

# **The House of Bishops Election Rules 2025**

In exercise of the powers under paragraphs 1, 2, 4 and 5 of Canon H3, the General Synod makes the following Rules:

## **PART 1**

### **INTRODUCTION**

#### **Citation and commencement**

- 1.—(1) These Rules may be cited as the House of Bishops Election Rules 2025.
- (2) These Rules come into force on the day on which the Convocations are next dissolved.

#### **Interpretation**

- 2.—(1) A reference in these Rules to a numbered Rule with the prefix “CRR” is a reference to the Rule numbered as such in the Church Representation Rules.
- (2) An expression used in these Rules and in the Church Representation Rules has the same meaning in these Rules as it has in those Rules.
- (3) In these Rules, “elections portal” has the meaning given in Rule 3(3).
- (4) A reference in these Rules to the single transferable vote system is a reference to the form of that system that is for the time being provided for in the rules made by the General Synod under its Standing Orders; and a reference in these Rules to “the STV Rules” is a reference to those rules.
- (5) A reference in these Rules to a date given in the timetable for the stage of an election is a reference to the date given for that stage of the election in Rule 5.
- (6) In these Rules, “working day” means a day which is not a Saturday or Sunday, Christmas Day, Good Friday, or a bank holiday in England under the Banking and Financial Dealings Act 1971.

## **PART 2**

### **ELECTRONIC VOTING**

#### **Elections portal**

- 3.—(1) The Business Committee, having nominated a body under CRR Rule 53(2) (independent body to assist with electronic voting), must nominate that body to assist the presiding officer of an election under these Rules with the conduct of that election (including the issue of citations and the lodging of nominations).
- (2) The presiding officer must appoint the body nominated under paragraph (1) and may not appoint any other body or any individual for that purpose.
- (3) The presiding officer, with the assistance of the body appointed under paragraph (2), must provide an online facility for the conduct of an election under these Rules; and a reference in these Rules to “the elections portal” is a reference to that online facility.

PART 3  
ORDINARY ELECTION

**Application of this Part**

4. This Part applies in the case of an ordinary election—
- (a) in the Upper House of the Convocation of Canterbury for the purposes of paragraph 1(c) of Canon H3, or
  - (b) in the Upper House of the Convocation of York for purposes of paragraph 2(b) of Canon H3.

**Timetable**

5.—(1) The timetable for the operation of these Rules is set out in the following table—

<i>Date</i>	<i>Rule</i>	<i>Stage</i>
Day 32	8 and 9	Citations and invitations to nominate issued
Day 56	9(3)	Close of nominations
Day 56	12(1)	Deadline for receipt of election addresses
Day 70	15(2)	Invitations to vote issued
Day 70	15(6)	Voting period opens
Day 92	15(6)	Voting period closes
Day 93	16(1)	Count begins
Day 98	16(5) and (6)	Declaration of result and preparation of result sheet

(2) Each numbered day specified in the first column represents the date which falls that number of days into the period that begins with the day on which the Convocations are next dissolved, with that date accordingly being “Day 1”.

(3) Each provision of these Rules specified in the second column provides for the stage that must take place on or before (as the case may be) the date represented in the first column for that stage.

(4) Each description given in the third column is a description of the stage provided for by the provision specified in the second column for that stage.

(5) The time by which each stage must take place is 5 p.m. on the date represented in the first column for that stage.

(6) The timetable specifying the actual date of each stage must be published on the Church of England website.

**Qualified electors**

6.—(1) The electors in the province of Canterbury are every person who qualifies as an elector under paragraph 1(c) of Canon H3 at 6.00 a.m. on the date on which the Convocations are next dissolved.

(2) The electors in the province of York are every person who qualifies as an elector under paragraph 2(b) of Canon H3 at 6.00 a.m. on the date on which the Convocations are next dissolved.

## **Presiding officer**

7. The presiding officer for each province is the registrar of that province or a person appointed by the registrar.

## **Citation**

8.—(1) The presiding officer for the province of Canterbury must, by the date given in the timetable, issue by email to each elector in the province a citation in respect of the election of five persons from among their number.

(2) The presiding officer for the province of York must, by the date given in the timetable, issue by email to each elector in the province a citation in respect of the election of four persons from among their number.

## **Invitations to nominate**

9.—(1) A candidate for election must be nominated by two persons, each of whom is an elector in the election.

