

GENERAL SYNOD

FIFTY-SEVENTH REPORT OF THE STANDING ORDERS COMMITTEE

*This report has been updated and expanded since first issued
New material is indicated by side-lining*

The Standing Orders Committee has reviewed the Standing Orders concerned with the Synod's legislative processes. It has identified ways in which it considers they can be streamlined so that the Synod's time can be allocated in a way that is more proportionate to the subject matter of particular items of legislative business and that facilitates a greater degree of engagement.

1. The Standing Orders Committee ("the Committee") presents its fifty-seventh report to the Synod.
2. The Committee's membership is as follows:

Appointed members:

Mr Geoffrey Tattersall QC (Manchester) (Chair)
 The Revd Prebendary Simon Cawdell (Hereford)
 Mr David Coulston (Europe) (from May 2018)
 Mrs Mary Durlacher (Chelmsford)
 Mr David Robilliard (Channel Islands)
 Mr Clive Scowen (London).

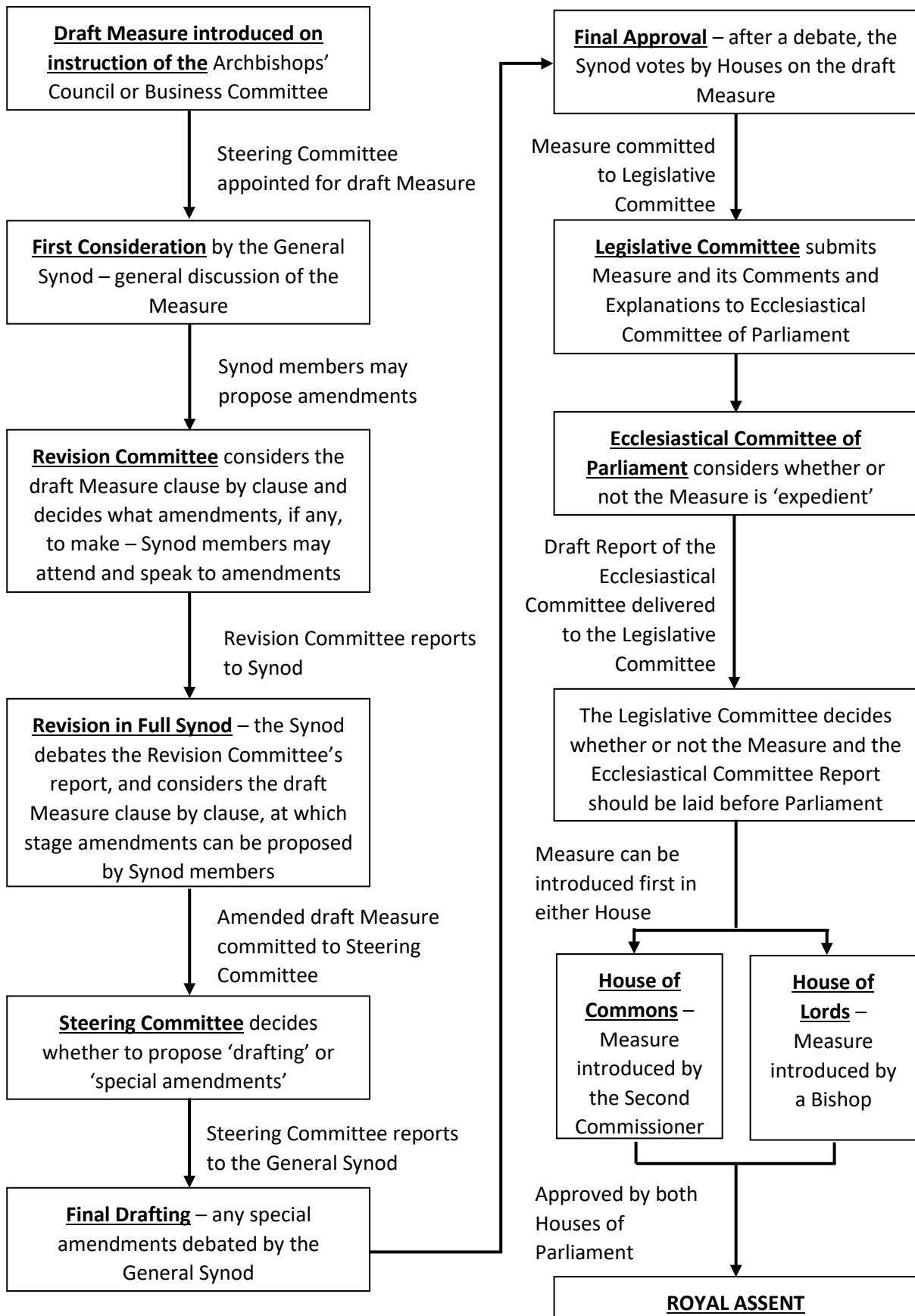
Ex-officio members:

The Revd Canon Simon Butler (Prolocutor of the Lower House of the Convocation of Canterbury)
 The Revd Canon Christopher Newlands (Prolocutor of the Lower House of the Convocation of York) *until 1st March 2021*
 The Revd Canon Joyce Jones (Prolocutor of the Lower House of the Convocation of York) *from 19th April 2021*
 Dr Jamie Harrison (Chair of the House of Laity)
 Canon Elizabeth Paver (Vice-Chair of the House of Laity).

