

**GENERAL SYNOD OF THE CHURCH OF ENGLAND**  
**AMENDING CANON NO. 43 (MISCELLANEOUS PROVISIONS)**

**PART 1**

**MISCELLANEOUS AMENDMENTS**

**Services in parish churches**

1. (1) In Canon B 11 (morning and evening prayer), after paragraph 2 insert—

“2A. In making a decision as to how to give effect to paragraph 1 or 2, the person or persons doing so shall ensure that no church ceases altogether to be used for public worship.”

(2) In Canon B 14 (Holy Communion), after paragraph 1 insert—

“1A. In making a decision as to how to give effect to paragraph 1, the person or persons doing so shall ensure that no church ceases altogether to be used for public worship.”

**Marriage**

2. (1) In Canon B 31 (impediments to marriage), in paragraph (1), for “16” in each place it appears substitute “18”.

(2) In Canon B 32 (impediments to solemnization of matrimony)—

(a) omit “(not being a widow or widower)”, and

(b) omit from “otherwise” to the end.

(3) The amendments made by this paragraph do not affect the validity of a marriage made before the commencement of section 1 of the Marriage and Civil Partnership (Minimum Age) Act 2022.

3. (1) In Canon B 34 (preliminary requirements for solemnization of matrimony), in paragraph 1, for sub-paragraph (d) substitute—

“(d) on the authority of a marriage schedule issued under Part 3 of the Marriage Act 1949.”

(2) In Canon B 36 (service after civil marriage), in paragraph 2, for “licence or certificate authorizing a marriage” substitute “licence authorizing a marriage nor any marriage schedule under Part 3 of the Marriage Act 1949”.

**Lay residentiary canons**

4. In Canon C 21 (deans and residentiary canons), in paragraph 1, at the end insert “; but this is subject to section 14A of the Cathedrals Measure 2021 (which enables the constitution

of the Chapter of a cathedral to provide that a lay person may be appointed as a residentiary canon of that cathedral”).

### **Rural deans**

5. (1) In Canon F 17 (keeping a record of property of churches), in paragraph 2, after “rural dean” insert “or some other deputy”.

(2) In Canon F 18 (survey of churches), after “rural dean” insert “or some other deputy”.

### **Ecclesiastical Courts**

6. In Canon G 4 (registrars), after paragraph 2 insert—

“2A. The qualifications for appointment as the deputy of such a registrar under section 29(1) or 31(1) of the Ecclesiastical Jurisdiction and Care of Churches Measure 2018 are the same as those for the appointment of such a registrar under paragraph 2; and the registrar making the appointment must be satisfied that the appointee is a communicant.”

### **Interpretation**

7. In Canon I (interpretation of the Canons), after paragraph 2 insert—

“3. A reference to a Canon includes a reference to an instrument made under a Canon.”

## **PART 2**

### **UPDATING STATUTORY REFERENCES**

#### **Section B (divine service and the administration of the sacraments)**

8. (1) In Canon B 2 (approval of forms of service)—

(a) in paragraph 2B(2), for “Part 1 of the Cathedrals Measure 1999” substitute “the Cathedrals Measure 2021”, and

(b) omit paragraph (3).

(2) In Canon B 42 (language of divine service)—

(a) in paragraph 4(2), for “Part 1 of the Cathedrals Measure 1999” substitute “the Cathedrals Measure 2021”, and

(b) omit paragraph (3).

#### **Section C (ministers, their ordination, functions and charge)**

9. In Canon C 22 (archdeacons), in paragraph 5, for “the Inspection of Churches Measure 1955” substitute “sections 45 to 47 of the Ecclesiastical Jurisdiction and Care of Churches Measure 2018”.

**Section F (things appertaining to churches)**

10. In Canon F 18 (survey of churches), for “the Inspection of Churches Measure 1955” substitute “sections 45 to 47 of the Ecclesiastical Jurisdiction and Care of Churches Measure 2018”.

**Section G (the ecclesiastical courts)**

11. In Canon G 4 (registrars), in paragraph 2, for “have a general qualification within the meaning of section 71 of the Courts and Legal Services Act 1990” substitute “be a solicitor of the Senior Courts of England and Wales or a barrister in England and Wales”.