(2) The presiding officer for each province must ensure that the citation issued to each elector under Rule 8 is accompanied by an invitation to nominate a candidate for the election.

(3) The invitation to nominate must specify the date given in the timetable for the close of nominations.

(4) The invitation to nominate must state that, if a poll is held under these Rules, the name of each person nominating a candidate will be published alongside the name of the candidate.

(5) The citation issued under Rule 8 must also be accompanied by a statement from the presiding officer as to the entitlement of a person wishing to stand for election to submit an election address under Rule 11 to the presiding officer.

(6) The presiding officer must ensure that the elections portal—

(a) when a nomination of a candidate is submitted—

(i) indicates that an email by way of acknowledgment will be sent to the candidate, and

(ii) causes an email to that effect to be sent to the candidate and to each of the persons nominating the candidate;

(b) if the process for making a nomination has been begun but not completed, causes an email to be sent at an appropriate time to remind the person who has begun the process that it has not been completed and that nominations close on the date given in the timetable.

## **Validity of nominations**

10.—(1) A nomination of a candidate is valid only if it is made by following the procedure provided for by the elections portal.

(2) The information which must be provided as part of a nomination includes—

(a) the candidate's full name (including, if the candidate wishes, any title or post-nominal letters),

- (b) if the candidate commonly uses a name different from the name given under subparagraph (a) and wishes the commonly used name to be used for the purposes of the election, that commonly used name,
  - (c) the candidate's postal address and, if applicable, a statement by the candidate that the candidate's personal circumstances are such that that postal address should not be published for the purposes of the election,
  - (d) the year of the candidate's birth,
  - (e) a statement as to whether the candidate has previously served as a member of the General Synod and, if so, the dates of the candidate's previous service as a member and the House of which the candidate was a member, and
  - (f) evidence of the candidate's consent to serve.
- (3) The presiding officer must—
- (a) as soon as each nomination is received, determine whether it is valid, and
  - (b) without delay, notify the candidate and each of the persons nominating the candidate whether the nomination is valid.

(4) The steps which the presiding officer must take when determining for the purposes of paragraph (3)(a) whether a nomination is valid include contacting each of the persons specified as nominating the candidate to ask whether that person is willing to nominate the candidate; and, in the absence of a response after a reasonable period, the presiding officer is entitled to conclude that the person concerned is willing to nominate the candidate.

(5) If the presiding officer determines that a nomination is not valid, the officer must give the candidate and each of the persons nominating the candidate the reasons for the determination when notifying it to each of them under paragraph (3)(b); and that notification must include an explanation of the right of appeal under Rule 25(1) against the determination.

(6) A person is not to be included as a candidate for the election if the presiding officer has not received a valid nomination for that person by the close of nominations.

(7) A nomination that is not received by the close of nominations is not valid (regardless of whether it would in other respects count as valid).

### **Election address**

**11.—**(1) A person wishing to stand for election may submit an election address in accordance with this Rule.

(2) An election address must be in electronic form and must be capable of being printed in easily legible form on not more than two sides of A4 paper.

(3) An election address must be prepared at the expense of the person wishing to stand for election.

### **Publication of names of candidates and nominators**

**12.—**(1) The presiding officer must, as soon as reasonably practicable after the close of nominations, ensure that the name of each candidate, the name of each person nominating that candidate and, if that candidate has submitted an election address under Rule 11, a copy of that election address—

- (a) are available by means of the elections portal, and
- (b) are posted on the Church of England website.

(2) In the case of a candidate whose nomination expressed the wish that a name which the candidate commonly uses should be the name used for the purposes of the election, that commonly used name must be published under paragraph (1) alongside the candidate's actual name.

(3) The presiding officer may, but is not required to, take the steps set out in paragraph (1)(a) and (b) in the case of any election address which the presiding officer receives after the close of nominations.

(4) A failure to post on the Church of England website a copy of every election address which is required to be posted under paragraph (1)(b) does not invalidate the election and is accordingly not a ground of appeal under Part 5.

### **Requirement for poll**

**13.**—(1) If the number of candidates in the province of Canterbury does not exceed five, or if the number of candidates in the province of York does not exceed four, each candidate is declared elected; and the presiding officer must inform each candidate accordingly.

(2) If the number of candidates in either province exceeds the number of seats to be filled, a poll must be held in accordance with the following provisions of this Part; and the presiding officer must inform each candidate accordingly.