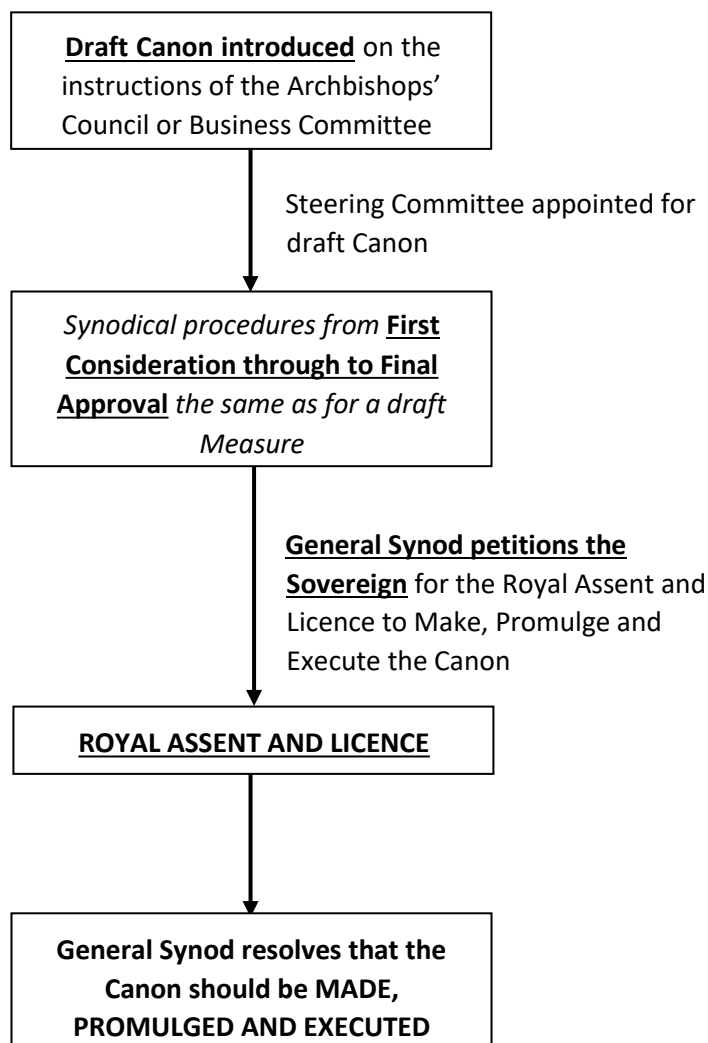
Proposals concerning the Legislative Procedure of the General Synod

3. As far as the Committee is aware, there has been no overall review of the legislative procedure of the General Synod since it came into being in 1970. While a new procedure for Legislative Reform Orders was introduced in 2018 (based on new statutory provisions), the procedure for Measures and Canons continues to be modelled on the Bill procedure in Parliament (although it does not follow the procedure of either House in every respect).
4. The relevant standing orders of the Synod are SO 47 to 69. The following diagrams provide an overview of the procedure for passing Measures and Canons (i.e. primary legislation). They do not deal with the procedure for regulations, rules, orders etc. (secondary legislation) which is reasonably straightforward.

The process by which a Measure becomes law



The process by which a Canon becomes law



5. The Committee (in addition to some more specific questions that are addressed later in this report) has reviewed the Synod's legislative procedure in the light of the following general questions.
- How effectively does the existing procedure enable the Synod to scrutinise and pass primary legislation?
 - To what extent does it encourage or discourage individual members from actively participating in the formation and scrutiny of legislation?
 - To what extent does it instil confidence in the Synod and its legislation on the part of other persons and bodies, for example Parliament (especially the Ecclesiastical Committee), the Government, dioceses and parishes?
6. Part of the background to these questions was a serious concern, first raised by the recently retired Dean of the Arches and Auditor, Charles George QC, about the

effective engagement of the Synod with its legislative business. Those concerns related both to the amount of time within the agenda allowed for particular items of legislative business, and to the lack of engagement by members with such business. A particular concern arose in relation to a proposed amendment to a Measure which Mr George considered raised significant policy issues and which ought at the very least to have been debated – a view with which the Steering Committee for the Measure made clear that it agreed. However, as a result of so few members being present in the chamber when the item was taken, fewer than the required 40 members indicated that they wished the amendment to be debated and it simply lapsed.

7. Mr George, and the Chair of this Committee in his capacity as Deputy Chair of the Legislative Committee, in correspondence with the Business Committee and the Secretary General, also raised wider concerns about the attention given by the Synod to legislative business. Legislative business is often poorly attended; it is often squeezed by other items on the agenda; some members appear not to see themselves as having a duty to engage with it. The voting figures for the final approval of Measures reported to the Ecclesiastical Committee of Parliament often show that only about half the members of each House of the Synod actually voted on the Final Approval Stage; sometimes it is fewer still. The Committee is concerned about the impression this creates, given the Synod's privileged constitutional position as the only body other than Parliament and the devolved assemblies which can make primary legislation.
8. The Committee decided that it should review the Synod's legislative process as a whole and it has now done so.
9. The Committee considers that the paramount consideration is that the Synod should exercise its legislative function well. That means that it should do so with the maximum attainable participation of members in its legislative processes and that it should take the time needed to consider legislative provisions, especially those which have significant policy implications. That requires that the Synod's time be used in a way which is proportionate to the issues concerned, so that priority is given to the Synod's consideration of significant questions and time is not used unnecessarily to deal with procedural steps which merely commence the process for giving legislative effect to policy decisions the Synod has already taken or which are otherwise uncontroversial. The Committee is particularly concerned that legislative business should not become the preserve of enthusiasts or experts but that the multiplicity of experience and opinions of members as a whole is brought to bear.
10. With those principles in mind, the Committee has gone on to consider each stage of the Synod's legislative process. In the light of that consideration, the Committee brings forward proposals in the form of the amendments to the Standing Orders set out in the Annex. Details of the Committee's deliberations, including explanations of the proposed amendments to the Standing Orders, follow.

