



THE DIOCESE OF
PETERBOROUGH

PETERBOROUGH DIOCESAN SYNOD

STANDING ORDERS

Also containing other regulations
governing the functions, membership
and procedures of the Synod



THE CHURCH
OF ENGLAND

PETERBOROUGH DIOCESAN SYNOD

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FOREWORD

Background

There is a threefold regulatory structure governing the functions, membership and procedures of diocesan synods:

- The fundamental legislation is the **Synodical Government Measure 1969** ("the Measure"), Section 4 of which addresses diocesan synods.
- Schedule 3 to the Measure sets out the **Church Representation Rules** ("the Rules") and Part IV of the Rules makes provisions for diocesan synods. The Rules are amended from time to time: the 1996 edition, published in April 1996, states the rules as at 1 May 1996.
- Rule 34(1) of the Rules requires diocesan synods to make **standing orders** which further regulate the procedures of diocesan synods.

Structure of this booklet

Part A (the blue pages) contains the standing orders for use in the Peterborough Diocesan Synod. These were adopted for use within the Diocese of Peterborough by resolution of the Diocesan Synod in June 1997 and take effect from 1 August 1997. These standing orders are consistent with the provisions of the Rules and in particular with Rule 34(1).

Part B (the gold pages) gives selected relevant extracts from the Measure, setting out the constitution and functions of diocesan synods. Section 4 (2) is a succinct statement of the fundamental purpose of the diocesan synod.

Part C (the green pages) contains relevant extracts from the Rules, as currently in force. The text and paragraph numbering reflect those of the Rules, save that references in the rules to bodies and persons outside the Diocese of Peterborough, being superfluous for this purpose, are omitted.

PART A: STANDING ORDERS FOR DIOCESAN SYNOD

STANDING ORDERS FOR DIOCESAN SYNOD

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DIOCESE OF PETERBOROUGH
STANDING ORDERS FOR DIOCESAN SYNOD

Definitions and interpretation

Names of office-holders and bodies appearing in capital letters mean persons and bodies in the Diocese of Peterborough. Thus "the Bishop" means the Lord Bishop of Peterborough; "the Registrar" means the Registrar of the Diocese; "the Synod" means the Peterborough Diocesan Synod; "the Chairman" means the chairman of the Synod; "the Secretary" means the secretary of the Synod appointed under Standing Order 9; "Member" means a member of the Synod; "the Bishop's Council" means the Bishop's Council and Standing Committee of the Synod constituted under Standing Order 73; "the Board" means the Diocesan Board of Finance.

The terms "House" and "Houses" mean each or all of the House of Bishops, the House of Clergy and the House of Laity of the Synod, as the context so requires. The masculine form embraces the feminine.

Footnotes at the foot of a page are for the convenience of readers and do not constitute an integral part of these Standing Orders. "Rules" means the Church Representation Rules, 1996 edition; the abbreviation "R" means a rule or rules thereof.

MEMBERSHIP OF THE SYNOD

Roll of Members

1. The Secretary shall keep a roll of Members constantly up to date.

Procedure for co-options

2. The Bishop's Council shall have the right to nominate persons for co-option by the House of Clergy or the House of Laity or otherwise to determine who else may nominate such persons but in other respects the procedure for co-opting Members shall be determined by the respective Houses.

Participation by non-Members

3. Any person not being a Member but attending the Synod by invitation of the President may, with the permission of the Chairman, address the Synod but shall have no right to move any motion or amendment or to vote.

TERM OF OFFICE OF CO-OPTED AND NOMINATED MEMBERS

4. Unless the House concerned or the President, as the case may be, fixes a shorter period of office, co-opted and nominated Members shall retire on the last date for the return of results in the triennial elections.¹

ELECTION OF VICE-PRESIDENTS

5. Before the first meeting of the Synod after the triennial elections [1] and, where a casual vacancy occurs, as soon as reasonably practicable thereafter, each of the Houses of Clergy and Laity or, where appropriate, the one House concerned shall hold a special meeting to elect one of its members to be a Vice-President of the Synod. A Member of the appropriate House appointed by the President shall act as chairman for such meeting. Whoever so presides shall have a vote in the election and in the case of an equality of votes the decision shall be taken by lot.

¹ R31 (1) refers.

CHAIRMAN OF MEETING

Meetings of the Synod

6. The President, unless on any occasion he nominates one of the Vice-Presidents or another Member to take the chair, shall be chairman at meetings of the Synod.

Separate meetings of the Houses

7. The President and each Vice-President shall be chairman of the House of which he is a Member and shall preside over its meetings. In the event of his not being available, the House shall elect a chairman for that meeting.

Powers of chairman

8. Subject to these Standing Orders and the directions of the President, the procedure of the Synod and its Houses shall be regulated by the respective chairman of each.

OFFICERS

Secretary

9. The Synod shall appoint a secretary ("the Secretary"), being either salaried or honorary, who shall:
 - (a) be responsible for the administrative arrangements for meetings of the Synod;
 - (b) be in attendance at such meetings;
 - (c) prepare the draft agenda papers and minutes of the Synod;
 - (d) act as secretary of the Bishop's Council;
 - (e) circulate to all Members and the joint chairmen of every Deanery Synod a report on the proceedings of each session; and
 - (f) perform such other duties as the Synod shall reasonably assign to him.

Assistant secretary

10. The Bishop's Council may appoint an assistant secretary.

Registrar

11. The Registrar or, in the event of his absence or incapacity, the Deputy Registrar where appointed shall be the legal adviser to the Synod and, when required, shall attend the meetings of the Synod, its Houses and the Bishop's Council.

Terms of appointment

12. Subject to any statutory provision and to these Standing Orders, the terms and conditions of service on which officers are appointed shall be determined by the Bishop's Council, after consultation with the Diocesan Board of Finance.

MEETINGS OF THE SYNOD

By whom convened

13. The Synod shall meet upon the summons of the President.

When and where held

14. The President shall summon not less than two meetings in each year at such time and places as he shall direct after consulting the Bishop's Council.

Meetings by request

15. If either the Bishop's Council by resolution so requests or if the President receives a requisition for that purpose signed by not less than thirty members, the President shall summon a meeting of the Synod which shall be held within eight weeks following the resolution or request unless a later date was specified in the resolution or request.

Notice of ordinary meetings

16. The date, time and place of ordinary meetings of the Synod, when fixed, shall be announced to Members as soon as possible in such manner as the President shall approve; provided that not less than six weeks before each meeting a notice thereof specifying any business proposed to be transacted thereat and inviting other business shall be posted or delivered to every Member and to both chairmen of every Deanery Synod.

Notice of special meetings

17. In case of sudden emergency or other special circumstances a meeting may be convened at not less than seven days' notice, but the quorum for the transaction of any business at such a meeting shall be a majority of the Members of each House and only business specified in the notice may be transacted.

Form of notice

18. Every notice under Standing Orders 16 and 17 shall be in writing and signed by the Secretary.

SEPARATE MEETINGS OF THE HOUSES

When and where held

19. Each House shall meet separately when:
 - (a) it is required so to do under these Standing Orders; or
 - (b) it has so decided in accordance with these Standing Orders; or
 - (c) the chairman of the House has so directed; or
 - (d) the Synod has so directed;

and, subject to any directions by the Synod or the House concerned, the date, time and place of any separate meeting shall be fixed by the chairman of that meeting or, in the event of his not being available, by the President.

AGENDA

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20. Subject to these Standing Orders and any resolution of the Synod, and without prejudice to the rights of individual members to a reasonable opportunity within the time available of bringing matters before that Synod, the Bishop's Council shall settle the agenda for each meeting of the Synod, specifying therein all business of which due notice has been received and which is in order, and shall determine the order in which the business so included shall be considered.

Circulation

21. The Secretary shall post or deliver an agenda paper to every Member, and to the joint chairmen of every Deanery Synod, 21 days at least before a meeting, or, in the case of a special meeting called under Standing Order 17 at less than 21 days' notice, at the same time as the notice.