### **Prohibition on election material**

**14.**—(1) The presiding officer must ensure that, during the election period, no communication which in the opinion of the presiding officer is likely to prejudice the election is circulated to the electors by or under the authority of the presiding officer.

(2) The “election period” is the period which—

- (a) begins with the date given in the timetable for the issue of invitations to nominate, and
- (b) ends with the date given in the timetable for the end of the period for voting by the elections portal (see Rule 15(6)).

(3) “Communication” does not include an election address under Rule 11 or a record which the presiding officer has authorised of a hustings event.

(4) Material does not constitute a “communication” merely because it refers to a person who is a candidate in the election in a context or capacity which does not have a bearing on the election.

### **Voting**

**15.**—(1) A poll is to be conducted using the single transferable vote system.

(2) The presiding officer must ensure that, on the date given in the timetable, each elector is issued with an invitation to vote.

(3) Each invitation to vote must be issued by an email containing instructions on how to use the elections portal to vote.

(4) The information which must be displayed within the elections portal includes in relation to each candidate—

- (a) the candidate's full name (as it appears on the completed nomination, including any title or post-nominal letters) and, if applicable, the name commonly used by the candidate,
- (b) the candidate's postal address, unless the candidate has expressed the wish that that address is not to be included within the elections portal,
- (c) the candidate's year of birth,
- (d) a statement as to whether the candidate has previously served as a member of the General Synod and, if so, the dates of the candidate's previous service as a member and the House of which the candidate was a member, and
- (e) the name of each person who nominated the candidate.

(5) The elections portal must include an explanation of the right of appeal under Rule 25(2) against the determination that the nomination of a candidate is valid.

(6) The period within which votes may be cast begins on the date given in the timetable and ends on the date given in the timetable.

(7) The presiding officer must ensure that each email in which an invitation to vote is issued also includes a notification of the period referred to in paragraph (6).

(8) A vote in the election is valid only if the vote is cast by following the procedure provided for by the elections portal.

(9) The presiding officer must ensure that a record of each valid vote cast in the election is preserved for at least two years after the declaration of the result of the election.

### **The count and the result**

**16.**—(1) The presiding officer must ensure that—

- (a) the valid votes cast are counted before the end of four working days beginning with the last day of the period for voting,
- (b) there is a facility for each candidate to observe the count by way of a live video stream or webcast, and
- (c) each candidate is given written notice by email of when that facility will be available and instructions on how to use it.

(2) Where, within seven days of the completion of the count, the presiding officer thinks that there should be a recount because of a possible irregularity or inaccuracy in the count, the officer may, with the consent of the provincial registrar, order a recount.

(3) If the presiding officer orders a recount under paragraph (2), the presiding officer must—

- (a) determine the time and place at which the votes will be recounted, and
- (b) give each candidate notice by email of the time and place so determined.

(4) A notice under paragraph (1)(c) or (3) must include an explanation of the right of appeal under Rule 26 against the result of the election.

(5) The presiding officer must, on the date given in the timetable, declare the result and ensure that the declaration is—

- (a) posted on the Church of England website,
- (b) given to each candidate, and
- (c) given to the Clerk to the General Synod.

(6) The presiding officer must, before the end of the date given in the timetable, prepare a result sheet showing a record of the election; and, if the provincial registrar has prescribed the form of the result sheet, the result sheet must be in that form or in a form to a substantially similar effect.

(7) The full return of the result and the result sheet must, until the Convocations are next dissolved, be displayed on the Church of England website.

(8) A copy of the result sheet signed by the presiding officer must be deposited in the office of each provincial registrar and must, for the six months after the date of the count, be available for inspection by any elector.

(9) In the case of each person elected, the presiding officer must ensure that the person's election address (if there is one) is posted on the Church of England website until the Convocations are next dissolved (or, if the person ceases to be a member before then, until the person so ceases).

(10) If the person elected provides the presiding officer with the election address in a form which may omit the person's postal address (but is in all other material respects unaltered), the election address posted on the Church of England website under paragraph (9) must be in that form.

### **Fees and expenses**

**17.** The fees and expenses incurred by the presiding officer in the conduct of an election, or by the body nominated under CRR Rule 53(2) in assisting the presiding officer with the conduct of the election, are to be paid by the Archbishops' Council.

## **PART 4**

### **ELECTION TO FILL CASUAL VACANCY**

#### **Application of this Part**

**18.—(1)** This Part applies in the case an election to fill a casual vacancy in the Upper House of Convocation of either province.