First Consideration (SO 51 and 52)

11. At the First Consideration Stage the full Synod debates the general purport of a draft Measure or Canon and having done so votes on a motion that it be committed for revision in committee; or alternatively that it be committed for revision in full Synod.

First consideration debate

12. Standing Order 51(2) currently prohibits speeches at First Consideration that are “directed to points of detail rather than to the general purport of the Measure or Canon”. In practice, this prohibition is not enforced and the Committee does not consider that it serves a useful purpose. Specific points raised during a First Consideration debate may in fact be of assistance to a revision committee in its consideration of the Measure or Canon.
13. **The Committee accordingly proposes that the prohibition in SO 51(2) on speeches directed to points of detail be removed.** Amendment 1 in the Annex would give effect to this proposal.

Prohibition on reintroduction of same Measure or Canon if First Consideration motion lost

14. Standing Order 51(4) applies where the motion moved on First Consideration (‘That the [*Measure of Canon*] entitled [*Short title*] be considered for revision in committee’) is lost. If that happens, the First Consideration motion cannot be moved again in relation to the same Measure or Canon for at least eleven months. The Committee considers that this provision does not serve a useful purpose. The period of eleven months is arbitrary. The prohibition applies only in respect of “*the same* Measure or Canon”; it does not prevent a Measure that is changed in a minor way from being introduced for First Consideration. In any event, the question of whether to seek to re-introduce a Measure or Canon which has been rejected on First Consideration is essentially a question of judgement for the Archbishops’ Council and whether to include it on a particular agenda is a matter for the Business Committee to decide.
15. **The Committee accordingly proposes that the prohibition in SO 51(4) on the re-introduction of the same Measure or Canon within eleven months of its rejection be removed.** Amendment 2 in the Annex would give effect to this proposal. Amendment 5 is consequential.

Deemed First Consideration – Revision in Full Synod without prior Revision Committee

16. It is possible for a Measure or Canon to be deemed to have received first consideration without debate where the Business Committee determines that such a course would be appropriate (SO 51(5)). In that case, it is automatically committed to a revision committee. But if 25 members give due notice, the draft Measure or Canon must be debated on the First Consideration Stage (SO 51(6)) and the motion for committal to a revision committee moved and voted on.
17. Where a Measure or Canon is deemed to have received First Consideration it is automatically committed to a revision committee; as matters stand, it cannot be committed for immediate revision in full Synod under the deeming procedure.
18. **The Committee considers that the Business Committee should be given a greater discretion so that where it determines that a draft Measure or Canon is**

suitable for deemed First Consideration, it can in an appropriate case determine that it is also suitable for Revision without a prior Revision Committee Stage.

19. Amendment 3 in the Annex would give effect to this proposal. If the Business Committee were to make a determination that a Measure should be subject to the procedure for deemed First Consideration *and also* that it was suitable for Revision in Full Synod without a prior Revision Committee Stage, the Measure or Canon would automatically go on to the Revision Stage in Full Synod without a prior Revision Committee Stage unless 25 members gave notice to the contrary (in which case it would be committed to a revision committee).

First Consideration deemed to be given between groups of sessions

20. As matters stand, the procedure for deemed First Consideration potentially saves time in the agenda at a particular group of sessions; but it does not increase the speed at which a Measure or Canon progresses through its synodical stages overall because the legislation still has to be laid at a particular group of sessions and it does not return to the Synod, following deemed First Consideration, until a subsequent group of sessions following consideration by a revision committee. If there were a facility for a draft Measure or Canon which the Business Committee had determined was suitable for deemed First Consideration to be laid before the Synod *between groups of sessions*, that could reduce the overall length of time it would take for the legislation to complete its synodical stages. For example, a draft Measure or Canon that gave effect to a set of proposals which the Synod had already endorsed could be laid before the Synod for deemed First Consideration in September, the Revision Committee Stage could take place in November and the Measure come to the Synod on the Revision Stage the following February, with Final Approval being taken either at that group of sessions or in July.
21. **The Committee considers that there should be a mechanism which would enable a draft Measure or Canon to be deemed to have had First Consideration between groups of sessions.**
22. Amendment 4 in the Annex would give effect to this proposal. Members would be notified that a draft Measure or Canon had been laid, that the Business Committee had determined that it was suitable for deemed First Consideration, and that it would stand committed to a revision committee unless 25 members gave notice to the Clerk within a prescribed period that they wished it to be debated. If such notice were not given, the revision committee for the Measure could commence its work once the period for receipt of proposals for amendment had elapsed. It would be possible to have a single period for giving notice of a wish to debate and/or for submitting proposals for amendment.

Revision Committee Stage (SO 54 to 57)

23. A draft Measure or Canon is usually committed to a revision committee at the conclusion of the First Consideration Stage. The revision committee then considers the draft clause by clause together with any proposals for amendment that have been received. This is usually a positive and constructive exercise which results in

improvements to the legislation and provides members and others with confidence that legislation is carefully scrutinised.

