

GENERAL SYNOD

FIFTY-NINTH REPORT OF THE STANDING ORDERS COMMITTEE

The Standing Orders Committee proposes some minor changes to the Synod's legislative processes, following the approval in July 2021 of a wider set of amendments.

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

Appointed members:

The Revd Canon Joyce Jones (Chair) (Leeds)
 Mr Geoffrey Tattersall QC (Manchester)
 Mr Clive Scowen (London)
 The Revd Treena Larkin (Lichfield)
 The Revd Susan Lucas (Chelmsford)
 The Revd Amatu Christian-lwuagwu (London)
 Mrs Karen Czapiewski (Gloucester)

Ex-officio members:

The Ven Luke Miller (Prolocutor of the Lower House of the Convocation of Canterbury)
 The Revd Kate Wharton (Prolocutor of the Lower House of the Convocation of York)
 Dr Jamie Harrison (Chair of the House of Laity)
 Mrs Alison Coulter (Vice-Chair of the House of Laity).

Minor amendments to the legislative procedure of the General Synod

The '40-member' rule

1. In July 2021, the Synod approved the amendments that were addressed in the [Fifty-seventh Report of the Standing Orders Committee](#) (GS 2198 (updated)). At paragraphs 44 to 50 of the report, the Committee explained that it was proposing changes to the '40-member rule'. That was the rule which provided that where a member of the Synod proposed an amendment to legislation at the Revision Stage in Full Synod and the amendment was opposed by the Steering Committee, the amendment would lapse and could not be voted on unless 40 members indicated (by standing in their places or by some other means) that they wished the debate on the amendment to continue. The proposed change was to reduce the number of members who needed to indicate support for the debate on an amendment to continue from 40 to 25.
2. The Synod agreed the Committee's proposed amendment to that effect at the July 2021 group of sessions.
3. The Committee now proposes, consistently with that decision of the Synod, to propose reducing the figure from 40 to 25 in the other cases where the Standing Orders currently require 40 members to indicate support in order for debate on an

amendment or other proposed course of action to continue (and therefore for a vote to be taken). These include a motion for the referral back of a draft Legislative Reform Order to the Scrutiny Committee, proposed amendments to regulations and other instruments (secondary legislation) and to liturgical business.

4. **The amendments set out in Part 1 of the Annex** would amend the remaining references to 40 members consistently with the decision taken last July by replacing each of them with a reference to 25 members. Given their minor nature and that they are unlikely to be contentions, the Committee proposes that these amendments be taken under the procedure for deemed approval in SO 40(5).

Approval of regulations etc.

5. Standing Order 70 sets out the procedure for the approval by the Synod of regulations and other instruments, including instruments that are made under specific Measures, for example, procedural rules made under the Clergy Discipline Measure. As matters stand, Standing Order 70 does not provide for the approval of regulations or other instruments that are intended to be made under a Measure which is currently under consideration by the Synod but which has not yet been passed or come into force.
6. It can be useful for the Synod to consider both a draft Measure and a draft set of regulations or rules to be made under it side by side. This enables the Synod to consider the legislative 'package' as a whole. In particular, it enables members to consider the appropriate balance of material between the Measure and the regulations or rules and to propose amendments accordingly (instead of passing the Measure first and considering the rules later, at which point it would be too late to change the Measure). However, because the Standing Orders do not currently make specific provision for this, even where a draft of regulations, rules etc. has already been considered and agreed by the Synod alongside a draft Measure, those regulations, rules etc. have to return to the Synod again for approval after the Measure has been passed and come into force. That results in delay in implementing the legislative package which the Synod has already approved.
7. **The amendments in Part 2 of the Annex** would amend SO 70 so that the Synod could give effective approval to a draft set of regulations or rules intended to be made under a Measure which the Synod was currently considering. It would remove the need for the regulations or rules to be reintroduced and approved again by the Synod after the relevant Measure had been passed and come into force, thereby reducing delay in implementing the legislative package. Given their minor nature and that they seem unlikely to be contentions, the Committee proposes that these amendments be taken under the procedure for deemed approval in SO 40(5).

Joyce Jones
Chair

June 2022

ANNEX

PART 1

NUMBER OF MEMBERS REQUIRED FOR CERTAIN DEBATES TO PROCEED

Standing Order 69I (Procedure on motion under SO 69H)

1. In Standing Order 69I, in paragraph (6), for “40” substitute “25”.

Standing Order 73 (Preliminary Motion Procedure)

2. In Standing Order 73, in paragraph (7), for “40” substitute “25”.

Standing Order 77 (Draft Reorganisation Scheme: motion for consideration)

3. In Standing Order 77, in paragraph (8), for “40” substitute “25”.

Standing Order 84 (Liturgical business: optional recommittal after Revision Committee)

4. In Standing Order 84, in paragraph (3), for “40” substitute “25”.

Standing Order 86 (Liturgical business: expedited Further Revision)

5. In Standing Order 86, in paragraph (2), for “40” substitute “25”.

Standing Order 87 (Liturgical business: Further Revision)

6. In Standing Order 87, in paragraph (9), for “40”, in each place it appears, substitute “25”.

Standing Order 89 (Liturgical business: minor adjustments for forms of service)

7. In Standing Order 89, in paragraph (9), for “40”, in each place it appears, substitute “25”.

Standing Order 90 (Liturgical business: extension or discontinuance of business)

8. In Standing Order 90, in paragraph (7), for “40”, in each place it appears, substitute “25”.

Standing Order 145 (Secretary General)

9. In Standing Order 145, in paragraph (2), for “40” substitute “25”.
10. In Standing Order 145, in paragraph (3), for “40” substitute “25”.

Standing Order 146 (The Clerk)

11. In Standing Order 146, in paragraph (2), for “40” substitute “25”.
12. In Standing Order 146, in paragraph (3), for “40” substitute “25”.

***Explanatory Note:** these amendments would replace the requirement in certain provisions that 40 members must indicate a desire for debate to continue with a requirement that 25 members must do so. They would bring consistency with SO 59(6) and other provisions in the SOs which have already been amended to make this change.*

PART 2

INTERPRETATION OF REFERENCES TO INSTRUMENTS

Standing Order 70 (Regulations and other instruments: general)

13. In Standing Order 70, after paragraph (3) insert—

“(4) For the purposes of these Standing Orders, a reference to an instrument of the kind referred to in paragraph (1) includes a reference to an instrument of that kind that is proposed to be made under a Measure or Canon yet to be passed but introduced at or before the group of sessions at which the instrument is introduced.”

***Explanatory Note:** this amendment would expand the meaning of “instrument” so that it includes draft regulations, orders or rules which are proposed to be made under a Measure or Canon which has not itself yet been approved by the General Synod but has been introduced simultaneously with, or before, the Measure or Canon in question. This would mean that, where it is proposed to introduce a package of legislative changes (comprising, say, a Measure and some accompanying procedural rules), it would be possible for the Measure and the rules to proceed in tandem through the Synodical stages. That would, in particular, enable members to consider the appropriate balance of material between the Measure and the rules and propose amendments accordingly (instead of passing the Measure first and considering the rules later, at which point it would be too late to change the Measure).*

Standing Order 154 (general interpretation)

14. In Standing Order 154, in the entry for “instrument”, in the second column, for “SO 153(3)” substitute “SOs 70(4) and 153(3)”.

***Explanatory Note:** this amendment is consequential on the previous amendment.*