Business permitted to be considered

22. Save for urgent or other specially important business added thereto by direction of the President, and such matters as may arise therefrom, no business shall be considered at a meeting other than that specified in the agenda (or any notice paper relating thereto) or arising from business so specified.

Order of business

23. In considering the order of business, the Bishop's Council shall give special consideration to items

- (a) brought before the Synod at the request or direction of the President; or
- (b) referred to the Synod by the General Synod or by a Deanery Synod;

and may also allot special times at which such items shall, unless previously disposed of, be taken and set time-limits for debates on any motions, where it considers this to be necessary.

Varying the order of business

24. The order of business may be varied by resolution of the Synod or, unless any Member objects, by the Chairman.

NOTICE OF BUSINESS

Form of notice

25. Subject to Standing Order 17, notice of any business for a meeting of the Synod shall be in writing, signed and delivered to the Secretary by hand or by post not later than the period before the meeting which is specified in Standing Order 26.

Length of notice

26. The following periods of notice shall be required:

New business for the agenda	35 days
Motions and amendments arising from the agenda	7 days
Questions under Standing Order 70	7 days

When not required

27. Notice of the following business shall not be required:

- (a) a motion moved by permission of the Chairman; provided that, unless the Chairman otherwise permits, the full text of such motion shall be made available to Members in a notice paper before it is moved;
- (b) an amendment to a motion, provided that:
 - (i) if the mover of the amendment has previously spoken on the motion he shall move any amendment thereto formally and without speech; and
 - (ii) where no agenda or notice paper containing the text of the amendment has been made available to Members at the time when the amendment is to be moved, such amendment may only be moved by the permission of the Chairman;
- (c) business adjourned under Standing Order 54 or 55 to a specified time or meeting;
- (d) a procedural motion specified in Standing Order 51 (subject as provided in that Standing Order);
- (e) a supplementary question by a Member who has asked a question under Standing Order 70.

GENERAL RULES OF DEBATE

Quorum

28. The President or his duly appointed commissary² and one-third of the Members of each House shall form a quorum of the Synod which shall be necessary for the consideration of all business except:
- (a) the adjournment of the Synod under Standing Order 54;
 - (b) the adjournment of a debate under Standing Order 55; or
 - (c) a special meeting held under Standing Order 17.

If quorum not present

29. If a quorum is not present, the Chairman shall adjourn the Synod until such time as he shall determine. Any Member may call the attention of the Chairman to the absence of a quorum at any time before the question is put on a motion or amendment. A quorum shall thereafter be deemed to be present and it shall not be in order to query again the presence of a quorum until after the Chairman has conclusively announced the result of the vote on that question.

Order of speeches

30. The Chairman shall call upon Members who desire to speak and may require them to give their names to the Secretary in writing. He shall also determine the order in which they speak.

Breach of order

31. The Chairman shall call a Member to order for failure to address the chair, irrelevance, tedious repetition of arguments previously put forward by the same or any other Member, unbecoming language, disregard of the authority of the Chairman, or any other breach of order, and may order the Member to end any speech which he is making.

Points of order

32. A Member may submit a point of order under these Standing Orders at any time and for this purpose may interrupt another speaker. A Member rising to a point of order shall state what he has to say in the form of a succinct question.

Personal explanations

33. A Member may ask permission to interrupt a debate to make a personal explanation but only so as to correct an important misunderstanding of fact during that debate with regard to what he has said, or to explain some matter of strictly personal concern, and for this purpose may interrupt another speaker. Such permission shall be given only if any person interrupted consents and if, in the opinion of the Chairman, the debate is likely to benefit from such an explanation.

Interruptions otherwise not permitted

34. Save as provided in Standing Orders 32 and 33, the interruption of a speech (by question, point of information or otherwise) shall not be permitted, but where it occurs in breach of this Standing Order, it shall be reckoned as a speech on the question before the Synod and shall preclude the interrupter from speaking further on that question. The ruling of the Chairman on a point of order or the admissibility of a personal explanation shall not be open to question.

Speaking to a motion

35. A Member shall not speak unless upon a motion or amendment save as provided in Standing Orders 32, 33 and 70.

² R53 (7) to (10) refer.

Speaking more than once

36. A Member shall not speak more than once upon the same question, except:
- (a) as provided in Standing Orders 32 and 33;
 - (b) by permission of the Chairman and with the consent of the Synod;
 - (c) the mover of a motion (but not an amendment) may reply; such reply shall not introduce any new matter and shall close the debate;
 - (d) the mover of an amendment to a Standing Order may speak twice.

Length of speeches

37. Save as provided in these Standing Orders, no speech shall exceed five minutes or, in the case of a member introducing a report or a motion, ten minutes, but the Chairman may, at any time, lengthen or shorten either of these periods; provided that he shall inform the Synod of his ruling, which shall not be open to debate or question.

Moving motions or amendments

38. (a) Every matter debated in the Synod shall have been moved by a Member.
- (b) A motion or amendment which, when called by the Chairman, is not moved by the Member who has given notice thereof may be moved by some other Member in his stead.

Withdrawal

39. A motion or amendment, once moved, may be withdrawn by the mover or at his request, unless more than five members object.

Reconsideration and rescission

40. No motion or amendment to the same effect as, or dependent on, one which has been rejected within the preceding twelve months and no motion to rescind a resolution passed within the same period shall be proposed without leave by the Bishop's Council.

Division of text

41. The Chairman may, with the consent of the mover, divide any motion or amendment in such manner as to enable the Synod to express its judgment separately upon part of the motion or amendment so divided.

Reference-back motions not permitted

42. During the debate on any motion it shall not be in order to move a further motion to refer back that motion or any recommendation to which it relates but if otherwise permissible an amendment to this effect may be moved. Where a motion so amended is carried but specifies no one to whom the matter is to be referred, this question shall be decided by the Bishop's Council. No amendment shall be moved for the reference back of any matter referred to the Synod by the General Synod.

Special powers of Chairman

43. Unless the Synod otherwise provides, the Chairman shall:
- (a) adjourn the Synod at the hours fixed in accordance with these Standing Orders;
 - (b) adjourn the debate on any question at the hour fixed for the commencement of other business in accordance with Standing Order 23; and
 - (c) close the debate on any motion at the hour appointed in accordance with Standing Order 23, whether or not there are other Members who still desire to speak, and thereupon the provisions of Standing Order 56 (b) shall apply.

AMENDMENTS

When permitted

44. Except as provided in Standing Order 45, any Member may move an amendment to a motion which has been duly moved and such amendment shall be disposed of before that motion is put or any further amendment is moved.

When not permitted

45. Amendments to the following shall not be permitted:
- (a) a procedural motion under Standing Order 51;
 - (b) a motion to receive the report of a committee under Standing Order 90; and
 - (c) a motion under Standing Order 97(a) in reply to any question referred by the General Synod.

Amendments to amendments

46. No amendment may be moved to an amendment, except by permission of the Chairman.

Delivery in writing

47. Before an amendment is moved, a copy thereof in writing shall be delivered to the Secretary, unless this requirement is dispensed with by the Chairman.

Form of amendments

48. An amendment may be made:
- (a) by leaving out words; or
 - (b) by leaving out words in order to insert other words; or
 - (c) by inserting or adding words.

Content

49. An amendment shall be relevant to and shall not have the effect of negating the main motion or amendment.

Order of consideration

50. Amendments shall be moved and put to the vote in the order in which they first affect the main motion or amendment to which they relate, and if more than one amendment has been received affecting the same place in that motion or amendment, they shall be moved and put to the vote in the order determined by the Chairman. By his permission, during the debate on an amendment, other amendments may be discussed but not moved.

PROCEDURAL MOTIONS

Content

51. Subject to these Standing Orders, the following procedural motions may, with the consent of the Chairman, be moved with or without notice, but not so as to interrupt the speech of any member:
- (a) "That the Synod do pass to the next business" ("next business");
 - (b) "That the Synod do now adjourn" ("adjournment of the Synod");
 - (c) "That the debate be now adjourned" ("adjournment of debate");
 - (d) "That the debate be now closed" ("the closure");
 - (e) "That all further speeches on this question be limited to ... minutes" ("speech limit");
 - (f) a motion to vary the order of business;
 - (g) a motion to suspend a Standing Order.