Revision in Full Synod without prior Revision Committee Stage

24. However, there are cases where legislation has been successfully passed without it being committed to a revision committee. Examples in recent years include the Bishops and Priests (Consecration and Ordination) Measure 2014 and the Channel Islands Measure 2020. The draft General Synod (Remote Meetings) Measure 2020 was also dealt with in this way. This procedure involves the steering committee moving the motion set out in SO 53 at the end of the First Consideration Stage which – if passed – results in the Measure being revised in full Synod without a prior revision committee stage. Where that happens, members are free to submit amendments but these are considered by the full Synod, rather than in the first instance by a revision committee.
25. **The Committee does not consider that any amendment of the Standing Orders is required on this point but would encourage the Business Committee to consider, each time a Measure or Canon is to be introduced, whether the procedure for Revision without Prior Revision Committee (SO 53) should be followed.**

Attendance of members of revision committees

26. The Committee noted that there were occasions recently where decisions had been taken by very thinly attended revision committees, including one meeting where the Chair of the Revision Committee was the only appointed member of the Revision Committee present. Members of the Steering Committee – who are *ex officio* members of the Revision Committee – were present but the Standing Orders seek to ensure that the appointed members of revision committees outnumber the steering committee members. This can be undermined if appointed revision committee members do not attend in numbers.
27. The Committee considered whether to propose the introduction of a quorum requirement for revision committees, in particular in respect of the appointed members. It decided not to do so, not least because it would not wish unnecessarily to delay revision committee business.
28. The Committee notes that Mr David Lamming proposed an amendment at the April group of sessions which would prevent business being transacted at a meeting of a revision committee unless the majority of members attending the meeting are appointed members (rather than members of the steering committee). The Committee does not support this proposal. It considers that it would result in practical problems where members are unable to attend meetings at short notice and could have an adverse effect on the timetabling of legislation. It would also give an effective veto on the consideration of legislation to a small number of members who could prevent the revision committee stage from proceeding simply by choosing to absent themselves from meetings.
29. **However, the Committee proposes that information should be contained in revision committee reports about members' attendance so that the Synod is**

aware if meetings have been thinly attended. Amendment 6 in the Annex would give effect to this proposal.

Other practical matters concerning revision committees

30. Standing Order 54(2) seeks to ensure that the appointed members of a revision committee outnumber those who are ex officio members by virtue of their membership of the steering committee. The example noted above where only one appointed member of a revision committee was present at a meeting is an extreme case. However, the practice whereby the Appointments Committee is usually requested to appoint members to a revision committee so that they outnumber the ex officio steering committee members by only one has often resulted in practice in the ex officio steering committee members being in the majority at particular revision committee meetings because not all appointed members have been able to attend.
31. **The Committee recommends that in future the Appointments Committee be requested to appoint greater numbers of members to revision committees than has generally been the case, with a view to achieving the intention of SO 54(2) – i.e. that the members of the steering committee should not be in the majority in a revision committee.**
32. **The Committee considers that further consideration should be given by it and the Appointments Committee to the possibility of some revision committees taking the form of a ‘grand committee’ with all, or at least a large number of, members of the Synod being able to speak and vote.** (See below as to the Committee’s views on other proposals for a grand committee.)
33. The Committee considers it desirable that as many members as possible should be able, if they wish, to follow the proceedings of revision committees. Revision committee meetings are generally held in public but in practice it is not feasible for many of those who are interested in their proceedings – including members of the General Synod who have submitted proposals to revision committees – to attend their meetings. Recent experience has demonstrated that it is possible for committee meetings to be held remotely or on a ‘hybrid’ basis.
34. **The Committee recommends that arrangements be made so that future revision committee meetings can be held remotely or on a hybrid basis, with members who have submitted proposals having the option to participate remotely and others being able to observe the proceedings.**

Conclusion of the Revision Committee Stage – progressing to the Revision Stage

35. The Committee considered the provisions of the SOs concerned with the conclusion of the Revision Committee stage. Under SO 57, the Revision Committee stage is completed when the Synod passes the motion to take note of the Revision Committee’s report. That is currently the trigger for the Revision Stage in Full Synod under SOs 58 and 59. However, there are occasions when a single Revision Committee report deals with more than one item of legislation. That could be because two items of legislation – for example, a Measure and an accompanying Canon – are committed to the same revision committee; or because a revision committee decides to divide a Measure or Canon which has been committed to it. As

there is only one take note motion in respect of a single report, there is currently no mechanism for the Synod to decide it wishes one of the items of legislative business to be taken forward to the Revision Stage but not the other.

36. **The Committee considers that where a single revision committee report relates to more than one item of legislation, the Synod should, at the conclusion of the Revision Committee Stage, determine in respect of each item of legislation whether it wishes it to proceed to the Revision Stage. It is proposed that this should take the form of a motion in respect of each item, which the Chair would be required to put to the vote *without debate*, that it proceed to the Revision Stage. Amendment 7 in the Annex would give effect to this proposal.**

Revision following Revision Committee (SO 58 and 59)

Proposal to remove Revision Stage from Full Synod to a 'grand committee'

