

- “(1A) A person to whom a notification is given under paragraph (1)(b) or (d) is entitled to make written representations to the relevant judge on a decision to which the appeal relates.
- (1B) The presiding officer is entitled to provide the relevant judge with a written explanation of the reasons for any decision made by the officer to which the appeal relates.
- (1C) A person to whom a notification is given under paragraph (1)(c) is entitled to provide the relevant judge with a written explanation of the reasons for the decision which that person made.
- (1D) Representations under paragraph (1A) or an explanation under paragraph (1B) or (1C) must be made within seven days of the referral of the notice of appeal.

(1E) A notification under paragraph (1)(b), (c) or (d) must include an explanation of the entitlement to make representations or an explanation (as the case may be).”

In paragraph 6, after the proposed Rule 60A insert—

**“60AA. Summary election appeal: parties**

(1) On a summary election appeal, each of the following is a party to the appeal (in addition to the appellant)—

- (a) the presiding officer,
- (b) any person to whom a notification is given under Rule 60A(1)(c), and
- (c) each relevant person.

(2) Each of the following is a relevant person—

- (a) on an appeal under Rule 58(1) or (2), the person whose nomination is the subject of the appeal;
- (b) on an appeal under Rule 58A(1)(a) or (b), the person whose election is the subject of the appeal;
- (c) on an appeal under Rule 58A(4), any person to whom a notification is given under Rule 60A(1)(b).”

In paragraph 6, in the proposed Rule 60B(2), leave out subparagraph (b) and insert—

“(b) any representations or explanation made in accordance with Rule 60A(1D).”

**Paragraph 7**

In paragraph 7, in the proposed Rule 61A(1), after paragraph (a) insert—

“(aa) if any decision to which the appeal relates was made by a person other than the presiding officer, give a written notification to that person,”.

In paragraph 7, in the proposed Rule 61A, leave out paragraph (2) and insert—

- “(2) Where a purported notice of a full election appeal is given out of time, the presiding officer to whom it is given must without delay (and in any event within 48 hours of receiving it unless in the meantime written notice is given to withdraw the appeal)—
- (a) give a written notification to each person referred to in paragraph (1)(a) and (aa), and
  - (b) refer the purported notice to the bishop’s council and standing committee.”

In paragraph 7, in the proposed Rule 61A, after paragraph (2) insert—

- “(2A) A person to whom a notification is given under paragraph (1)(a) is entitled to make written representations to the panel appointed under Rule 61B(1) on a decision to which the appeal relates.
- (2B) The presiding officer is entitled to provide that panel with a written explanation of the reasons for any decision made by the officer to which the appeal relates.
- (2C) A person to whom a notification is given under paragraph (1)(aa) is entitled to provide that panel with a written explanation of the reasons for the decision which that person made.
- (2D) Representations under paragraph (2A) or an explanation under paragraph (2B) or (2C) must be made within 28 days of referral of the notice of appeal.
- (2E) The presiding officer and any person to whom a notification is given under paragraph (2)(a) are each entitled to make written representations to the panel appointed under Rule 61B(2) on the question of whether the panel should consider the appeal.
- (2F) Representations under paragraph (2E) must be made within seven days of the notification under paragraph (2)(a) being given.

(2G) A notification under paragraph (1)(a) or (aa) or (2)(a) must include an explanation of the entitlement to make representations or an explanation (as the case may be).”

In paragraph 7, after the proposed Rule 61A insert—

**“61AA. Enrolment appeal or full election appeal: parties**

- (1) On an enrolment appeal, each of the following is a party to the appeal (in addition to the appellant)—
- (a) the person to whom the notice of appeal is given,
  - (b) any person to whom a notification is given under Rule 57A(1)(c), and
  - (c) on an appeal under Rule 57(3), the person to whose enrolment or removal from the roll or register the objection is made.
- (2) On a full election appeal, each of the following is a party to the appeal (in addition to the appellant)—
- (a) the presiding officer,
  - (b) any person to whom a notification is given under Rule 61A(1)(aa), and
  - (c) each relevant person.
- (3) Each of the following is a relevant person—
- (a) on an appeal under Rule 58A(1)(c), the person whose election is the subject of the appeal;
  - (b) on an appeal under Rule 58A(2) or (3), any person to whom a notification is given under 61A(1)(a).”