(2) The election to fill the casual vacancy is to be conducted as if it were an ordinary election, with the provisions of these Rules that would apply to an ordinary election applying accordingly to the election to fill the casual vacancy but subject to the modifications provided for in this Part.

#### **Qualifying electors**

**19.** The electors are every person who qualifies as an elector at 6.00 a.m. on the date on which invitations to nominate are issued.

#### **Timing**

**20.—(1)** The presiding officer must determine the timetable for the election, unless the election is required by Rule 21(1) or (2) to be conducted by using the voting records of a previous; but the interval between any two stages of the election must be no shorter than the interval between the equivalent two stages for the previous election.

(2) The election must, so far as possible, be completed as soon as reasonably practicable and in any event within one month of the presiding officer becoming aware of the occurrence of the vacancy.

(3) But if the Convocations of the Provinces are due to be dissolved under section 1(2) of the Church of England Convocations Act 1966 within twelve months of the presiding officer becoming aware of the occurrence of the vacancy, it is not to be filled unless directions providing otherwise are given to the presiding officer by the archbishop of the province.

(4) If the vacancy is not filled within the period required by paragraph (2), the archbishop of the province may give directions to the presiding officer as to the date by which it must be filled.

### **Vacancy within two years of election**

**21.**—(1) Where a casual vacancy occurs in the two years beginning with 1st August in the year of the most recent ordinary election—

- (a) the election to fill the vacancy must be conducted using the voting records of the ordinary election,
- (b) the number of persons to be elected is to be the same as in the ordinary election, and
- (c) no candidate elected on the original count and continuing to serve is to be excluded.

(2) Where a casual vacancy occurs in the two years beginning with the date on which the result of an election to the Upper House of the Convocation in the province in question was declared and that election was itself held to fill a casual vacancy and was conducted as an ordinary election—

- (a) the election to fill the vacancy must be conducted by using the voting records of the election held to fill the previous vacancy,
- (b) the number of persons to be elected is the total of the number who were elected in the election held to fill the previous vacancy and are continuing to serve and the number of casual vacancies to be filled, and
- (c) no candidate elected on the original count and continuing to serve is to be excluded.

(3) In a case within paragraph (1) or (2), the presiding officer must ask each candidate who was not elected in the election held to fill the previous vacancy, and who is still qualified for election, if that candidate consents to serve.

(4) If the number of candidates does not exceed the number of vacancies to be filled and at least one of the candidates consents to serve, that candidate or, if there is more than one, each of them is declared elected; and the presiding officer must inform the candidate, or each of them, accordingly.

(5) If the number of candidates exceeds the number of vacancies to be filled—

- (a) the presiding officer must withdraw from the election any candidate who has not consented to serve or is no longer eligible for election, and
- (b) the valid votes in the election held to fill the previous vacancy must be recounted from the beginning using the single transferable vote system.

(6) “Voting records”, in relation to an election, means the records preserved from that election under Rule 15(9).



## **Result**

**22.**—(1) A person elected to fill a casual vacancy holds office only for the unexpired part of the term of office to be served in the case of that vacancy.

- (2) The presiding officer must, within four working days of the declaration of the result—
- (a) send a full return of the result to every person already elected in the province as a member of the Upper House of Convocation (in addition to those to whom a full return of the result is required to be sent under Rule 16(5)), and
  - (b) post on the Church of England website the full return of the result.

## **PART 5**

### **APPEALS**

#### **Application of this Part**

**23.** This Part applies in the case of any election under these Rules.

#### **Appeals relating to eligibility to vote**

**24.**—(1) Where it is decided that a person is not a qualified elector in the province of Canterbury or York, that person may appeal against that decision on the grounds that the person is a qualified elector in that province.

(2) A person who is a qualified elector in the province of Canterbury or York but who objects to the decision that another person is a qualified elector in that province may appeal against the decision on the grounds that the other person is not a qualified elector in the province.

#### **Appeals relating to nominations**

**25.**—(1) An appeal may be made against a determination under Rule 10(3)(a) that a nomination is not valid on the grounds that the nomination is valid and that the person should accordingly be included as a candidate in the election.

(2) An appeal may be made against a determination under Rule 10(3)(a) that a nomination is valid on the grounds that the nomination is not valid and that the person should accordingly not be included as a candidate in the election.

(3) An appeal under paragraph (1) or (2) may be brought only by an elector in the election.

