

GENERAL SYNOD

JULY GROUP OF SESSIONS 2021

SEVENTH NOTICE PAPER

AMENDMENTS TO STANDING ORDERS: ELECTIONS TO CROWN NOMINATIONS COMMISSION

FIFTY-EIGHTH REPORT OF THE STANDING ORDERS COMMITTEE (GS 2227)

Note:

These amendments have been updated to take account of the amendments carried on items 6 and 7 during the debate on Friday 9th July. Changes are shown in bold type.

Mr Aiden Hargreaves-Smith (London) to move in respect of the following items: ‘That this amendment be made and come into force as provided for on the Seventh Notice Paper’.

Standing Order 137 (Crown Nominations Commission: membership)

77. In Standing Order 137, in paragraph (1), for subparagraphs (b) and (c) substitute—

- “(b) six members elected from the House of Clergy,
- (c) six members elected from the House of Laity,”.

Explanatory statement: this amendment, together with item 79, gives effect to proposition 3(a) in GS 2209. It would provide for the central members of the Crown Nominations Commission (CNC) to be elected as six pairs, with three pairs from the House of Clergy and three pairs from the House of Laity. One

member of each pair would serve on the CNC for its considerations of a particular vacancy.

78. In Standing Order 137, in paragraph (2), after paragraph (b) (but before the following “and”) insert—
- “(ba) if a member is co-opted under paragraph (4A), that member,”.

Explanatory statement: this amendment, together with items 81 and 82, gives effect to proposition 4 in GS 2209. It would enable the CNC to co-opt one non-voting member for its considerations of a particular vacancy if it thinks its membership is not representative of the diocese as a whole. The co-opted member (if there were one) would be added to the existing list of non-voting CNC members.

79. In Standing Order 137, for paragraph (3) substitute—
- “(3) The six members to be elected from the House of Clergy and the six members to be elected from the House of Laity are to be elected as six pairs, with three pairs from the House of Clergy and three pairs from the House of Laity.
- (3A) Where there is a vacancy in a diocesan bishopric or in either Archbishopric, only one member of each pair referred to in paragraph (3) may serve as a member of the Commission on its considerations of that vacancy; and the member to serve as such is—
- (a) whoever the members of each pair agree between themselves, or
- (b) in the absence of agreement under sub-paragraph (a), whoever is chosen by a lot drawn by the Secretary of the Commission.

(3B) But if it is impossible for either member of a particular pair to serve as mentioned in paragraph (3A), the Chair of the Commission, having consulted the other two pairs from the same House as that pair, must nominate a member of one of those other pairs to serve instead of either member of that pair.

(3C) And if it is impossible for a member of one of those other pairs to serve instead of either member of that pair, the Chair of the House concerned must nominate another member of that House to do so.”

Explanatory statement: this amendment gives effect to proposition 3(a) in GS 2209 (see item 77 above). It would provide for each pair to agree which of them is to serve on the CNC’s considerations of a particular vacancy. If they could not agree, the point would be determined by lot. If neither member of a pair could serve, the Chair of the CNC would nominate a member of one of the other pairs from the same House to serve instead; and if none of them could serve, the Chair of the House concerned would nominate another member of that House.

80. In Standing Order 137, the existing paragraphs (3A), (3B), (3C) and (3D) are to be renumbered as paragraphs (3D), (3E), (3F) and (3G) respectively and in the existing paragraph (3D), for “(3C)” substitute “(3F)”.

Explanatory statement: this technical amendment is consequential on item 79 and would renumber certain paragraphs of SO 137.

81. In Standing Order 137, in paragraph (4)(a), after “members” insert
“(subject to paragraphs (4A) and (4B))”.

Explanatory statement: see the explanatory statement for item 78

82. In Standing Order 137, after paragraph (4) insert—

“(4A) If the Commission considers that the members under paragraph (1)(d), when taken together, are not representative of the diocese as a whole, it may, with a view to achieving such representation, co-opt one additional member; but a person is not eligible for co-option under this paragraph unless the person is eligible for election to one of the Houses of the Synod.