When not permitted

52. A motion shall not be moved:

- (a) for next business, the closure or a speech limit on a question referred to the Synod by the General Synod;
- (b) for next business on an amendment or another procedural motion.

Next business

53. The following rules of debate shall apply in respect of next business motions:

- (a) The motion may be moved either in the form "That the Synod do forthwith pass to the next business" or in the form "That the Synod do pass to the next business before the question is put".
- (b) A motion for next business shall take precedence over all amendments of which notice has been given.
- (c) If such motion is carried, the original motion shall lapse either forthwith or before the question is put, as the case may be, and not be reconsidered during the same meeting of the Synod.
- (d) If negatived, such motion shall not be moved again on the original motion unless that motion be substantially amended.
- (e) During discussion on a motion "That the Synod do pass to the next business before the question is put" it shall be in order to debate the merits of the original question.

Adjournment of the Synod

54. The following rules of debate shall apply in respect of motions moving the adjournment of the Synod:

- (a) The motion to adjourn may, but need not, specify a time for the next sitting of the Synod or the resumption of the business interrupted.
- (b) The mover shall be allowed to speak for not more than three minutes; the mover of the original motion, if any, or, if not, some other member may speak for not more than three minutes in reply; the question shall then be put without further debate.
- (c) If the motion to adjourn is carried and the Synod has not, by the same resolution, appointed a time for its next sitting, such sitting shall be held at the time appointed in accordance with Standing Order 14.
- (d) Subject to any resolution of the Synod, the business interrupted shall be resumed at the next meeting.
- (e) If negatived, the adjournment of the Synod shall not be moved again, except by permission of the Chairman, until a further hour has elapsed.

Adjournment of debate

55. Standing Order 54 shall, unless the context otherwise requires, apply also to motions moving the adjournment of the debate, save that:

- (a) If such motion is carried and the Synod has not, by the same or a later resolution, appointed a time for resuming the interrupted debate, it shall be resumed only by direction of the Bishop's Council.
- (b) If the question adjourned is an amendment, the debate on the main motion shall also stand adjourned.

The closure

56. The following rules of debate shall apply in respect of motions moving the closure:

- (a) If such motion is permitted by the Chairman, it shall be put forthwith without discussion.
- (b) If the closure is carried, the Member, if any, who has a right of reply on a motion superseded by the closure shall be given an opportunity to speak for not more than five minutes in reply, and the motion or amendment shall be put without further debate.

Speech limit

57. The following rules of debate shall apply in respect of motions moving a speech limit:

- (a) If this motion is permitted by the Chairman, it shall be put forthwith without discussion.
- (b) Notwithstanding the time limits imposed by Standing Order 37, on this motion being carried, no speech shall exceed the number of minutes specified therein, but the Chairman may, for any special reasons of which he shall be the sole judge, allow a longer or shorter time to any Member; provided that when so doing the Chairman shall inform Members of his ruling and in exercising his discretion shall have particular regard to any Member who has a right of reply to the debate.

Suspension of Standing Order

58. After notice or, by permission of the Chairman, without notice, a Member may move that a Standing Order be suspended during a particular debate or meeting. Such motions shall not be deemed to have been carried unless at least three-fourths of those Members present and voting are in favour.

VOTING

Assent of three Houses

59. Subject to the two next following Standing Orders, nothing shall be deemed to have the assent of the Synod unless the three Houses which constitute the Synod have assented thereto, but if, in the case of a particular question (except a matter referred to the Synod by the General Synod under the provisions of Article 8 of the Constitution³ of that Synod.), the President (if present) so directs, that question shall be deemed to have the assent of the House of Bishops only if the majority of the members of that House who assent thereto includes the President.

Procedure for decisions

60. Questions relating only to the conduct of business shall be decided by the votes of all the members of the Synod present and voting, and every other question shall be decided in like manner, the assent of the three Houses being presumed, unless the President (if present) requires, or any ten members require, that a separate vote of each House be taken.

Matters referred under Article 8

61. If the vote of the Houses of Clergy and Laity are in favour of any matter referred to the Synod by the General Synod under the provisions of Article 8 of the Constitution³ of that Synod, that matter shall be deemed to have been approved for the purposes of the said Article.

³ See Part B page B2 for the relevant text of this enactment.

Voting by Houses

62. A separate vote of each House shall be taken:

- (a) on any question referred to the Synod by the General Synod; and
- (b) on any other question (except a question relating to the conduct of business) where a separate vote is required under Standing Order 60.

Majority required for decisions

63. Subject to any statutory requirements, decisions of the Synod when no separate vote is taken by each of the Houses shall require the votes of a majority of all the Members of the Synod present and voting; and decisions of the Synod when a separate vote is taken by each of the Houses shall, subject as aforesaid and to Standing Order 59, require the votes of a majority of all the members of each House present and voting; provided that a motion to suspend a Standing Order shall require the votes of at least three-fourths of the members of the Synod present and voting.

Equal voting in House of Bishops

64. Where there is an equal division of votes in the House of Bishops, the President shall have a second or casting vote.

Opinion of President

65. The President shall have a right to require that his opinion on any question shall be recorded in the minutes.

Voting rights of Chairman

66. The Chairman (subject to the rights of the President when he is chairman) shall have the same voting rights as other members and shall have no second or casting vote.

Mode of voting

67. The Chairman, on putting any question to the vote, shall take a show of hands, the result of which as announced by him shall be conclusive, and may at his discretion order the hands to be counted and shall do so on a vote by Houses.

Requests for separate voting

68. Where the President requires, or any ten members require, a separate vote of each House, or where the President gives a direction under Standing Order 59 (that his assent shall be necessary to carry a proposal in the House of Bishops), such requirement or direction shall be made or given before the question is put or immediately upon the announcement of the result of a show of hands, whether counted or not.

Procedure for count of hands

69. The counting of hands on a separate vote of each House shall be conducted in accordance with instructions to be issued from time to time by the Bishop's Council, and, subject thereto, the administrative arrangements for each count shall be made by the Secretary under the direction of the Chairman.

QUESTIONS

To whom addressed

70. Subject to due notice under Standing Orders 25 and 26, a question may be asked of:

- (a) any officer of the Synod referred to in these Standing Orders;
- (b) the chairman of any body constituted by the Synod or on which it is represented;

provided that the person asked may, without reason given, refuse to answer that question. A Member may ask up to two original questions at any one meeting and any Member who has asked a question may ask one supplementary question in respect of each such original question.

Content

71. A question, if addressed to an officer, shall relate to the duties assigned to him and, if addressed to the chairman of any body, to the business of that body. Questions shall not ask for an expression of opinion or for the solution of either an abstract legal question or a hypothetical problem, and shall be otherwise in order.

Persons authorised to reply

72. If the person of whom the question is asked is a Member or officer of the Synod, he shall reply personally and, if not, the reply may be given by a Member or officer, as the case may be, nominated by the President; provided that:
- (a) the President may instruct the Secretary to reply on his behalf; and
 - (b) a Member who is absent may authorise another Member to deputise for him.

THE BISHOP'S COUNCIL AND STANDING COMMITTEE

Composition

73. There shall be a Bishop's Council and Standing Committee of the Synod (referred to in these Standing Orders as "the Bishop's Council") which shall consist of:
- (a) the following ex-officio Members:
 - the Lord Bishop of Peterborough;
 - the Bishop of Brixworth;
 - the Dean of the Cathedral Church of St Peter, St Paul and St Andrew;
 - the Archdeacon of Northampton;
 - the Archdeacon of Oakham;
 - the Vice-Presidents elected under Standing Order 5;
 - the Chairman of the Diocesan Board of Finance;
 - (b) six clerical and eight lay Members, elected in such manner as the Bishop's Council may from time to time determine, provided that each Archdeaconry is represented by at least one clerical and one lay member;
 - (c) not more than three persons co-opted by the Bishop's Council, the term of office of the persons so co-opted expiring contemporaneously with the term of the elected Members of the Bishop's Council as provided for in Standing Order 74.