#### **Appeals against election result**

**26.**—(1) An appeal against the result of an election may be made on the grounds that a person whose election is the subject of the appeal—

- (a) was not duly elected,
- (b) was not qualified to be a candidate at the time of the election, or
- (c) before the end of the period for voting, misrepresented a material fact in connection with the election.

(2) An appeal against the result of an election may be made on the grounds that the conduct of the election was such as to affect the outcome of the election.

(3) An appeal against the result of an election may be made on the grounds that a vote which was allowed should have been disallowed, or that a vote which was disallowed should have been allowed, but only if the allowance or disallowance of the vote would or might be material to the outcome of the election.

(4) An appeal under paragraph (1)(b) may not be brought if—

- (a) the grounds of the appeal are to the effect that the nomination of the person whose election is the subject of the appeal was not valid, and
- (b) an appeal on grounds to that effect was brought under Rule 25(2) before the election.

(5) An appeal under this Rule may be brought by—

- (a) a candidate in the election, or
- (b) an elector in the election.

(6) On an appeal under this Rule, a person who was declared elected as a member of the Upper House of Convocation but whose election is or may be affected by the appeal is to be regarded for all purposes as a member of the Upper House and of the General Synod pending the determination of the appeal.

### **Appeal procedures**

**27.**—(1) Each of the following appeals (referred to in these Rules as a “summary election appeal”) is to be dealt with in accordance with Rules 28 to 31 and 40—

- (a) an appeal under Rule 25(1) or (2) (validity of nomination);
- (b) an appeal under Rule 26(1)(a) or (b) (whether person elected or qualified as candidate);
- (c) an appeal under Rule 26(3) (allowance or disallowance of vote).

(2) Each of the following appeals (referred to in these Rules as a “full election appeal”) is to be dealt with in accordance with Rules 32 to 40—

- (a) an appeal under Rule 24 (eligibility to vote);
- (b) an appeal under Rule 26(1)(c) (misrepresentation of material fact);
- (c) an appeal under Rule 26(2) (conduct of election).

### **Summary election appeal: notice**

**28.**—(1) Notice of a summary election appeal—

- (a) must be in writing,
- (b) must give brief particulars of the grounds of appeal, and
- (c) may be accompanied by written submissions.

(2) Notice of a summary election appeal must be given to the archbishop of the province.

(3) Notice of an appeal under Rule 25(1) (appeal against determination that nomination not valid) must be given no later than two days after the person to whom the nomination relates is notified of the determination.

(4) Notice of an appeal under Rule 25(2) (appeal against determination that nomination valid) brought by an elector (including one who is a candidate) must be given no later than two days after the day on which the elector receives an invitation to vote in the election.

(5) Notice of an appeal under Rule 26(1)(a) or (b) (appeal relating to whether person elected or qualified as candidate) must be given no later than two days after the day on which the result of the election is declared.

(6) Notice of an appeal under Rule 26(3) (appeal against allowance or disallowance of vote) must be given no later than two days after the day on which the vote is allowed or disallowed.

**Summary election appeal: referral to relevant judge, etc.**

**29.**—(1) An archbishop, having received notice of a summary election appeal, must without delay (and in any event within 48 hours of receiving the notice of appeal unless in the meantime written notice is given to withdraw the appeal)—

- (a) refer the notice of appeal to the relevant judge,
- (b) give a notification by email to each candidate in the election,
- (c) give a notification by email to any person who made a decision to which the appeal relates, and
- (d) in the case of an appeal under Rule 25(1) or (2), give a notification by email to the person whose nomination is the subject of the appeal.

(2) A person to whom a notification is given under paragraph (1)(b) or (d) is entitled to make written representations to the relevant judge on a decision to which the appeal relates.

(3) A person to whom a notification is given under paragraph (1)(c) is entitled to provide the relevant judge with a written explanation of the reasons for the decision which that person made.

(4) Representations under paragraph (2) or an explanation under paragraph (3) must be made within seven days of the referral of the notice of appeal.

(5) A notification under paragraph (1)(b), (c) or (d) must include an explanation of the entitlement to make representations or an explanation (as the case may be).

(6) The “relevant judge” is—

- (a) the Dean of the Arches and Auditor, or
- (b) if the Dean of the Arches and Auditor declines or is unable to act as such, the Vicar-General of the Province of Canterbury or the Vicar-General of the Province of York (regardless of the province in which the decision being appealed against was taken), or
- (c) if each of them declines or is unable to act as such, the chancellor of such diocese as the Archbishop of Canterbury may decide.