In paragraph 7, in the proposed Rule 61C, leave out paragraph (2) and insert—

- “(2) A preliminary assessment of an appeal is an assessment as to whether there are arguable grounds of appeal; and, in conducting a preliminary assessment, the panel may consider only—
- (a) the notice of appeal and any accompanying written submissions, and

- (b) any representations or explanation made in accordance with Rule 57A(6) or 61A(2D).”

In paragraph 7, in the proposed Rule 61C(6), leave out “notify” and insert “give a written notification to”.

In paragraph 7, in the proposed Rule 61D, leave out paragraph (1) and insert—

“(1) A panel appointed under Rule 61B(2) may decide to consider the appeal only if , having regard to all the circumstances, it is satisfied that there is a good reason to allow the appeal to proceed.

(1A) The matters which the panel considers in making that decision must include—

- (a) the purported notice of appeal and any accompanying written submissions (whether on the question of why notice of appeal was not given within the required period or on any other point), and
- (b) any representations made in accordance with Rule 57A(8) or 61A(2F).”

In paragraph 7, in the proposed Rule 61D(2), leave out subparagraph (c) and insert—

“(c) the panel must ensure that any notification required under Rule 57A(1)(b) or (c) or 61A(a) or (aa) is given (and Rule 57A(4) to (6) and (9) or 61A(2A) to (2D) and (2G) applies accordingly).”

In paragraph 7, in the proposed Rule 61D, after paragraph (2) insert—

“(2A) Where the panel has decided to consider the appeal and the period for making representations in accordance with Rule 57A(6) or 61A(2D) has expired, the panel may

proceed to conduct a preliminary assessment of the appeal under Rule 61C.”

In paragraph 7, in the proposed Rule 61D(3), leave out “notify” and insert “give a written notification to”.

### **Paragraph 8**

In paragraph 8, in the proposed Rule 61H(2), leave out “notify” and insert “give a written notification to”.

## **ITEM 507**

### **HOUSE OF LAITY ELECTION RULES 2020 (GS 2164)**

Mr David Lamming (St. Edmundsbury and Ipswich) to move the following amendments—

### **Rule 36**

In Rule 36(1), after sub-paragraph (c) insert “, and (d) in the case of an appeal under Rule 32(1) or (2), give a written notification to the person whose nomination is the subject of the appeal.”

In Rule 36, after paragraph (1) insert—

- “(1A) A person to whom a notification is given under paragraph (1)(b) or (d) is entitled to make written representations to the relevant judge on a decision to which the appeal relates.
- (1B) The presiding officer is entitled to provide the relevant judge with a written explanation of the reasons for any decision made by the officer to which the appeal relates.
- (1C) A person to whom a notification is given under paragraph (1)(c) is entitled to provide the relevant judge with a written explanation of the reasons for the decision which that person made.

- (1D) Representations under paragraph (1A) or an explanation under paragraph (1B) or (1C) must be made within seven days of the referral of the notice of appeal.
- (1E) A notification under paragraph (1)(b), (c) or (d) must include an explanation of the entitlement to make representations or an explanation (as the case may be).”

### **After Rule 36**

After Rule 36, insert—

#### **“36A. Summary election appeal: parties**

- (1) On a summary election appeal, each of the following is a party to the appeal (in addition to the appellant)—
- (a) the presiding officer,
  - (b) any person to whom a notification is given under Rule 36(1)(c), and
  - (c) each relevant person.
- (2) Each of the following is a relevant person—
- (a) on an appeal under Rule 32(1) or (2), the person whose nomination is the subject of the appeal;
  - (b) on an appeal under Rule 33(1)(a) or (b), the person whose election is the subject of the appeal;
  - (c) on an appeal under Rule 33(5), any person to whom a notification is given under Rule 36(1)(b).”