Elections to Bishop's Council

74. The elected Members of the Bishop's Council shall be elected by the House of which each is a Member, as soon as practicable after the election of a new Synod, and shall retire on the election of their successors or on ceasing to be qualified. The procedure for their election shall be as provided in Standing Orders 82 to 86.

Officers

75. The officers of the Bishop's Council shall be as follows:
- (a) the President, who shall be chairman of the Bishop's Council;
 - (b) a member of the Bishop's Council nominated by the President with the consent of the Committee, who shall be vice-chairman of the Bishop's Council;
 - (c) the Secretary, who shall be secretary of the Bishop's Council.

Functions

76. The functions of the Bishop's Council shall be:

- (a) to plan the business of the Synod, to prepare the agenda for its sessions, and to circulate to Members information about matters for discussion;
- (b) to initiate proposals for action by the Synod and to advise it on matters of policy which are placed before it;
- (c) to advise the President on any matters which he may refer to the Council;
- (d) subject to the directions of the Synod, to transact the business of the Synod when it is not in session;
- (e) to appoint members of committees or nominate members for election to committees, subject to the directions of the Synod; and
- (f) to carry out such other functions as the Synod may delegate to it.

OTHER COMMITTEES

Statutory Committees

77. The Synod shall establish such committees or other bodies as may be required by law (hereinafter referred to as "Statutory Committees") with such membership, functions and procedures as may be provided in the relevant enactment. Subject thereto, these Standing Orders shall apply to Statutory Committees.

Committees other than Statutory Committees

78. The Synod may at any time constitute such other committees as in the opinion of the Synod are necessary or desirable and may delegate to a committee so constituted, with or without conditions, such functions of the Synod as it thinks fit.

Membership of committees

79. Subject to any directions of the Synod and to any statutory provision, the Bishop's Council shall determine the number of the members of a committee and whether they shall be appointed or elected. A committee may include persons who are not Members of the Synod; provided that a majority of the members of the committee shall be Members of the Synod. The President or a Member nominated by him, being either a suffragan bishop or an archdeacon, shall be a member of every committee.

Duration of membership

80. The Bishop's Council may, subject to these Standing Orders and any resolution of the Synod, at any time dissolve a committee or alter the number of its members or its composition, and shall determine the term of office of its members.

Sub-committees

81. Every committee constituted by the Synod may appoint sub-committees for such purposes as it thinks fit.

Electors

82. Any elected members of a committee may be elected by the whole Synod without discrimination as to Houses or by the three Houses voting separately. In the absence of any direction by either the Synod or the Bishop's Council, they shall be elected by the whole Synod.

Nominations for election to committees

83. Every nomination for election to a committee shall require a proposer and seconder who shall be qualified electors but the Bishop's Council may (except in an election to itself) collectively nominate candidates. Nominations shall be in writing and accompanied by signed evidence of the candidate's willingness to serve and shall be delivered to the Secretary within such period (not being less than 14 days) as he shall specify. If the number of nominations is no more than that of the seats to be filled, all the candidates shall be declared elected.

Voting in elections

84. If the number of nominations to a committee exceeds the number of seats to be filled an election shall be held in accordance with the next following rules:
- (a) The names of the candidates shall be circulated to every qualified elector on a voting paper which when marked and signed shall be returnable to the Secretary within such period (not being less than 14 days) as he shall specify.
 - (b) Subject to paragraph (c) below, each elector shall have as many votes as there are seats to be filled, but shall not give more than one vote to any one candidate. In the event of an equality of votes the election shall be decided by lot.
 - (c) Where the Synod or Bishop's Council has directed that the election shall be conducted by the method of the single transferable vote, the rules, with the necessary modification, made by the General Synod under Rule 32(9) and for the time being in force shall be used.

Casual vacancies

85. The method by which casual vacancies in any committee or other body may be filled, other than in the case of an ex-officio or co-opted member, shall be included in the constitution governing that committee or other body.

Directions by Bishop's Council

86. The conduct of elections to committees shall, subject to these Standing Orders, be in accordance with any directions by the Bishop's Council.

PROCEDURE OF COMMITTEES

Chairman

87. If the President is a member of a committee he shall be chairman thereof if he so elects or, if he does not elect to be chairman, the committee shall, subject to any direction by the President, Synod or the Bishop's Council, at its first meeting elect a chairman from among its own members. In the absence of the chairman, a chairman for that meeting may be similarly elected.

Quorum

88. Not less than one-third of the total members of a committee shall form a quorum but a committee may act notwithstanding a vacancy in its membership.

Voting

89. Questions submitted to a meeting of a committee shall be decided by a majority of those present and voting, save that in the case of an equality of votes the chairman of the committee shall have a second or casting vote.

Reports

90. (a) Every permanent body responsible to the Synod shall lay before it annually a concise report (an "annual report") as to the action taken by it or on its behalf under its terms of reference. The only motion to be appended to such a report shall be "that the Synod do take note of this report".

- (b) Any matter on which it is proposed to submit a particular recommendation to the Synod or on which, in the opinion of the body concerned or of the Bishop's Council, debate in the Synod is desirable shall be the subject of a separate report or motion and shall not be included in any annual report.
- (c) The Synod shall be deemed to have formally taken note of an annual report unless not later than fourteen days before the meeting at which the report has been laid, a member of the Synod shall have given notice in writing to the Secretary that he wishes to debate the motion appended to that report. Should such notice have been received, the chairman or other member of the body in question will be called to move "that the Synod do take note of this Report". It shall not be in order to move an amendment to the motion.
- (d) The Bishop's Council shall have power to set a time-limit for the debate on any annual report upon the expiry of which the Chairman shall put the question on the motion.

General

- 91. Subject to these Standing Orders and to any directions by the Synod or the Bishop's Council, a committee shall have power to determine its own procedure.

REPRESENTATION ON OTHER BODIES

- 92. The procedure for appointing or electing representatives to serve on any committees or other bodies which are not Statutory Committees or responsible to the Synod but on which it is required or permitted to be represented shall be determined in each case by the Bishop's Council.

DOCTRINAL MATTERS AND FORMS OF SERVICE

Requirement of early circulation

- 93. If notice is given of a motion, whether or not under Standing Order 97, which raises any question touching doctrinal formulae or the services or ceremonies of the Church of England, the Bishop's Council shall include it on the agenda of the earliest convenient meeting of the Synod; provided that, save by permission of the Chairman and the consent of the Synod, copies of such motion, together with a report thereon by the Bishop's Council, shall be sent to Members at least three months before it is finally voted on by the Synod. For the purpose of this Standing Order the consent of the Synod shall not be deemed to have been given unless in the opinion of the Chairman a large majority of those present and voting has agreed.

REFERENCES BY THE GENERAL SYNOD

When considered

- 94. When a reference is received from the General Synod, whether under Article 8 of the Constitution⁴ of that Synod or otherwise, the Bishop's Council shall include it on the agenda of such meeting of the Synod as the Bishop's Council may consider appropriate, subject to Standing Order 95 below.

Prior notice and documents required

- 95. With regard to any reference from General Synod as provided for in Standing Order 94, Members shall be given at least three months' notice of such reference, unless the Bishop's Council decides to the contrary for any reason; and any report or other document pertaining thereto prepared by or on behalf of either the General Synod or the Bishop's Council of the Synod shall be circulated to all Members.

Consultations within the Diocese

- 96. The Synod, before voting on a reference, may refer any questions arising from it to the Deanery Synods or Parochial Church Councils or Parochial Church meetings in the diocese for the expression of their views.

⁴ See Part B page B2 for the relevant text of this enactment.

Procedure of debate

97. (a) When the reference by the General Synod is in the form of a question requiring the answer Yes or No, the question shall be put to the Synod as a formal motion in the affirmative sense. No amendment shall be in order and a separate vote of each House shall be taken under Standing Order 62. If the motion is defeated, the question shall be decided in the negative.
- (b) When the reference invites a fuller statement of opinion, a motion containing a draft of such statement shall be moved on behalf of the Bishop's Council and amendments to such a motion shall be in order.
- (c) When all motions under the foregoing paragraphs (a) and (b) have been decided, other motions arising therefrom may, if otherwise in order, be moved by any member.