### **Summary election appeal: parties**

**30.**—(1) On a summary election appeal, each of the following is a party to the appeal (in addition to the appellant)—

- (a) any person to whom a notification is given under Rule 29(1)(c), and
- (b) each relevant person.

(2) Each of the following is a relevant person—

- (a) on an appeal under Rule 25(1) or (2), the person whose nomination is the subject of the appeal;
- (b) on an appeal under Rule 26(1)(a) or (b), the person whose election is the subject of the appeal;
- (c) on an appeal under Rule 26(3), any person to whom a notification is given under Rule 29(1)(b).

### **Summary election appeal: determination**

**31.**—(1) The relevant judge (referred to in this Rule as “the judge”), having had a notice of appeal referred under Rule 29, must decide whether the grounds of the appeal are established to the judge’s satisfaction.

(2) The judge, in deciding the matter at issue, may consider only—

- (a) the notice of appeal and any accompanying written submissions, and
- (b) any representations or explanation made in accordance with Rule 29(4).

(3) A decision under this Rule must be made within seven days of the referral of the notice of appeal.

(4) Where the judge decides on an appeal under Rule 25(1) that a nomination is valid, or decides on an appeal under Rule 25(2) that a nomination is not valid, the judge must—

- (a) give directions for the appointment of a new period for voting in the election, and
- (b) give whatever further directions the judge thinks necessary.

(5) Where, on an appeal under Rule 26(1)(a) or (b) or (3), the judge decides that the election as a whole is void, the judge must—

- (a) direct that a fresh election is to be held, and
- (b) give whatever further directions the judge thinks necessary.

(6) Where, on an appeal under Rule 26(1)(a) or (b) or (3), the judge allows the appeal but does not decide that the election as a whole is void, the judge must give whatever directions the judge thinks necessary.

(7) The judge on a summary election appeal must otherwise do one of the following—

- (a) decide that the matter at issue amounts to a minor infringement which did not affect the outcome of the election and that the appeal should accordingly be dismissed;

- (b) decide that the matter at issue amounts to a procedural irregularity in the conduct of the election but that the appeal should nonetheless in all the circumstances be dismissed;
- (c) decide that the appeal is wholly without merit and should accordingly be dismissed.

#### **Full election appeal: notice of appeal**

**32.—**(1) Notice of a full election appeal—

- (a) must be in writing,
- (b) must give brief particulars of the grounds of appeal, and
- (c) may be accompanied by written submissions.

(2) Notice of a full election appeal must be given to the archbishop of the province concerned.

(3) Notice of an appeal under Rule 24 must be given no later than 14 days after the day on which the decision on whether the person is a qualified elector is taken.

(4) Notice of any other full election appeal must be given no later than 14 days after the declaration of the result of the election.

#### **Full election appeal: referral of notice**

**33.—**(1) Where notice of a full election appeal is given, the archbishop must without delay (and in any event within 48 hours of receiving it unless in the meantime written notice is given to withdraw the appeal)—

- (a) give a notification by email to each candidate in the election,
- (b) give a notification by email to any person who made a decision to which the appeal relates, and
- (c) in the case of an appeal under Rule 24(2), give a notification by email to the person in respect of whom the objection is made.

(2) Where a purported notice of a full election appeal is given out of time, the archbishop must without delay (and in any event within 48 hours of receiving it unless in the meantime written notice is given to withdraw the appeal) give a notification by email to each person referred to in paragraph (1)(a), (b) and (c).

(3) A person to whom a notification is given under paragraph (1)(a) or (c) is entitled to make written representations to the panel appointed under Rule 35(1) on a decision to which the appeal relates.

(4) A person to whom a notification is given under paragraph (1)(b) is entitled to provide that panel with a written explanation of the reasons for the decision which that person made.

(5) Representations under paragraph (3) or an explanation under paragraph (4) must be made within 28 days of referral of the notice of appeal.

(6) A person to whom a notification is given under paragraph (2) is entitled to make written representations to the panel appointed under Rule 35(2) on the question of whether the panel should consider the appeal.

(7) Representations under paragraph (6) must be made within seven days of the notification under paragraph (2) being given.

(8) A notification under paragraph (1) or (2) must include an explanation of the entitlement to make representations or an explanation (as the case may be).