### **Rule 37**

In Rule 37(2), leave out sub-paragraph (b) and insert—

“(b) any representations or explanation made in accordance with Rule 36(1D).”

### **Rule 39**

In Rule 39(1), after paragraph (a) insert—

“(aa) if any decision to which the appeal relates was made by a person other than the presiding officer, give a written notification to that person,

(ab) in the case of an appeal under Rule 31(2), give a written notification to the person to whose inclusion on the list objection is made,”.

In Rule 39(2), in sub-paragraph (a), leave out “candidate in the election” and insert “person referred to in paragraph (1)(a), (aa) and (ab)”.

In Rule 39, after paragraph (3) insert—

- “(3A) A person to whom a notification is given under paragraph (1)(a) or (ab) is entitled to make written representations to the panel appointed under Rule 40(1) on a decision to which the appeal relates.
- (3B) The presiding officer is entitled to provide that panel with a written explanation of the reasons for any decision made by the officer to which the appeal relates.
- (3C) A person to whom a notification is given under paragraph (1)(aa) is entitled to provide that panel with a written explanation of the reasons for the decision which that person made.
- (3D) Representations under paragraph (3A) or an explanation under paragraph (3B) or (3C) must be made within 28 days of referral of the notice of appeal.
- (3E) The presiding officer and any person to whom a notification is given under paragraph (2)(a) are each entitled to make written representations to the panel appointed under Rule 40(2) on the question of whether the panel should consider the appeal.
- (3F) Representations under paragraph (3E) must be made within seven days of the notification under paragraph (2)(a) being given.
- (3G) A notification under paragraph (1)(a), (aa) or (ab) or (2)(a) must include an explanation of the entitlement to make representations or an explanation (as the case may be).”

### **After Rule 39**

After Rule 39 insert—

#### **“39A. Full election appeal: parties**

- (1) On a full election appeal, each of the following is a party to the appeal (in addition to the appellant)—
  - (a) the presiding officer,

- (b) any person to whom a notification is given under Rule 39(1)(aa), and
  - (c) each relevant person.
- (2) Each of the following is a relevant person—
- (a) on an appeal under Rule 31(2), any person to whom a notification is given under Rule 39(1)(ab);
  - (b) on an appeal under Rule 33(1)(c), the person whose election is the subject of the appeal;
  - (c) on an appeal under Rule 33(2), (3) or (4), any person to whom a notification is given under Rule 39(1)(a).”

### **Rule 41**

In Rule 41, leave out paragraph (2) and insert—

- “(2) A preliminary assessment of an appeal is an assessment as to whether there are arguable grounds of appeal; and, in conducting a preliminary assessment, the panel may consider only—
- (a) the notice of appeal and any accompanying written submissions, and
  - (b) any representations or explanation made in accordance with Rule 39(3D).”

In Rule 41(6), leave out “notify” and insert “give a written notification to”.

### **Rule 42**

In Rule 42, leave out paragraph (1) and insert—

- “(1) A panel appointed under Rule 40(2) may decide to consider the appeal only if it is satisfied that it would be equitable to allow the appeal to proceed, having regard to the degree of prejudice which would be suffered by any of the parties to the appeal.
- (1A) In making that decision, the panel may consider only—
- (a) the purported notice of appeal and any accompanying written submissions, and
  - (b) any representations made in accordance with Rule 39(3F).”

In Rule 42(2), leave out sub-paragraph (c) and insert—

“(c) the panel must ensure that any notification required under Rule 39(1) is given (and Rule 39(3A) to (3D) and (3G) applies accordingly).”