Report on result

98. The decisions on such motions and on any related motions not specifically included in the reference, together with any opinion recorded by the President and the number of votes cast in each House, shall be reported by the Secretary of the Synod to the Secretary of the General Synod.

REFERENCES BY THE SYNOD TO DEANERY SYNODS AND PARISHES

Matters referable

99. The Synod may on the motion of any Member invite all or any Deanery Synods or Parochial Church Councils or Parochial Church meetings in the diocese:
- (i) to express an opinion on or to record approval or disapproval of any matter; or
 - (ii) to supply information within their knowledge; or
 - (iii) to exercise any other functions within their competence;
- and to report to the Synod by a specified date.

Report on proposal to refer matters

100. The Bishop's Council shall report to the Synod on any proposal under the last preceding Standing Order and, if necessary, consideration of such proposal shall be postponed or adjourned until the Bishop's Council has so reported.

Circulation of reference

101. The Secretary of the Synod shall send a copy of any resolution under Standing Order 99 to the Secretary of each body concerned, together with such instructions and other information as the Synod or the Bishop's Council may direct.

Form and date of reply

102. Subject to any direction by Synod, where a reference under Standing Order 99 invites clear approval or disapproval of any proposal, those bodies to whom such reference is sent shall be requested to frame their replies in the common form prescribed by the Bishop's Council and shall be informed of the date for reply which shall normally be not less than three months later than the date of the resolution by the Synod.

Report on replies received

103. At the earliest convenient meeting of the Synod after the period for replies has expired, the Bishop's Council shall report, orally or in writing as it thinks fit, on the outcome of the reference.

MATTERS RAISED BY DEANERY SYNODS AND PAROCHIAL CHURCH COUNCILS AND MEETINGS

Matters raised by Deanery Synods

104. A Deanery Synod may, on a motion moved by a Member of the Synod who represents the Deanery, bring before the Synod any question of general church interest or affecting the Deanery or any parish within the Deanery.

Matters raised by Parochial Church Councils and meetings

105. A Parochial Church Council or Parochial Church meeting may, on a motion moved on its behalf in the Deanery Synod by a member of that Synod who represents the particular Council or meeting, request the Deanery Synod to take appropriate action under Standing Order 104.

Notice to the Synod

106. Notice of a motion to be moved in the Synod under Standing Order 104 shall be given to the Secretary by the secretary or a member of the Deanery Synod.

FINANCIAL BUSINESS

Duties of Bishop's Council

107. The Bishop's Council shall be responsible for advising the President, the Synod and the Diocesan Board of Finance (hereinafter referred to as "the Board") on the determination of priorities in the allocation of any funds at the disposal of the Synod.

Duties of Diocesan Board of Finance

108. The Board, as constituted under the Diocesan Boards of Finance Measure 1925, shall be the financial executive of the Synod and responsible for the custody and management of the Synod's funds and the employment of all persons in receipt of salaries paid directly from those funds.

Preparation of accounts and draft budget

109. Not later than 30 November in each year the Board shall submit to the Bishop's Council a report and accounts for the preceding financial year ended on 31 December and a draft budget for the following year. The Bishop's Council may make to the Board and the Synod such recommendations thereon as it thinks fit.

Presentation of annual accounts and budget

110. Not later than 30 November in each year the Board shall present to the Synod the accounts for the preceding year and the budget for the following year as approved by the Board. The budget shall provide for the expenditure required by every committee and other body responsible to the Synod, subject to any reductions made by the Board on grounds of priority or financial expediency after consultation with the Bishop's Council under Standing Order 109.

Special votes of expenditure

111. If the Board during any financial year anticipates that expenditure sanctioned by the budget for that year will be inadequate because costs of authorised policies have risen or because new policies have been authorised since the budget, or if the Board is so instructed by the Synod, the Board shall submit at any meeting of the Synod, before the end of that year, a supplementary budget together with recommendations as to how the additional expenditure shall be met.

Expenditure in excess of budget

112. In presenting the accounts for the preceding year, the Board shall report any expenditure in excess of that sanctioned by the budget for that year and give the explanation of those responsible, together with the Board's comments and recommendations as to how the excess expenditure shall be sanctioned.

Notice of proposals involving expenditure

113. Except with the consent of the Bishop's Council and the Board or their authorised representatives in the Synod, no motion involving expenditure shall be put to the vote unless thirty-five days' notice of motion has been given to the Bishop's Council and the Board, so as to give opportunity for their views on the proposal to be formulated and expressed during the debate.

Form of money resolutions

114. The Board shall not expend or engage to expend any of the Synod's funds for which it is responsible without the authority of a resolution in the following form (to be known as a "money resolution"): "That the Synod authorise [or direct] the Diocesan Board of Finance to expend a sum not exceeding [a named sum]"; provided that no amendment which would make a motion take the form of a money resolution shall be in order.

Persons authorised to move money resolutions

115. No motion framed as a money resolution shall be moved without a report from the Board.

Inadmissible amendments to money resolutions

116. Save by consent of the Board, an amendment (other than an amendment moved by a Member on behalf of the Bishop's Council) shall be out of order if its effect would be to increase the expenditure which a motion, framed as a money resolution, seeks to authorise.

Reference back of money resolutions

117. A money resolution may be so amended as to provide that the motion be referred back to the Board for further consideration.

GENERAL PROVISIONS

Admission of press and public

118. Subject to any directions by the Synod or the Bishop's Council, any Member may move that the representatives of the press and members of the public shall withdraw during the whole or part of the business before the Synod. If the motion is carried, the Chairman shall request the representatives of the press and the public to withdraw.

Periods of notice

119. Any period of notice required by these Standing Orders shall be deemed to consist of clear days or weeks, not including the date of despatch and the date of the event before which the notice must be delivered.

Procedural defects

120. A meeting of the Synod or any of its committees of which the minutes have been approved and signed shall be deemed to have been duly summoned and held notwithstanding any defect in the procedure for summoning or conducting such meeting and no proceedings thereat shall be invalidated by the accidental omission to give the required notice of the meeting to any member.

Amendment of Standing Orders

121. A motion for the amendment of these Standing Orders shall not be moved before it has been considered by the Bishop's Council. The Bishop's Council shall report to the Synod, orally or in writing as it thinks fit, on the implication of each proposed amendment.

PART B: THE SYNODICAL GOVERNMENT MEASURE 1969

(extracts relating to diocesan synods)

SYNODICAL GOVERNMENT MEASURE 1969 (extracts)

4. Constitution and functions of Diocesan Synods

- (1) Diocesan synods shall be constituted for all dioceses in accordance with Part IV of the Church Representation Rules contained in Schedule 3 to this measure and the transitional provisions contained in Schedule 4.
- (2) **The functions of the diocesan synod shall be:**
 - (a) **to consider matters concerning the Church of England and to make provision for such matters in relation to their diocese, and to consider and express their opinion on any other matters of religious or public interest;**
 - (b) **to advise the bishop on any matters on which he may consult the synod;**
 - (c) **to consider and express their opinion on any matters referred to them by the General Synod, and in particular to approve or disapprove provisions referred to them by the General Synod under Article 8 of the Constitution:**

Provided that the functions referred to in paragraph (a) hereof shall not include the issue of any statement purporting to declare the doctrine of the Church on any question.

- (3) it shall be the duty of the bishop to consult with the diocesan synod on matters of general concern and importance to the diocese.
- (4) Except as may be provided by standing orders or directions of the diocesan synod, the advisory and consultative functions of the synod under subsections (2)(b) and (3) of this section may be discharged on behalf of the synod by the bishop's council and standing committee appointed in accordance with rule 28 of the Church Representation Rules contained in Schedule 3 to this measure, but either the Bishop or the body so appointed may require any matter to be referred to the synod.
- (5) The diocesan synod shall keep the deanery synods of the diocese informed of the policies and problems of the diocese and of the business which is to come before meetings of the diocesan synod, and may delegate executive functions to deanery synods; and shall keep themselves informed, through the deanery synods, of events and opinions in the parishes, and shall give opportunities for discussing at meetings of the diocesan synod matters raised by deanery synods and parochial church councils.
- (6) The General Synod may by Canon or Regulation extend, amend or further define functions of diocesan synods, and if any question arises as to whether any matter falls within the functions of a diocesan synod as laid down by subsection (2) of this section or any such Canon or Regulation relating to that subsection, it shall be decided by the bishop.