(9) Once a notice is referred under this Rule, the appellant may withdraw it only with the consent of the panel appointed under Rule 35 to decide the matter.

**Full election appeal: parties**

**34.**—(1) On a full election appeal, each of the following is a party to the appeal (in addition to the appellant)—

- (a) any person to whom a notification is given under Rule 33(1)(b), and
- (b) each relevant person.

(2) Each of the following is a relevant person—

- (a) on an appeal under Rule 24(2), any person to whom a notification is given under Rule 33(1)(c);
- (b) on an appeal under Rule 26(1)(c), the person whose election is the subject of the appeal;
- (c) on an appeal under Rule 26(2), any person to whom a notification is given under Rule 33(1)(a).

**Full election appeal: appeal panel**

**35.**—(1) An archbishop must, within 28 days of receiving notice of a full election appeal, appoint a Chair and two other persons to serve as a panel to consider the appeal.

(2) An archbishop must, within 28 days of receiving a purported notice of a full election appeal, appoint a Chair and two other persons to serve as a panel to decide whether, even though the purported notice of appeal was given out of time, the panel will nonetheless consider the appeal.

(3) In making appointments under this Rule, the archbishop must be satisfied that the persons appointed, taken together, have suitable legal or other expertise or experience.

(4) A person may not be appointed under this Rule if the person—

- (a) is an elected member of the Upper House of the Convocation to which the appeal relates, or
- (b) might otherwise have a benefit from the outcome of the election.

(5) Once a panel is appointed under this Rule, the appellant may withdraw the appeal only with the consent of the panel.

**Full election appeal: preliminary assessment**

**36.**—(1) A panel appointed under Rule 35(1) must conduct a preliminary assessment of the appeal.

(2) A preliminary assessment of an appeal is an assessment of whether there are arguable grounds of appeal; and, in conducting a preliminary assessment, the panel may consider only—

- (a) the notice of appeal and any accompanying written submissions, and
- (b) any representations or explanation made in accordance with Rule 33(5).

(3) If the panel considers that there are arguable grounds of appeal, the appeal stands referred to the panel for consideration and determination under Rules 38 and 39.

(4) If the panel considers that there are no arguable grounds of appeal, the appeal is dismissed.

(5) The panel's decision on the preliminary assessment is final.

(6) The panel must give a written notification to the parties to the appeal of the decision on the preliminary assessment of the appeal and the reasons for the decision.

(7) The panel's decision and the reasons for the decision must be published on the Church of England website at the same time as the parties are notified of the decision.

#### **Full election appeal: appeal out of time**

**37.—**(1) A panel appointed under Rule 35(2) may decide to consider the appeal only if, having regard to all the circumstances, it is satisfied that there is a good reason to allow the appeal to proceed.

(2) The matters which the panel considers in making that decision must include—

(a) the purported notice of appeal and any accompanying written submissions (whether on the question of why notice of appeal was not given within the required period or on any other point), and

(b) any representations made in accordance with Rule 33(7).

(3) Where the panel decides to consider the appeal—

(a) the period specified in this Part for giving notice of appeal in that case is to be treated as having been extended so far as necessary,

(b) the appeal is to be treated as having been referred to the panel for decision, and

(c) the panel must ensure that each notification required under Rule 33(1) is given to the person concerned (and, once that has been done, Rule 33(3) to (5) and (7) applies in relation to the notification).

(4) Where the panel has decided to consider the appeal and the period for making representations in accordance with Rule 33(5) has expired, the panel may proceed to conduct a preliminary assessment of the appeal under Rule 36.

(5) The panel must give a written notification to the parties to the appeal of the decision on whether the panel will consider the appeal and the reasons for the decision.

(6) The panel's decision and the reasons for the decision must be published on the Church of England website at the same time as the parties are notified of the decision.

#### **Full election appeal: consideration of matters at issue**

**38.—**(1) The panel to which an appeal is referred under Rule 35 must, in deciding the matter at issue, consider all the circumstances; and for that purpose, the panel—

(a) may inspect documents or other papers relating to the subject-matter of the appeal, and

(b) is entitled to be provided with such information relating to the appeal as it may require.

(2) The panel must give each party to the appeal an opportunity—

(a) to appear before the panel in person or by a legal or other representative, or

- (b) if that party does not wish to take that opportunity, to make written representations on the matter at issue.

(3) A hearing under paragraph (2)(a) is to be held in public unless the panel, having regard to all the circumstances, is satisfied that it would be in the interests of justice for the hearing to be held in private.