In Rule 42, after paragraph (2) insert—

“(2A) Where the panel has decided to consider the appeal and the period for making representations in accordance with Rule 39(3D) has expired, the panel may proceed to conduct a preliminary assessment of the appeal under Rule 41.”

In Rule 42(3), leave out “notify” and insert “give a written notification to”.

### **Rule 45**

In Rule 45(2), leave out “notify” and insert “give a written notification to”.

## **ITEM 508**

### **CLERGY ELECTION RULES 2020 (GS 2165)**

Mr David Lamming (St. Edmundsbury and Ipswich) to move the following amendments—

### **Rule 53**

In Rule 53(1), after sub-paragraph (c) insert “, and (d) in the case of an appeal under Rule 49(1) or (2), give a written notification to the person whose nomination is the subject of the appeal.”

In Rule 53, after paragraph (1) insert—

“(1A) A person to whom a notification is given under paragraph (1)(b) or (d) is entitled to make written representations to the relevant judge on a decision to which the appeal relates.

(1B) The presiding officer is entitled to provide the relevant judge with a written explanation of the reasons for any decision made by the officer to which the appeal relates.

- (1C) A person to whom a notification is given under paragraph (1)(c) is entitled to provide the relevant judge with a written explanation of the reasons for the decision which that person made.
- (1D) Representations under paragraph (1A) or an explanation under paragraph (1B) or (1C) must be made within seven days of the referral of the notice of appeal.
- (1E) A notification under paragraph (1)(b), (c) or (d) must include an explanation of the entitlement to make representations or an explanation (as the case may be).”

### **After Rule 53**

After Rule 53, insert—

#### **“53A. Summary election appeal: parties**

- (1) On a summary election appeal, each of the following is a party to the appeal (in addition to the appellant)—
  - (a) the presiding officer,
  - (b) any person to whom a notification is given under Rule 53(1)(c), and
  - (c) each relevant person.
- (2) Each of the following is a relevant person—
  - (a) on an appeal under Rule 49(1) or (2), the person whose nomination is the subject of the appeal;
  - (b) on an appeal under Rule 50(1)(a) or (b), the person whose election is the subject of the appeal;
  - (c) on an appeal under Rule 50(5), any person to whom a notification is given under Rule 53(1)(b).”

### **Rule 54**

In Rule 54(2), leave out sub-paragraph (b) and insert—

“(b) any representations or explanation made in accordance with Rule 53(1D).”

### **Rule 56**

In Rule 56(1), after paragraph (a) insert—

“(aa) if any decision to which the appeal relates was made by a person other than the presiding officer, give a written notification to that person,

(ab) in the case of an appeal under Rule 48(2), (4), (6) or (8), give a written notification to the person in respect of whom the objection is made,”.

In Rule 56(2), in sub-paragraph (a), leave out “candidate in the election” and insert “person referred to in paragraph (1)(a), (aa) and (ab)”.

In Rule 56, after paragraph (3) insert—

“(3A) A person to whom a notification is given under paragraph (1)(a) or (ab) is entitled to make written representations to the panel appointed under Rule 57(1) on a decision to which the appeal relates.

(3B) The presiding officer is entitled to provide that panel with a written explanation of the reasons for any decision made by the officer to which the appeal relates.

(3C) A person to whom a notification is given under paragraph (1)(aa) is entitled to provide that panel with a written explanation of the reasons for the decision which that person made.

(3D) Representations under paragraph (3A) or an explanation under paragraph (3B) or (3C) must be made within 28 days of referral of the notice of appeal.

(3E) The presiding officer and any person to whom a notification is given under paragraph (2)(a) are each entitled to make written representations to the panel appointed under Rule 57(2) on the question of whether the panel should consider the appeal.

(3F) Representations under paragraph (3E) must be made within seven days of the notification under paragraph (2)(a) being given.

(3G) A notification under paragraph (1)(a), (aa) or (ab) or (2)(a) must include an explanation of the entitlement to make representations or an explanation (as the case may be).”