Provided that nothing herein shall prevent the bishop from summoning a conference of persons appearing to him to be representative of the clergy and laity of the diocese, on such occasions and for such purposes as he thinks fit.

7. Church Representation Rules

- (1) The rules contained in Schedule 3 to this measure, which may be cited as the Church Representation Rules, shall have effect for the purpose of providing for the constitution and proceedings of diocesan and deanery synods and making further provision for the synodical government of the Church, including the matters hitherto provided for by the Rules for the Representation of the Laity:

Provided that the said rules may at any time be amended by a resolution of the General Synod passed by a majority in each House of not less than two-thirds of those present and voting.

Schedule 2. Article 8 [referred to in Rules 30 (7) (b), 34 (1) (e) and 34 (1) (h)]

1. A Measure or Canon providing for permanent changes in the Services of Baptism or Holy Communion or in the Ordinal, or a scheme for a constitutional union or a permanent and substantial change of relationship between the Church of England and another Christian body being a body a substantial number of whose members reside in Great Britain, shall not be finally approved by the General Synod unless, at a stage determined by the Archbishops, the Measure or Canon or scheme, or the substance of the proposals embodied therein, has been approved by a majority of the dioceses at meetings of their Diocesan Synods or, in the case of the diocese in Europe, of the bishop's council and standing committee of that diocese.
- 1A. If the Archbishops consider that this Article should apply to a scheme which affects the Church of England and another Christian body but does not fall within paragraph 1 of this Article, they may direct that this Article shall apply to that scheme, and where such a direction is given this Article shall apply accordingly.
- 1B. The General Synod may by resolution provide that final approval of any such scheme as aforesaid, being a scheme specified in the resolution, shall require the assent [of]¹ such special majorities of the members present and voting as may be specified in the resolution, and the resolution may specify a special majority of each House or of the whole Synod or of both, and in the latter case the majorities may be different.
- 1C. A motion for the final approval of a Measure providing for permanent changes in any such Service or in the Ordinal shall not be deemed to be carried unless it receives the assent of a majority in each House of the General Synod of not less than two-thirds of those present and voting.

¹ The word 'of' would seem to be required in order to make sense of this paragraph, but it does not appear in the Measure as amended.

PART C: THE CHURCH REPRESENTATION RULES

(extracts relating to diocesan synods)

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CHURCH REPRESENTATION RULES (extracts)

PART IV - DIOCESAN SYNODS

MEMBERSHIP OF DIOCESAN SYNODS

- R30.** (1) A diocesan synod shall consist of a house of bishops, a house of clergy and a house of laity.
- (2) The members of the house of bishops shall consist of the bishop of the diocese, every suffragan bishop of the diocese and such other person or persons, being a person or persons in episcopal orders working in the diocese, as the bishop of the diocese, with the concurrence of the archbishop of the province, may nominate.
- (3) The bishop of the diocese shall be the president of the diocesan synod.
- (4) The members of the house of clergy shall consist of:
- (a) the following ex-officio¹ members, that is to say:
- (i) any person or persons in episcopal orders nominated by the bishop of the diocese, other than a suffragan bishop or a person nominated under paragraph (2) of this rule;
 - (ii) the dean or provost of the cathedral;
 - (iii) the archdeacons;
 - (iv) the proctors elected from the diocese or from any university in the diocese to the lower House of the Convocation of the Province;
 - (v) any other member of that House, being the person chosen by and from among the clerical members or religious communities in the Province, who resides in the diocese;
 - (vi) the chancellor of the diocese (if in Holy Orders); and
 - (vii) the chairman of the diocesan board of finance and the chairman of the diocesan advisory committee (if in Holy Orders);
- (b) members elected by the house of clergy of the deanery synods in the diocese in accordance with the next following rules; and
- (c) not more than five members (being clerks in Holy Orders) co-opted by the house of clergy of the diocesan synod.
- (5) The members of the house of laity shall consist of:
- (a) the following ex-officio¹ members, that is to say:
- (i) the chancellor of the diocese (if not in Holy Orders);
 - (ii) the chairman of the diocesan board of finance and the chairman of the diocesan advisory committee (if not in Holy Orders);
 - (iii) the members elected from the diocese to the House of Laity of the General Synod;

¹ Under paragraph 4 of the Schedule to the Diocesan Board of Education Measure 1991 the chairman of the Diocesan Board of Education is also an ex-officio member of the Diocesan Synod.

- (iv) any other member of that House, being an ex-officio or co-opted member of the House of Laity of the General Synod or a person chosen by and from among the lay members of religious communities in the Province, who resides in the diocese.
 - (b) members elected by the houses of laity of the deanery synods in the diocese in accordance with the next following rules; and
 - (c) not more than five members co-opted by the house of laity of the diocesan synod, who shall be actual communicants of eighteen years or upwards.
- (6) The bishop of the diocese may nominate ten additional members of the diocesan synod, who may be of the clergy or of the laity and shall be members of the appropriate house. Except in regard to their appointment the nominated members shall have the same rights and be subject to the same rules as elected members. Where necessary the bishop's council and standing committee shall designate the deanery synod of which the nominated member shall be a member and, where a nominated lay person is on more than one electoral roll, he shall choose the parochial church council of which he is to be a member.
- (7) No person shall be entitled to be a member of more than one diocesan synod at the same time except:
- (a) the chancellor of the diocese;
 - (b) a suffragan bishop appointed to act as a provincial episcopal visitor for the purposes of the Episcopal Ministry Act of Synod 1993 who, in addition to membership of the diocesan synod of the diocese of which he is a suffragan, may be invited by the bishop of the diocese where he resides to be a member of that diocesan synod in accordance with paragraph (2) or paragraph (4)(a)(i) of this rule provided that he shall exercise his vote on a matter referred by the General Synod under Article 8 of the Constitution² only in the diocesan synod of the diocese of which he is suffragan.
- (8) The registrar of the diocese and any deputy registrar of the diocesan synod shall be disqualified from standing for election to the diocesan synod or from being a nominated, co-opted or ex-officio member of that synod.

ELECTIONS OF MEMBERS OF DIOCESAN SYNODS BY DEANERY SYNODS

R31. (1) The elections of members of the diocesan synods by the houses of clergy and laity of the deanery synods in the diocese shall take place every three years, and the members so elected shall hold office for a term of three years beginning with the 1st August next following their election.

- (2) Any clerk in Holy Orders who is a member of the deanery synod shall be qualified to be so elected by the house of clergy of a deanery synod, and the electors shall be those whose names and addresses are recorded in the register of clerical electors being the persons referred to in rule 24(2) and not including the persons co-opted to the deanery synod under rule 24 (7).

Provided that no clerk shall stand for election by more than one deanery synod.

- (3) Subject to the provisions of rule 1(4), any lay person who is an actual communicant as defined in rule 54(1) of eighteen years or upwards and whose name is entered on the roll of any parish in the deanery or who is a lay person declared by the dean to be an habitual worshipper at the cathedral church of the diocese and to be associated with the deanery, shall be qualified to be so elected by the house of laity of a deanery synod, and the electors shall be those whose names and addresses are recorded in the register of lay electors other than persons co-opted to the deanery synod under rule 24(7).

² See Part B page B2 for the relevant text of this enactment

- (4) The qualifying date for electors under paragraphs (2) and (3) of this rule and when a casual vacancy is being filled shall be 6.00 am on the date on which the nomination papers are issued.
- (5) The register of clerical electors and the register of lay electors shall be open to inspection at the diocesan office and any errors and omissions in the list may be corrected until the close of nominations. Thereafter no names may be added or removed until the declaration of the result of the election and those persons whose names are entered in the register shall be the qualified electors entitled to vote in that election.
- (6) The diocesan synod shall, not later than the 31st December in the year preceding any such election, determine the numbers of members to be so elected by the houses of the several deanery synods in the diocese, and the numbers shall:
 - (a) in the case of elections by the houses of clergy, be related to the numbers of members of those houses in the respective deanery synods;
 - (b) in the case of elections by the houses of laity, be related to the total numbers of names on the rolls of the parishes in the respective deaneries as certified under rule 4;

Provided that at least two members shall be elected by each house of every deanery synod.