37. Some recent legislation has attracted large numbers of highly technical amendments from a small number of members at the Revision Stage, with the result that some members may have felt that they had been made to endure a process where the issues concerned hardly merited their time and attention.
38. One possibility raised with the Committee involved removing the Revision Stage (i.e. the stage which immediately follows the report of the Revision Committee) from the full Synod to a 'grand committee' of the Synod. The analogy was with the procedure for bills in the House of Lords. While most Bills are considered on the committee stage by a Committee of the whole House of Lords, some are considered by a Grand Committee which sits in the very large Moses Room. It was therefore suggested that the business currently dealt with on the Revision Stage in full Synod would better be undertaken by those members who have a particular interest and expertise in the legislation under consideration instead, sitting as a grand committee. Following First Consideration, the full Synod would be involved only at the Final Approval Stage when it would simply say yes or no to the legislation in the form in which it had emerged from the grand committee (subject to any final drafting amendments).
39. The Committee does not consider that this would be a helpful development of the Synod's legislative procedure. First, the analogy with Grand Committees in the House of Lords is not entirely apt. In the House of Lords, Grand Committees are involved at the Committee Stage for a bill. But it is the General Synod's Revision Committee Stage, not its Revision Stage, that is the equivalent of the Committee Stage for a bill. The Revision Stage for a Measure or Canon is the synodical equivalent of the subsequent Report Stage for a bill in the Lords. The Committee noted that members of Grand Committees of the House of Lords are not selected; Grand Committees are open to any member of the House. Their composition can therefore be the same as a committee of the whole House. The Committee further noted that issues that have been debated and decided by a Lords Grand Committee can be reopened in the whole House at the Report Stage. The whole House of Lords therefore has the final say on the content of bills.
40. In the case of a Measure or Canon, the Revision Stage in Full Synod is the only opportunity the whole Synod currently has to decide whether it considers amendments made by the revision committee are acceptable and whether it wishes

to amend a Measure or Canon itself. Removing such decisions from the Synod to a 'grand committee' would diminish the role of the Synod, with the Synod itself no longer being able to amend legislation or to have the final say in its content. It would be wrong in principle for a legislature to tie its hands in that way. It would also be contrary to the object of seeking the maximum attainable participation of members in the Synod's legislative processes. It would have the effect of hiving off important policy decisions to enthusiasts for legislation and to legal experts, leaving the Synod itself merely to say yes or no to an entire Measure or Canon at the end of a process which it had not been given the opportunity to shape. The Committee considers that this would remove the majority of the Synod's membership – with its multiplicity of views and experience – from the process of forming and scrutinising legislation. It also has concerns that the Ecclesiastical Committee of Parliament would repose less confidence in the Synod's legislative process if the Synod as a whole were not able to decide the content of Measures.

41. For these reasons the Committee cannot support the proposal that the Revision Stage in full Synod be replaced by consideration by a grand committee. The Committee does, however, consider that there are ways in which the procedure at the Revision Stage in Full Synod could be streamlined and these are considered below.

'Stand part' motions

42. At the Revision Stage, once any amendments to a clause or paragraph have been disposed of, SO 58 requires a member of the Steering Committee to move that the clause/paragraph 'stand part' of the Measure/Canon. This motion enables the Synod to debate the clause in question and to decide to exclude it from the Measure or Canon. In practice, however, almost no debates take place on stand part motions and they are a mere formality. However, there are occasions when a member wishes simply to oppose a clause (without proposing that it be amended), as that is the means by which a member can seek to remove a clause from a draft Measure at the Revision Stage.
43. **The Committee proposes that, in order to remove the need for unnecessary motions to be moved and votes taken, the 'stand part' motion should be deemed to be carried unless a member indicates that he or she wishes to speak against the clause.** Amendment 8 in the Annex would give effect to this proposal.

The '40-member rule'

44. At the Revision Stage in Full Synod, an amendment is debated only if it is supported by the Steering Committee or, if not, 40 members indicate that they wish the debate to continue and a vote to be taken. As matters stand, the Steering Committee must state whether or not it supports an amendment; it cannot take a neutral position with a view to leaving it to the Synod to debate an amendment and decide the matter for itself.
45. If a sitting is thinly attended, it can be difficult to achieve the 40 member requirement, even for important amendments. Moreover, the 40-member rule was originally

formulated when the overall size of the Synod was significantly greater. That suggests that the number 40 should be adjusted.

46. **The Committee considers that the Steering Committee for a Measure or Canon should be able to take a neutral position on the merits of an amendment and to indicate that, while it does not positively support the amendment, it wishes the debate on it to continue; and in those circumstances there should be no requirement for a specified number of members to indicate that they wish debate on the amendment to continue. Amendments 9 and 10 in the Annex would give effect to this proposal.**
47. **The Committee also considers that the number of members who need to indicate that they wish debate on an amendment to continue and a vote to be taken should be reduced from 40 to 25 members. Amendment 11 in the Annex would give effect to this proposal.**
48. The Committee considered whether there were other ways that amendments could be filtered. In the House of Commons, the Speaker selects the amendments that are to be debated and voted on. In doing so he takes account of a number of considerations, including the significance of the issue raised by the amendment, its relevance to the subject matter of the Bill and what support it has (indicated by members signing the amendment). However, the Committee considered that it would be invidious for the Chair of a debate – or, for example, the Business Committee – to be given the responsibility for selecting amendments for debate. It considered that it should remain a matter for members of Synod generally, by means of the '40-member rule', but amended so that it becomes a 25-member rule, as explained above.
49. **The Committee requests that staff continue to facilitate conversations between members who are proposing amendments that relate to the same issues, and between members proposing amendments and steering committees. Such conversations can be helpful in reducing the number of similar amendments which appear on an order paper, and in reducing the time the Synod needs to consider them if the Steering Committee are able to indicate their support, where appropriate, in advance.**
50. **The Committee additionally considered that amendments that appear on notice papers and on the order paper should be accompanied by a succinct explanation of each amendment. These explanations would be prepared by Legislative Counsel and would be expressed in neutral terms, on the basis that their purpose is to assist members' understanding of amendments, not to act as advocacy for amendments. The Committee does not consider that provision needs to be made in the Standing Orders to achieve this as it has already been adopted as standard practice by the Legal Office.**

Right of reply for mover of amendment

51. At the April 2021 group of sessions, Mr David Lamming proposed an amendment of his own which would have entitled the mover of an amendment to a draft Measure or Canon to speak in reply when the debate on the amendment had finished. **The Standing Orders Committee agrees that the mover of an amendment on the**

revision stage for a Measure or Canon should have a right of reply. This would enable the mover of an amendment to respond to points made in the debate on it, including by addressing any misunderstandings that may have arisen. The Committee considers that the current absence of a right of reply to be unsatisfactory and not conducive to the effective consideration of legislation by the Synod.

