

## GENERAL SYNOD

### DRAFT NATIONAL MINISTRY REGISTER (CLERGY) REGULATIONS 2020

#### Explanatory Notes

The draft National Ministry Register (Clergy) Regulations 2020 set out the mechanism for the provision of specified information to the Archbishops' Council for the purposes of the compiling and publishing of that information in a publicly available national register.

#### Background

1. In July 2019 General Synod gave final approval to the Church of England (Miscellaneous Provisions) Measure 2020. Section 2 of that Measure provides for the creation of a National Ministry Register ("the Register"). The Archbishops' Council may by regulation prescribe how the provision of information is to take place.
2. The Register was formulated in response to the Gibb Report<sup>1</sup> that there should be an up to date and publicly accessible record of clergy with permission to officiate. However, the concerns highlighted in that report extended further than PTO and it is clear that any register should cover all forms for authorisation for ministry.
3. The Measure enables regulations to be made requiring bishops, and other office holders, to take responsibility for providing specified information to the Archbishops' Council. It is then the responsibility of the Council to compile and maintain a register and to ensure that certain parts of the register are made publicly available.

#### The Regulations

4. The draft National Ministry Register (Clergy) Regulations 2020 impose requirements on bishops and others to provide specified information to the Archbishops' Council for the purpose of the compiling and publication of that information in a publicly available national register. In practice, those responsible for providing the information will be able to comply with their obligations by using the new People Information System. By updating their own records the information will automatically feed the Register and thus meet the requirement to inform the Archbishops' Council.

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<sup>1</sup> The Independent Peter Ball Review: *An abuse of faith* (2017)

## Notes on the Regulations

### Regulation 1 – Citation, commencement and interpretation

5. Reg. 1(1) provides that these regulations may be cited as the National Ministry Register (Clergy) Regulations 2020. Section 2(1)(b) of 2020 Measure provides that regulations may also be made concerning those other than clerks in Holy Orders, hence the need to differentiate. These regulations only concern clergy.
6. Reg. 1(2) provides for when the regulations come into force.
7. Reg 1(3) gives the definition of “working day” for the purposes of calculating time.
8. Reg. 1(4) requires the specified information to be given in writing. This includes electronic means.

### Regulation 2 – Registration information

9. Reg. (2)(1) specifies the information to be provided. Whilst (b) requires the provision of a postal and email address, these will not be published – see section 2(5) of the Church of England (Miscellaneous Provisions) Measure 2020 and regulation 6.
10. Reg. 2(1)(c) covers all forms of authority issued to clergy. In (d) the regulations distinguish between ‘area’ (for example the archdeaconry of Hackney), ‘place’ (for example ‘The Parish Church of St Mary’s, Islington) or ‘activity’ (for example ‘hospital chaplain’).
11. Reg. 2(2) makes provision for when a bishop has directed that an office of an assistant curate is to be described in such other terms as set out in an instrument under section 99 of the Mission and Pastoral Measure 2011.
12. Reg. 2(3) provides that appointments as rural dean fall within the scope of the registration information.

### Regulation 3 – Registration Officer

13. Reg. 3 sets out who the relevant person is for the purposes of providing the specified information. Under reg. 3(2) the archbishops act as registration officer for each other. Reg. 3(3) sets out that the diocesan bishop must provide the information about themselves.
14. Reg. 3(4)(a) sets out the position for most clergy, namely that the diocesan bishop will be the registration officer.
15. Reg. 3(4)(b) provides that in the case of a Royal Peculiar the relevant person will be the Dean of that institution. Where the Royal Peculiar is a Chapel Royal the relevant person is the Dean of the Chapels Royal.
16. Reg. 3(4)(c) makes provision for the Bishop to the Forces to be the registration officer for a chaplain in Her Majesty’s Forces.

17. Reg. 3(5) excludes those who have been granted a licence to preach by the University of Oxford or Cambridge. This is because such licences are not issued under the responsibility of any office holder in the Church of England, and therefore the Church is not able to vouch for the holders of such licences being in good standing. Where, however, they also hold licence elsewhere, they will come within the Regulations.

**Regulation 4 – Requirements to provide information: existing or new authority**

18. Reg. 4(1) makes provision for the initial creation of the Register. It provides that the Archbishops' Council will request the registration information and the relevant registration officer must provide that within five working days.

19. Reg. 4(2) sets out the position for subsequent new authorisations.

20. Reg. 4(3) makes allowance for when a time-limited authorisation is renewed.

21. Reg. 4(4) requires the provision of new information when the authorisation of a person has been varied which resulted in a change in registration information.

**Regulation 5 – Requirements to provide information: existing or new authority**

22. Reg. 5(1) provides that where an authority to exercise ministry has been terminated for one of the reasons as set out in reg. 5(2), the Archbishops' Council will be told of the fact of termination, but not the circumstances. The information must be provided within 24 hours.

23. Reg. 5(3) sets out the position for any other kind of termination not specified in reg. 5(2) – for example, but not limited to, death, resignation or retirement. Both the fact of termination and the reason must be given within three working days.

24. Reg. 5(4) makes provision for cases of suspension. Within 24 hours of either the suspension taking effect or the termination of an existing suspension the registration officer must inform the Archbishops' Council of the fact but not the circumstances.

**Regulation 6 – Publication etc. of registration information**

25. Reg. 6 details what information must be published by the Archbishops' Council. All of the information contained in reg. 2 will be published, save for the personal contact details of the clerk.