- (7) For the purpose of such determination by the diocesan synod, the secretary of every deanery synod shall, not later than the 1st June, certify to the secretary of the diocesan synod the number of members of the house of clergy of the synod as at the 30th April.
- (8) The diocesan synod shall so exercise their powers under this rule as to secure that the number of members of the synod is not less than 150 and not more than 270 and that the numbers of the houses of clergy and laity are approximately equal.

For the avoidance of doubt it is hereby declared that the number 270 specified in this paragraph includes the maximum number of members who may be co-opted by each house or nominated by the bishop.

- (9) Not later than the 31st December in each year preceding any such elections, the secretary of the diocesan synod shall certify to the secretary of every deanery synod the numbers determined under this rule for that deanery synod.

- R32.** (1) Elections of members of the diocesan synod by the houses of the deanery synods shall be completed by the 15th day of July, the period and dates of the election being fixed by the bishop of the diocese and communicated to the secretaries of the deanery synods.
- (2) The bishops shall appoint the presiding officers for the elections by the houses of the deanery synods, provided that no person shall be appointed as a presiding officer for an election by a house of which he is a member. The expenses of elections shall be paid out of diocesan funds.
 - (3) The diocesan electoral registration officer shall furnish the presiding officer with the names and addresses of the qualified electors and the presiding officer shall ensure that the persons qualified to nominate and vote in elections to the diocesan synod, and only such persons, shall be sent or given nomination and voting papers in respect of the said election at the address entered against their names in the register of electors.
 - (4) Every candidate must be nominated and seconded by a qualified elector. A notice in the form set out in section 5 of Appendix 1 indicating the number of seats to be filled and inviting nominations shall be despatched to every elector by the presiding officer. Nominations in the form set out in section 6 of Appendix 1 shall be delivered either by post, by facsimile transmission or in person to the presiding officer of the area within such period, being a period of not less than fourteen days ending on a date specified by the presiding officer, provided that where a nomination paper has been sent by facsimile transmission the name of the candidate shall not appear on the voting paper unless the original nomination paper has been received by the presiding officer within three days of the closing date for nominations. The nomination form shall be accompanied by a statement signed by the

candidate stating his willingness to serve if elected and, if he so desires, setting out in not more than 100 words a factual statement for circulation with the voting papers of the candidate's professional qualifications, present office and any relevant past experience.

- (5) It shall be the duty of the presiding officer;
- (a) to scrutinise nomination papers as soon as they have been lodged and shall, without delay, inform the candidate concerned whether the nomination is valid. Where the nomination is invalid the presiding officer shall give his reasons for so ruling and if, by the close of the nomination period, no valid nomination is received, the candidate shall be excluded from the election;
- (b) to supply free of charge to a duly nominated candidate in the election one copy of the names and addresses of the qualified electors within seven days of receiving his written request.
- (6) If more candidates are nominated than there are seats to be filled the names of the candidates nominated shall be circulated on a voting paper in the form set out in either section 7 or in section 8 of Appendix 1 to every qualified elector. The diocesan synod shall, not later than the 31st December in each year preceding any such election as is referred to in rule 31, make a determination as to which form of voting paper is to be used by the deaneries in that election, and that determination shall apply to any election to fill a casual vacancy which occurs during the next ensuing three years.
- (7) The voting paper marked and, on the reverse thereof, signed by the elector and with his full name written shall be returnable to the presiding officer within such period not being less than fourteen days as he shall specify. No vote shall be counted if given on a voting paper not in accordance with this paragraph.
- (8) Where voting papers in the form set out in section 7 of Appendix 1 have been used and owing to an equality of votes an election is not decided, the decision between the persons for whom the equal number of votes have been cast shall be taken by lot by the presiding officer.
- (9) Where voting papers in the form set out in section 8 of Appendix 1 are used, the election shall be conducted under rules, with the necessary modifications, made by the General Synod under rule 39(7) and for the time being in force.
- (10) A return of the result of the election shall be sent by the presiding officer to the secretary of the diocesan synod and a statement of the result shall be sent by the presiding officer to every candidate not later than the 1st August in each election year.

VARIATION OF MEMBERSHIP OF DIOCESAN SYNODS BY SCHEME

- R33.** (1) If it appears to the diocesan synod that the preceding rules in this Part relating to the membership of diocesan synods ought to be varied to meet the special circumstances of the diocese and to secure better representation of clergy or laity or both on the diocesan synod, they may make a scheme for such variation, and if the scheme comes into operation in accordance with the provisions hereinafter applied, the said rules shall have effect subject to the scheme.
- ³(2) Copies of every such scheme must be sent to members of the diocesan synod at least fourteen days before the session at which they are considered, and every such scheme shall require the assent of the house of bishops and of a two-thirds majority of the members of each of the other houses of the synod present and voting.

³ The text of the sub-paragraphs (2) to (5) here shown is that of R26 (2) to (5). R33 (2) provides that "Paragraphs (2) to (5) of rule 26 shall apply to schemes under this rule as it applies to schemes under that rule."

- (3) A scheme approved by the diocesan synod as aforesaid shall be laid before the General Synod.
- (4) If a member of the General Synod gives notice in accordance with the Standing Orders of that Synod that he wishes such a scheme to be debated, the scheme shall not come into operation unless it is approved by the General Synod.
- (5) If no notice is given under paragraph (4) of this rule with respect to any such scheme, or such notice having been given, the scheme is approved by the General Synod, it shall come into operation on the day after the end of the group of sessions during which it was laid before, or approved by, the General Synod or on such later date as may be specified in the scheme.

PROCEDURE OF DIOCESAN SYNODS

R34. (1) The diocesan synod shall make standing orders which shall provide:

- (a) that the bishop need not be chairman of its meetings if and to the extent that standing orders otherwise provide;
- (b) that there shall be a secretary of the diocesan synod;
- (c) that a specified minimum number of meetings being in the case of a diocese in which area synods have been constituted in accordance with section 17 of the Dioceses Measure 1978, not less than one, and in the case of any other diocese not less than two shall be held in each year;
- (d) that a meeting of the diocesan synod shall be held if not less than a specified number of members of the synod so request;
- (e) that subject to the three next following sub-paragraphs, nothing shall be deemed to have the assent of the diocesan synod unless the three houses which constitute the synod have assented thereto, but that if in the case of a particular question (except a matter referred to the diocesan synod by the General Synod under the provisions of Article 8 of the Constitution⁴) the diocesan bishop (if present) so directs, that question shall be deemed to have the assent of the house of bishops only if the majority of the members of that house who assent thereto includes the diocesan bishop;
- (f) that questions relating only to the conduct of business shall be decided by the votes of all the members of the diocesan synod present and voting;
- (g) that every other question shall be decided by the votes of all the members of the diocesan synod present and voting, the assent of the three houses being presumed, unless the diocesan bishop (if present) requires or any ten members require that a separate vote of each house be taken;
- (h) that if the votes of the houses of clergy and laity are in favour of any matter referred to the diocesan synod by the General Synod under the provisions of Article 8 of Schedule 2 of this Measure⁴, that matter shall be deemed to have been approved for the purposes of the said Article;
- (i) that where there is an equal division of votes in the house of bishops, the diocesan bishop shall have a second or casting vote;
- (j) that the diocesan bishop shall have a right to require that his opinion on any question shall be recorded in the minutes;

⁴ See Part B page B2 for the relevant text of this enactment.

- (k) that there shall be a bishop's council and standing committee of the diocesan synod with such membership as may be provided by standing orders and with the functions exercisable by it under section 4(4) of the Measure and such other functions as may be provided by the standing orders or by these rules or by any Measure or Canon;

and may contain such further provisions consistent with these rules as the diocesan synod shall consider appropriate.