52. The Committee accordingly offers amendment 12 in the Annex. If adopted, it would mean that the mover of an amendment to a Measure or Canon would, at the conclusion of the debate on the amendment, be entitled to speak for not more than three minutes in reply prior to a vote being taken.

Consequential amendments and amendments raising issues already decided

53. The Synod's time can be used unprofitably where a member is required to move a succession of amendments which are either merely consequential on an amendment the Synod has already agreed or raise precisely the same issue as arose on an amendment the Synod has already agreed. The Standing Orders do not make any provision enabling the Chair to decide that such amendments can be taken *en bloc*. At a recent group of sessions the Registrar was able to advise a Chair that this could be done to a certain extent; but it would be better if express provision were made in the Standing Orders to facilitate this approach.
54. **The Committee therefore proposes that provision should be made in SO 59 so that on the Revision Stage, amendments that are consequential or are concerned with issues the Synod has already decided should be capable of being taken en bloc with the permission of the Chair.** Amendment 13 in the Annex would give effect to this proposal.

Final Drafting

Special amendments

55. At the Final Drafting Stage, the Steering Committee may move "special amendments". A special amendment is defined in SO 61 as "an amendment, other than a drafting amendment, considered necessary or desirable by the Steering Committee and which does not reopen an issue which has been decided by the Synod or any Revision Committee". Special amendments can be debated by the Synod, but the Synod is currently unable to amend a special amendment; it must either accept or reject the amendment.
56. There have been occasions when members have not been content with the form taken by a special amendment at the final drafting stage but would have been prepared to support it in amended form.
57. **The Committee considers that it should be possible for a member to propose an amendment to a special amendment, and for the Synod to decide that the special amendment should be agreed to in amended form.** Amendments 14 and 15 would give effect to this proposal.

Final Approval

Closure

58. It is not in order to move the Closure on a Final Approval debate (SO 64(1)). That means that such debates can run on until every member who wishes to speak has done so.
59. **The Committee does not consider that any change should be made to this provision. It considers that it should continue to be possible for as many members who wish to do so to exercise the right to speak.** But chairs should be reminded of the powers they have under SO 18 to call members to order for ‘tedious repetition, either of the member’s own arguments or of arguments already well-rehearsed by other members’.

Final Approval Stage at same group of sessions as Revision Stage

60. Under SO 64(2), it is not in order to move a Final Approval motion at the same group of sessions as that at which any stage of Revision is concluded, if the Chair or 40 or more members object. (This does not apply in the case of a consolidation Measure or Canon.) This is an unusual procedural provision. It is generally the Synod as a whole that decides matters of procedure (e.g. closure, adjournment of debate, next business).
61. **The Committee considers that there is no good reason why 40 members should have a procedural veto and that such decisions should instead be taken by the Synod.** Amendment 16 would give effect to this proposal by transferring the right to object to Final Approval being taken at the same group of sessions as the Revision Stage from 40 members to the Synod itself, on the motion of any member.

Conclusion on proposals relating to legislative procedure

62. The Committee considers that the amendments it proposes will enable the Synod to perform its legislative function more effectively – and where appropriate more expeditiously – without diminishing the role of the Synod or of its individual members.
63. The analysis and the various proposals set out above are not the Committee’s final thoughts on the Synod’s legislative processes. Work will continue and the Committee welcomes members’ suggestions as to further improvements that might be made. The Committee will continue to keep the Synod’s legislative processes under review and welcomes comments and suggestions from members.
64. The Committee commends the proposed amendments set out in the Annex as a positive step to improving the way in which legislative business is conducted by the Synod.

Proposals concerning internal elections

65. In February 2000 the Synod approved three sets of election rules providing for elections to the Convocations and the House of Laity to be conducted using an online elections portal. Those provisions will apply to the elections to be held later this year.
66. It had been intended that internal elections – i.e. elections where the Synod or its Houses etc. are the electorate – should also take place in the same way. The Committee therefore proposes that the standing orders relating to those elections be amended as set out in Amendments 17 to 38 and 40 in the Annex.
67. These new standing orders closely follow the equivalent provision made in the election rules which govern elections to the general synod. They will require the Business Committee to appoint a body to assist with the conduct of online elections, with provision for nominations and voting to take place using an online portal. As with the election rules of the three houses, provision is made to enable nominations to be made and votes cast using papers where that is desired.

Miscellaneous Matters

68. Mr Lamming has helpfully drawn attention to the absence of a definition in the Standing Orders of a definition of “Synod website” (which appears in several places). The Committee accordingly proposes Amendments 39 and 41 in the Annex.