### **After Rule 56**

After Rule 56 insert—

### **“56A. Full election appeal: parties**

- (1) On a full election appeal, each of the following is a party to the appeal (in addition to the appellant)—
  - (a) the presiding officer,
  - (b) any person to whom a notification is given under Rule 56(1)(aa), and
  - (c) each relevant person.
- (2) Each of the following is a relevant person—
  - (a) on an appeal under Rule 48(2), (4), (6) or (8), any person to whom a notification is given under Rule 56(1)(ab);
  - (b) on an appeal under Rule 50(1)(c), the person whose election is the subject of the appeal;
  - (c) on an appeal under Rule 50(2), (3) or (4), any person to whom a notification is given under 56(1)(a).”

### **Rule 58**

In Rule 58, leave out paragraph (2) and insert—

- “(2) A preliminary assessment of an appeal is an assessment as to whether there are arguable grounds of appeal; and, in conducting a preliminary assessment, the panel may consider only—
- (a) the notice of appeal and any accompanying written submissions, and
  - (b) any representations or explanation made in accordance with Rule 56(3D).”

In Rule 58(6), leave out “notify” and insert “give a written notification to”.

### **Rule 59**

#### **Rule 59**

In Rule 59, leave out paragraph (1) and insert—

- “(1) A panel appointed under Rule 57(2) may decide to consider the appeal only if, having regard to all the circumstances, it is satisfied that there is a good reason to allow the appeal to proceed.

(1A) The matters which the panel considers in making that decision must include—

- (a) the purported notice of appeal and any accompanying written submissions (whether on the question of why notice of appeal was not given within the required period or on any other point), and
- (b) any representations made in accordance with Rule 56(3F).”

In Rule 59(2), leave out sub-paragraph (c) and insert—

“(c) the panel must ensure that each notification required under Rule 56(1) is given to the person concerned (and, once that has been done, Rule 56(3A) to (3D) and (3G) applies in relation to the notification).”

In Rule 59, after paragraph (2) insert—

“(2A)Where the panel has decided to consider the appeal and the period for making representations in accordance with Rule 56(3D) has expired, the panel may proceed to conduct a preliminary assessment of the appeal under Rule 58.”

In Rule 59(3), leave out “notify” and insert “give a written notification to”.

## **Rule 62**

In Rule 62(2), leave out “notify” and insert “give a written notification to.”

## **ITEM 507**

### **CONVOICATIONS (ELECTIONS TO UPPER HOUSE) RULES 2020 (GS 2166)**

Mr David Lamming (St. Edmundsbury and Ipswich) to move the following amendments—

## **Rule 28**

In Rule 28(1), after sub-paragraph (c) insert “, and

- (d) in the case of an appeal under Rule 24(1) or (2), give a notification by email to the person whose nomination is the subject of the appeal.”

In Rule 28, after paragraph (1) insert—

“(1A) A person to whom a notification is given under paragraph (1)(b) or (d) is entitled to make written representations to the relevant judge on a decision to which the appeal relates.

(1B) A person to whom a notification is given under paragraph (1)(c) is entitled to provide the relevant judge with a written explanation of the reasons for the decision which that person made.

(1C) Representations under paragraph (1A) or an explanation under paragraph (1B) must be made within seven days of the referral of the notice of appeal.

(1D) A notification under paragraph (1)(b), (c) or (d) must include an explanation of the entitlement to make representations or an explanation (as the case may be).”

## **After Rule 28**

After Rule 28, insert—

### **“28A. Summary election appeal: parties**

(1) On a summary election appeal, each of the following is a party to the appeal (in addition to the appellant)—

- (a) any person to whom a notification is given under Rule 28(1)(c), and  
(b) each relevant person.

(2) Each of the following is a relevant person—

- (a) on an appeal under Rule 24(1) or (2), the person whose nomination is the subject of the appeal;  
(b) on an appeal under Rule 25(1)(a) or (b), the person whose election is the subject of the appeal;  
(c) on an appeal under Rule 25(3), any person to whom a notification is given under Rule 28(1)(b).”