#### **Full election appeal: determination**

**39.**—(1) On a full election appeal, the panel must decide whether the grounds of the appeal are established to the panel's satisfaction.

(2) On an appeal under Rule 24, the panel, having decided whether the person in question is qualified to vote in the election concerned, must give whatever directions the panel thinks necessary.

(3) Where the panel decides that the election as a whole is void, it must—

- (a) direct that a fresh election is to be held, and
- (b) give whatever further directions it thinks necessary.

(4) Where the panel allows the appeal but does not decide that the election as a whole is void, it must give whatever directions it thinks necessary.

(5) The panel on a full election appeal must otherwise do one of the following—

- (a) decide that the matter at issue amounts to a minor infringement which did not affect the outcome of the election and that the appeal should accordingly be dismissed;
- (b) decide that the matter at issue amounts to a procedural irregularity in the conduct of the election but that the appeal should nonetheless in all the circumstances be dismissed;
- (c) decide that the appeal is wholly without merit and should accordingly be dismissed.

#### **Determination of appeal: general**

**40.**—(1) The decision on an appeal under this Part is final as to the matters at issue.

(2) Accordingly, a full appeal may not be brought in a case on grounds to the same effect as grounds on which a summary appeal was brought in that case.

(3) The relevant judge or the panel which made the decision on an appeal under this Part must give a written notification to the parties to the appeal of the decision and the reasons for the decision.

(4) Where the direction that a fresh election is to be held is given under Rule 31(5)(a) or 39(3)(a), the date on which the direction is given is the date on which a casual vacancy occurs for the purposes of Part 4.

(5) The relevant judge or the panel on an appeal under this Part may direct that a party to the appeal must pay the whole or part of the expenses of the relevant judge or the panel; and a direction under this paragraph must specify the amount which the party must pay.

(6) The panel's expenses, in so far as they are not paid under paragraph (5), are to be paid by the Archbishops' Council.



PART 6  
MISCELLANEOUS

**Term of office**

**41.** The term of office of an elected member of the Upper House of Convocation of either province ends with the next dissolution of the Convocations; but that does not prevent the person from doing either of the following during the dissolution—

- (a) acting under Article 3(4) of the Constitution of the General Synod (under which a person may continue to act as a member of a body of the Synod);
- (b) continuing to be an ex officio member of a body constituted under the Church Representation Rules.

**Communicating by email**

**42.—**(1) A communication sent by email is to be treated as being in writing if it is received in a form which is legible and capable of being used for subsequent reference.

(2) Where a communication is sent to a person by email at the most recent address provided by that person, it is to be treated as having been given to the person at the time at which it is sent.

**Power of archbishop to make supplementary provision etc.**

**43.—**(1) For the purpose of ensuring that the provisions of these Rules are carried out, the archbishop of the province concerned may exercise the following powers.

(2) The archbishop may make provision for any matter not provided for in these Rules.

(3) The archbishop may appoint a person to do something in respect of which there has been neglect or default by the person required by these Rules to do that thing.

(4) The archbishop may, so far as necessary for giving effect to the intention of a provision of these Rules—

- (a) extend or alter the time for holding an election, other than one to fill a casual vacancy;
- (b) modify the procedure for an election, other than one to fill a casual vacancy.

(5) In a case in which there has been no valid election, the archbishop may—

- (a) direct that a fresh election is to be held, and
- (b) give further directions.

(6) Where difficulties arise, the archbishop may (subject to paragraph (4)) give directions for removing these difficulties.

(7) This Rule does not authorise an archbishop—

- (a) to validate anything that was invalid when it was done, or
- (b) to give a direction that is contrary to a resolution of the General Synod.

(8) Where a direction is given under paragraph (5)(a), the date on which it is given is the date on which a casual vacancy occurs for the purposes of Part 4.

**Delegation by archbishop**

**44.**—(1) During a vacancy in an archbishopric, or where an archbishop is unable to exercise functions as such under these Rules, the functions are exercisable by the most senior diocesan bishop in the province who is able to exercise the functions.

(2) For the purposes of paragraph (1), the seniority of diocesan bishops is to be determined in accordance with section 67 of the Ecclesiastical Jurisdiction Measure 1963.

**Revocation**

**45.** The Convocations (Election to Upper House) Rules 2020 are revoked.

Made this ..... day of .....2025

*Signature*