Geoffrey Tattersall
Chair

June 2021

Annex (updated)

STANDING ORDERS OF THE GENERAL SYNOD

AMENDMENTS PROPOSED BY THE STANDING ORDERS COMMITTEE

Standing Order 51 (First Consideration: general)

1. In Standing Order 51, in paragraph (2), omit the words from “; nor is a speech” to the end.
2. In Standing Order 51, omit paragraph (4).
3. In Standing Order 51, after paragraph (6), insert—
 - “(7) Where the Business Committee has determined that, if a Measure or Canon were to be deemed under paragraph (5) to have had First Consideration, it should be considered for revision in Full Synod without a prior Revision Committee Stage, the motion in SO 53(1) is (subject to paragraph (8)) deemed to have been carried immediately after the motion in paragraph (1) is deemed to have been carried; and paragraphs (3) and (4) of SO 53 apply accordingly and paragraph (3) of this Standing Order does not apply.
 - (8) If, where the Business Committee has made a determination as mentioned in paragraph (7), at least 25 members have, no later than 5.30 p.m. on the day referred to in paragraph (6), given due notice to the Clerk that they wish the Measure or Canon to be committed to a Revision Committee, the Measure or Canon is so committed immediately after the motion in paragraph (1) is deemed to have been carried.”

After Standing Order 51

4. After Standing Order 51 insert—
 - “51A. *First consideration: deemed to be given between groups of sessions*
 - (1) Where the Business Committee has determined that it would be appropriate for a Measure or Canon to be deemed to have had First Consideration before the next group of sessions begins, the Clerk must lay a draft of the Measure or Canon before Synod no later than 56 days before the day on which the next group of sessions is to begin.
 - (2) The draft laid under paragraph (1) must be accompanied by a notice which—
 - (a) states that this Standing Order applies to the Measure or Canon and explains the effect of this Standing Order,
 - (b) specifies the date by which, if the Measure or Canon were to be deemed under this Standing Order to have had First Consideration, proposals for amendment would have to be submitted under SO 55(1), and
 - (c) specifies the date by which a member who wished the Measure or Canon to be debated would have to notify the Clerk of that wish.
 - (3) The date specified under paragraph (2)(c) must be at least 35 days after the date on which the draft is laid under paragraph (1) (and may be the same as the date specified under paragraph (2)(b)).

- (4) The motion in SO 51(1) is (subject to paragraph (5)) deemed to have been carried, and the Measure or Canon is accordingly deemed to have been committed to a Revision Committee, on the day after the day specified under paragraph (2)(c); and the period during which amendments may be submitted under SO 55(1) comes to an end at the end of the day specified under paragraph (2)(b).
- (5) If at least 25 members have, no later than 5.30 p.m. on the date specified under paragraph (2)(c), given due notice to the Clerk that they wish the Measure or Canon to be debated—
 - (a) the Business Committee must lay before the Synod notice to that effect and must arrange for consideration of the Measure or Canon for First Consideration to take place at a group of sessions,
 - (b) SO 51 applies as if paragraphs (5) and (6), and the reference to paragraph (5) in paragraph (1), were omitted, and
 - (c) if the motion in SO 51(1) is carried, any amendments which a member has already submitted are to be treated as submitted for the purposes of SO 55.
- (6) A reference to a document being laid before Synod is a reference to—
 - (a) the document being published on the Synod website, and
 - (b) a copy of the document being sent to each member of the Synod.”

Standing Order 52 (First Consideration: consolidation Measures and Canons)

- 5. In Standing Order 52, in paragraph (2), for “(4)” substitute “(3)”.

Standing Order 57 (Revision Committee: report)

- 6. In Standing Order 57, in paragraph (3), after sub-paragraph (b) insert “, and
 - (c) in respect of each meeting of the Committee, a statement that every member of the Committee attended the meeting or, if that was not the case, a list of the members who did attend it.”
- 7. In Standing Order 57, after paragraph (4) insert—

“(4A) Where a report of the Revision Committee relates to both a Measure and a Canon, or to more than one of each or either, a member of the Committee must, after the motion in paragraph (4) has been voted on and subject to any motions under paragraph (2), move in the Synod a motion in respect of each Measure or Canon “*That the [Measure or Canon] do proceed to the Revision Stage*”; and the question on each motion must be put and voted on without debate.”

Standing Order 58 (Revision following Revision Committee: consideration by Synod)

- 8. In Standing Order 58, in paragraph (2), for the words from “a member” to the end substitute “the motion “*That the [Clause or paragraph] [as amended] stand part of the [Measure or Canon]*” is deemed carried unless a member indicates a wish to speak against the motion”.

Standing Order 59 (Revision following Revision Committee: amendments)

9. In Standing Order 59, in paragraph (5), after “supports the amendment” insert “or that, although it does not support the amendment, it nevertheless wishes the debate to continue”.
10. In Standing Order 59, in paragraph (6), for “indicates that it does not support the amendment” substitute “does not indicate that it supports the amendment or that it wishes the debate to continue”.
11. In Standing Order 59, in paragraph (6), for “40” in each place it appears substitute “25”.
12. In Standing Order 59, after paragraph (8) insert—

“(8A) When debate on an amendment has come to an end (whether or not following a motion for the Closure) but before the amendment is put to the vote, the mover of the amendment may speak in reply for not more than three minutes.”
13. In Standing Order 59, after paragraph (9) insert—

“(9A) Amendments which, in the opinion of the Chair, are consequential on an amendment already carried or raise an issue already decided by the Synod in relation to the Measure or Canon may, with the permission of the Chair, be moved *en bloc* where—

 - (a) no notice of amendments to any of the amendments concerned has been given, and
 - (b) no member indicates a wish to speak against any of the amendments.”
14. In Standing Order 61, in paragraph (8), omit the words from “; and, if” to the end.
15. In Standing Order 61, after paragraph (8) insert—

“(8A) With the permission of the Chair, any other member may move an amendment to a special amendment.