## **Rule 29**

In Rule 29(2), leave out sub-paragraph (b) and insert—  
“(b) any representations or explanation made in accordance with Rule 28(1C).”

## **Rule 30**

In Rule 30, leave out sub-paragraph (5) and insert—

- “(5) Where notice of a full election appeal is given, the archbishop must without delay (and in any event within 48 hours of receiving it unless in the meantime written notice is given to withdraw the appeal)—
- (a) give a notification by email to each candidate in the election,
  - (b) give a notification by email to any person who made a decision to which the appeal relates, and
  - (c) in the case of an appeal under Rule 23(2), give a notification by email to the person in respect of whom the objection is made.”
- (6) Where a purported notice of a full election appeal is given out of time, the archbishop must without delay (and in any event within 48 hours of receiving it unless in the meantime written notice is given to withdraw the appeal) give a notification by email to each person referred to in paragraph (5)(a), (b) and (c).
- (7) A person to whom a notification is given under paragraph (5)(a) or (c) is entitled to make written representations to the panel appointed under Rule 31(1) on a decision to which the appeal relates.
- (8) A person to whom a notification is given under paragraph (5)(b) is entitled to provide that panel with a written explanation of the reasons for the decision which that person made.
- (9) Representations under paragraph (7) or an explanation under paragraph (8) must be made within 28 days of referral of the notice of appeal.
- (10) A person to whom a notification is given under paragraph (6) is entitled to make written representations to the panel

appointed under Rule 31(2) on the question of whether the panel should consider the appeal.

- (11) A notification under paragraph (5) or (6) must include an explanation of the entitlement to make representations or an explanation (as the case may be).”

### **After Rule 30**

After Rule 30 insert—

“30A. Full election appeal: parties

- (1) On a full election appeal, each of the following is a party to the appeal (in addition to the appellant)—
- (a) any person to whom a notification is given under Rule 30(5)(b), and
  - (b) each relevant person.
- (2) Each of the following is a relevant person—
- (a) on an appeal under Rule 23(2), any person to whom a notification is given under Rule 30(5)(c);
  - (b) on an appeal under Rule 25(1)(c), the person whose election is the subject of the appeal;
  - (c) on an appeal under Rule 25(2), any person to whom a notification is given under 30(5)(a).”

### **Rule 32**

In Rule 32, leave out paragraph (2) and insert—

- “(2) A preliminary assessment of an appeal is an assessment as to whether there are arguable grounds of appeal; and, in conducting a preliminary assessment, the panel may consider only—
- (a) the notice of appeal and any accompanying written submissions, and
  - (b) any representations or explanation made in accordance with Rule 30(9).”

In Rule 32(6), after “notify” insert “by email”.

### **Rule 33**

In Rule 33, leave out paragraph (1) and insert—

“(1) A panel appointed under Rule 31(2) may decide to consider the appeal only if, having regard to all the circumstances, it is satisfied that there is a good reason to allow the appeal to proceed.

(1A) The matters which the panel considers in making that decision must include—

(a) the purported notice of appeal and any accompanying written submissions (whether on the question of why notice of appeal was not given within the required period or on any other point), and

(b) any representations made in accordance with Rule 30(10).”

In Rule 33(2), leave out sub-paragraph (c) and insert—

“(c) the panel must ensure that each notification required under Rule 30(5) is given to the person concerned (and, once that has been done, Rule 30(7) to (9) and (11) applies in relation to the notification).”

In Rule 33, after paragraph (2) insert—

“(2A) Where the panel has decided to consider the appeal and the period for making representations in accordance with Rule 30(9) has expired, the panel may proceed to conduct a preliminary assessment of the appeal under Rule 32.”

In Rule 33(3), after “notify” insert “by email”.

### **Rule 36**

In Rule 36(2), after “notify” insert “by email”.