(4B) Before making a co-option under paragraph (4A), the Commission must take into account such information about the diocese and the vacancy as has been provided to it— (a) by the Vacancy in See Committee of the diocese, and (b) by the Prime Minister’s Secretary for Appointments and the Archbishops’ Secretary for Appointments acting jointly.”.

Explanatory statement: see the explanatory statement for item 78

After Standing Order 137

83. After Standing Order 137 insert—

*“137A. Crown Nominations Commission:
nomination of members*

(1) It is for the Business Committee to decide in any given case whether or not nominations for candidates for an election for the purposes of SO 137(1)(b) or (c) are to be conducted by using an electronic system; and the Business Committee must give instructions to the Clerk accordingly.

- (2) The Clerk must circulate to each member of the House of Clergy and to each member of the House of Laity an invitation to nominate candidates for an election for the purposes of SO 137(1)(b) and (c).
- (3) A nomination is valid only if—
 - (a) it is for a pair of candidates, each of whom is a member of the House of Clergy or each of whom is a member of the House of Laity,
 - (b) it is supported by a proposer and seconder, each of whom must be a member of the House of Clergy or the House of Laity (but need not be a member of the House to which the person being proposed and seconded belongs), and
 - (c) each of the two persons being nominated confirms his or her willingness to stand as part of that pair.
- (4) The instructions from the Business Committee referred to in paragraph (1) must include instructions on—
 - (a) how support for the purposes of paragraph (3)(b) is to be evidenced;
 - (b) how confirmation for the purposes of paragraph (3)(c) is to be given;
 - (c) the duration of the period within which a nomination must be made or how the duration of that period is to be determined.
- (5) A nomination must, in the case of each candidate, contain the year of the candidate's birth.
- (6) The Clerk must—
 - (a) as soon as each nomination is received, determine whether it is valid, and
 - (b) without delay, inform each candidate and the proposer and seconder whether the nomination is valid.

- (7) If the Clerk rules that a nomination is not valid, the Clerk must give each candidate and the proposer and seconder the reasons for the ruling when informing each of them of it under paragraph (6)(b).
- (8) A pair of persons are not to be included as candidates for the election if the Clerk has not received a valid nomination for that pair before the end of the period for nominations.”

Explanatory statement: this amendment is part of the package to give effect to proposition 3(a) of GS 2209. It would create a procedure for nominations that would be similar in principle to that in place for other elections under the Standing Orders.

After Standing Order 137

To be moved in the following form with the permission of the Chair

84. After Standing Order 137 insert—

“137B. Crown Nominations Commission: election of members

- (1) It is for the Business Committee to decide in any given case whether or not voting for the purposes of SO 137(1)(b) or (c) is to be conducted by using an electronic system; and the Business Committee must give instructions to the Clerk accordingly.
- (2) The election of members of the House of Clergy under SO 137(1)(b) and of members of the House of Laity under SO 137(1)(c) is to take place as a single election held at a group of sessions.
- (3) The persons entitled to vote in an election under this Standing Order are the members of the House of Clergy and the members of the House of Laity who are present at the group of sessions at the time

when the election is held; and for this purpose those persons constitute a single electorate.

- (4) **A member who because of illness or disability is unable to be physically present at the group of sessions at the time when the election is held is nonetheless entitled for the purposes of paragraph (3) to vote in the election; and the Business Committee must make arrangements for enabling the member to cast a vote for those purposes.**
- (5) An election under this Standing Order is to be conducted by the method of the single transferable vote in accordance with the election rules.
- (6) The Clerk must cause the votes to be counted and must enable each candidate (or a person nominated by the candidate) to be present at the count.
- (7) The Clerk must declare the result at the group of sessions; and a full return of the result and the result sheet must be given to the candidates in accordance with the election rules.”

Explanatory statement: this amendment would give effect to propositions 1 and 2 in GS 2209, as amended by Synod (shown in bold). It would provide for the electorate for the election of the central members of the CNC to consist of the combined membership of the House of Clergy and the House of Laity. It would also provide for that election to take place at a group of sessions with only those present being entitled to vote (including those participating remotely at a remote or hybrid meeting). It would also entitle those unable to be physically present because of illness or disability to vote; the Business Committee would have to enable that to happen. Note that the reference to “illness or disability” is not limited to the member

alone and so would, for example, also cover the case of a member who has caring responsibilities for a disabled partner or relative.