(8B) A member of the Steering Committee may move an amendment to an amendment under paragraph (8A).

(8C) If a special amendment is carried, with such amendments under paragraphs (8A) and (8B) as have been carried, a member of the Steering Committee may move such consequential amendments to the Measure or Canon as appear to him or her necessary.”
16. In Standing Order 64, in paragraph (2), for “if the Chair or 40 or more members object” substitute “if the Chair objects or if the Synod, on a motion moved by any member, objects”.

Standing Order 69B (Scrutiny Committee: membership and Chair)

17. In Standing Order 69B, in paragraph (4), for “132 to 135” substitute “131A to 135O”.

Standing Order 124 (Legislative Committee)

18. In Standing Order 124, in paragraph (2), for “132 to 135” substitute “131A to 135O”.

Standing Order 125 (Business Committee)

19. In Standing Order 125, in paragraph (3), for “132 to 135” substitute “131A to 135O”.

Standing Order 126 (Appointments Committee)

20. In Standing Order 126, in paragraph (4), for “132 to 135” substitute “131A to 135O”.

Standing Order 131 (relevant elections)

21. In Standing Order 131, for “132”, in each place it appears, substitute “131A”.

After Standing Order 131

22. After Standing Order 131 insert—

“131A. Elections portal

- (1) The Business Committee must appoint an independent body which it is satisfied would be able to assist the presiding officer for a relevant election with the conduct of the election (including the issue of invitations to nominate and the lodging of nominations), in so far as the election involves a system of electronic voting.
- (2) The Business Committee must, with the assistance of the body appointed under paragraph (1), provide an online facility for the conduct of a relevant election; and a reference in these Standing Orders to “the elections portal” is a reference to that online facility.”

Standing Order 132 (nominations)

23. In Standing Order 132, in paragraph (1), after “qualified candidates” insert “; and each invitation to nominate must—

- (a) contain instructions on how to use the elections portal to make a nomination, or
- (b) in so far as the elections portal is not going to be used, be in the form of a nomination paper”.

24. In Standing Order 132, for paragraph (3) substitute—

- “(3) Support from a person for the purposes of paragraph (2) must be given to the Clerk—
- (a) by following the procedure provided for by the elections portal, or
 - (b) in writing signed by the person or, where the person is a member of the Synod, by email or fax sent from an address previously notified to the Clerk.”

25. In Standing Order 132, for paragraph (5) substitute—

- “(5) Confirmation from a candidate for the purposes of paragraph (4) must be given to the Clerk—
- (a) by following the procedure provided for by the elections portal, or
 - (b) in writing signed by the candidate or, where the candidate is a member of the Synod, by email or fax sent from an address previously notified to the Clerk.”

26. In Standing Order 132, in paragraph (7), for “delivered to the Clerk” substitute “made”.

Standing Order 133 (conduct of elections)

27. In Standing Order 133, in paragraph (1), for “voting papers” substitute “invitations to vote”.

28. In Standing Order 133, after paragraph (1) insert—

“(1A) An invitation to vote must—

- (a) contain instructions on how to use the elections portal to vote, or
- (b) in so far as the elections portal is not being used, be in the form of a voting paper.”

29. In Standing Order 133, in paragraph (2), for “A voting paper, marked and signed, must be returned to the Clerk” substitute “A vote in a relevant election must be cast”.

30. In Standing Order 133, after paragraph (2) insert—

“(2A) A vote in a relevant election must be cast—

- (a) by following the procedure provided for by the elections portal, or
- (b) in a case involving the use of a voting paper, by marking and signing the paper in the manner indicated on the paper and returning it to the Clerk.”

Standing Order 134 (casual vacancies)

31. In Standing Order 134, in paragraph (7), for “by voting papers” substitute “by using the elections portal, or by voting papers,”.

32. In Standing Order 134, in paragraph (7), for “the voting papers” substitute “the voting records”.

33. In Standing Order 134, after paragraph (11), insert—

“(12) “Voting record”, in relation to a relevant election, means—

- (a) a record of each valid vote cast in the election by means of the elections portal, and
- (b) each voting paper used to cast a valid vote in the election.”

Standing Order 135 (appeals relating to eligibility to vote)

34. In Standing Order 135, in each of paragraphs (1) and (2), for “a voting paper” substitute “an invitation to vote”.

35. In Standing Order 135, in each of paragraphs (1), (2) and (3), for “or voting paper” substitute “or invitation to vote”.

Standing Order 135E (summary election appeal: referral to relevant judge)

36. In Standing Order 135E, in paragraph (1)(c), for “voting paper” substitute “invitation to vote”.

Standing Order 137 (Crown Nominations Commission: membership)

37. In Standing Order 137, in paragraph (3), for “132 to 135” substitute “131A to 135O”.

Standing Order 149 (representation of Synod on other bodies)

38. In Standing Order 149, in paragraph (2), for “132 to 135” substitute “131A to 135O”.

Standing Order 153 (definitions)

39. In Standing Order 153, in paragraph (1), at the appropriate place insert—

““Synod website” means, in so far as there is not a separate website for the Synod, the part of the Church of England website which relates to the Synod.”

Standing Order 154 (general interpretation)

40. In Standing Order 154, at the appropriate place insert—

“elections portal SO 131A(2)”.

41. In Standing Order 154, at the appropriate place insert—

“Synod website SO 153(1)”.