Standing Order 140 (Crown Nominations Commission: duration of membership)

To be moved in the following form with the permission of the Chair

85. In Standing Order 140, after paragraph (6) insert—

“(6A)On a vacancy arising under paragraph (6) in respect of a member of a pair referred to in SO 137(3A)—

(a) the other member of the pair is to remain as a member of the Commission and, where there is a vacancy in a diocesan bishopric or in either Archbishopric (including a vacancy on which the Commission has begun but not yet completed its considerations), that other member is to serve as a member of the Commission on its considerations of that vacancy, or

(b) if the other member of the pair decides not to remain as a member of the Commission, whether at the time of the vacancy in the pair arising or subsequently, a vacancy also arises under paragraph (6) in respect of that other member, subject to Article 3(4) of the Constitution.

(6B)For the purposes of paragraph (6A)(a) of this Standing Order, paragraphs (3B) and (3C) of SO 137 apply in relation to the other member of the pair as if each reference to either member of a

particular pair were a reference to that other member.”

Explanatory statement: this amendment gives effect to proposition 3(b) in GS 2209, as amended by Synod (shown in bold). It would provide that, if a vacancy were to arise in a pair of central members of the CNC, the other member of the pair would remain as a central member and serve accordingly. But if that other member did not wish to remain on the CNC, an election would be held for a new pair of members from the House concerned.

86. [Not to be moved]

87. In Standing Order 140, in paragraph (9), for “137(3A), (3B) or (3C)” substitute “137(3D), (3E) and (3F)”.

Explanatory statement: this technical amendment is consequential on item 79 and would renumber some cross-references.

Standing Order 141 (Crown Nominations Commission: business and procedure)

88. In Standing Order 141, after paragraph (10) insert—

“(11) If the Commission, having completed its considerations on a vacancy, does not select a name for submission to the Prime Minister, it may direct that that the process for filling the vacancy is to recommence at the stage which it specifies;
and the stage of the process which may be so specified includes the stage at which members under SO 137(1)(d) are elected.

(12) Where the Commission gives a direction under paragraph (11), the process for filling the vacancy recommences accordingly at the stage specified by it.”

Explanatory statement: this amendment gives effect to proposition 5 of GS 2209. It would provide that, if the CNC were unable to agree on a name to submit to the Prime Minister, it could direct that the process for filling the vacancy should begin again at such stage as it specifies.

After Standing Order 141

89. After Standing Order 141 insert—

“141A. *Crown Nominations Commission: election appeals*

The provisions of SOs 135 to 135O apply, with such modifications as are necessary, to an election for the purposes of SO 137(1)(b) or (c) as they apply to a relevant election.”

Explanatory statement: this amendment is consequential on amendments 77, 79 and 83. It would provide for the existing provisions in the SOs for election appeals to apply to an election of the central members of the CNC.

Commencement and transitional provision

1. (1) Items 77, 79, 80, 83 to 87 and 89 come into force on 1 June 2022, subject as follows.
 - (2) The requirement under the sub-paragraphs (b) and (c) to be included in Standing Order 137(1) by Item 77 for six members of the Crown Nominations Commission to be elected from the House of Clergy and six to be elected from the House of Laity does not affect—

- (a) the composition of the Commission in existence at the end of 31 May 2022,
 - (b) the term of office of a member of the Commission holding office as such at the end of that date, and
 - (c) the term of office of a member elected to fill a casual vacancy after that date but before the next election to be held after that date for the purposes of Standing Order 140(1).
- (3) The paragraphs (3A) to (3C) to be included in Standing Order 137 by Item 79 do not apply in the case of a vacancy arising before 1 September 2022.
- 2. Items 78, 81 and 82 come into force on 1 September 2022 and do not apply in the case of a vacancy arising before that date.
- 3. Item 88 comes into force on 13 July 2021 but does not apply in the case of a vacancy the consideration of which the Crown Nominations Commission began before that date but has not yet completed.