- (2) No person shall be entitled to serve as a member of more than one bishop's council and standing committee at the same time.
- (3) The registrar of the diocese shall be the registrar of the diocesan synod, and may appoint a deputy.

VACATION OF SEAT BY MEMBER CEASING TO BE QUALIFIED FOR ELECTION

R46. (1) Where:

- (b) any member of a diocesan synod elected by the house of clergy of a deanery synod ceases to be qualified for election by that house;
- (c) any lay member of a diocesan synod elected by the house of laity of a deanery synod ceases to have the qualification of entry on the roll of any parish in that deanery or (in appropriate cases) of being declared an habitual worshipper at the cathedral church of the diocese under rule 27;
- (d) any elected member of the House of Laity of the General Synod ceases to have the qualification of entry on the roll of any parish in the diocese for which he was elected or of being declared an habitual worshipper as aforesaid.
- (f) any member of a diocesan synod or of the House of Laity of the General Synod has his election declared void in accordance with the provision of rule 45 hereof;

his seat shall, subject to the following provisions of this rule, forthwith be vacated.

- (3) If a person to whom paragraph (1) (b) of this rule applies continues to work or reside in the diocese, his seat shall not be vacated under this rule if, before the vacancy occurs, the clerical members of the standing committee of the deanery synod so resolve.
- (4) If the name of a parish to whom paragraph (1) (c) of this rule applies is entered on the roll of any parish in the diocese other than that of the parish mentioned in (1) (c) above or if he is declared under rule 27 to be an habitual worshipper at the cathedral church of the diocese, his seat shall not be vacated under this rule if, before the vacancy occurs, the lay members of the standing committee of the deanery synods so resolve.
- (5) If the lay members of the bishop's council and standing committee have determined before the vacancy occurs that a person to whom paragraph (1) (d) of this rule applies is able and willing to continue to discharge to their satisfaction the duties of a member of the House of Laity elected for that diocese, neither his seat as a member of that House nor his seat as a lay member of the diocesan synod shall be vacated under this rule.

Ex-Officio Membership not to Disqualify for Election

- R47.** No person shall be disqualified from being elected or chosen a member of any body under these rules by the fact that he is also a member ex-officio of that body; and no person shall be deemed to vacate his seat as such an elected or chosen member of any body by reason only of the fact that subsequently to his election or choice he has become a member of that body ex-officio.

PART VII - SUPPLEMENTARY AND INTERPRETATION

CASUAL VACANCIES

- R48.** (2) Where a casual vacancy among the members of a diocesan synod elected by either house of a deanery synod occurs, the vacancy may be filled by the election by that house of a person qualified to be so elected, and a meeting of the members of that house who are electors may be held for that purpose.
- (3) Subject to paragraphs (1), (2) and (6) of this rule, casual vacancies among persons elected under these rules shall be filled and elections to fill such vacancies shall be conducted in the same manner as ordinary elections. The qualifying date for diocesan electors shall be determined in accordance with rule 35 (5) hereof.
- (7) An election to fill a casual vacancy in either house of the diocesan synod shall be completed so far as possible within six months from the occurrence of the vacancy, provided that where a casual vacancy occurs in either house and the period for holding a general election to that house is due to begin within nine months of the vacancy, the vacancy shall not be filled unless the members of the bishop's council and standing committee who are from the same house otherwise direct.
- (8) The preceding provisions of this rule shall apply, so far as applicable and with the necessary modifications, to the choosing of persons under these rules as it applies to the election of persons thereunder, and shall also apply to the election or choosing of members of any body constituted under or in accordance with these rules.
- (9) Any person elected or chosen to fill a casual vacancy shall hold office only for the unexpired portion of the term of office of the person in whose place he is elected or chosen.
- (10) In calculating the period of six months referred to in paragraphs (5) and (7) of this rule:
- (a) where during the course of an election irregularities are found which are of such a kind that the presiding officer is of the opinion that he should declare the proceedings null and void, he shall so declare and shall notify all electors of the declaration and shall cause a fresh election to be held which shall be completed within the period of six months from the date of the notice to the electors of the fresh election;
- (b) where in an appeal a determination is made that there has been no valid election and the presiding officer is directed to hold a fresh election,
- the period of six months shall run from the date of such direction.
- (11) In this rule the expression 'casual vacancy' includes the case where insufficient candidates have been nominated to fill the places available.

RESIGNATIONS

- R49.** Any person holding any office under these rules or being a member of any body constituted by or under these rules may resign his office or membership by notice in writing signed by him and sent or given to the secretary of the body of which he is an officer or member, as the case may be; and his resignation shall take effect on the date specified in the notice or, if no date is so specified, on the receipt of the notice by the secretary of that body.

NOTICES

- R50.** Any notice or other document required or authorised to be sent or given under these rules shall be deemed to have been duly sent or given if sent through the post addressed to the person to whom it is required or authorised to be sent or given at that person's last known address.

SPECIAL PROVISIONS

- R53.** (1) In the carrying out of these rules in any diocese the bishop of such diocese shall have power:
- (a) to make provision for any matter not herein provided for;
 - (b) to appoint a person to do any act in respect of which there has been any neglect or default on the part of any person or body charged with any duty under these rules;
 - (c) so far as may be necessary for the purpose of giving effect to the intention of these rules, to extend or alter the time for holding any meeting or election or to modify the procedure laid down by these rules in connection therewith, provided that such power shall not be exercised in relation to the conduct of the elections referred to in rules 39 and 48 of these rules;
 - (d) subject to paragraph (1)(c) of this rule, in any case in which any difficulties arise, to give any directions which he may consider expedient for the purpose of removing the difficulties.
- (2) The powers of the bishop under this rule shall not enable him:
- (a) to validate anything that was invalid at the time when it was done;
 - (b) to give any direction that is contrary to any resolution of the General Synod.
- (3) No proceedings of any body constituted under these rules shall be invalidated by any vacancy in the membership of that body or by any defect in the qualification, election or appointment of any members thereof.
- (4) No proceedings shall be invalidated by the use of a form which differs from that prescribed by these rules if the form which has in fact been used is to a substantially similar effect. Any question as to whether the form which has been used is to a substantially similar effect shall be determined by the bishop.
- (6) During a vacancy in an archbishopric or where by reason of illness an archbishop is unable to exercise his functions under these rules or to appoint a commissary under paragraph (10) of this rule the functions of an archbishop under these rules shall be exercisable by the other archbishop.
- (7) During a vacancy in a diocesan bishopric the functions of a diocesan bishop under these rules, including his functions as president of the diocesan synod, shall be exercisable by such person, being a person in episcopal orders, as the archbishop of the province may appoint.
- (8) Where by reason of illness a diocesan bishop is unable to exercise his functions under these rules or to appoint a commissary under paragraph (10) of this rule, the archbishop of the province may, if he thinks it necessary or expedient to do so, appoint a person in episcopal orders to exercise the functions mentioned in paragraph (7) of this rule during the period of the bishop's illness.
- (9) If a person appointed in pursuance of paragraph (7) or (8) of this rule becomes unable by reason of illness to act under the appointment, the archbishop may revoke the appointment and make a fresh one.
- (10) An archbishop or diocesan bishop may appoint a commissary and delegate to him all or any of the functions of the archbishop or bishop under these rules, but if a bishop proposes to delegate to a commissary his functions as president of the diocesan synod he shall appoint a person in episcopal orders as commissary.

- (11) If a person appointed in pursuance of paragraph (7) or (8) of this rule, or a person to whom the functions of a bishop as president of the diocesan synod are delegated under paragraph (10) of this rule, is a member of the house of clergy of the diocesan synod, his membership of that house shall be suspended during the period for which the appointment or delegation has effect.

MEANING OF MINISTER, PARISH AND OTHER WORDS AND PHRASES

R54. (1) In these rules:

‘actual communicant’ means a person who has received Communion according to the use of the Church of England or of a Church in communion with the Church of England at least three times during the twelve months preceding the date of his election or appointment being a person whose name is on the roll of a parish and is either:

- (a) confirmed or ready and desirous of being confirmed; or
- (b) receiving the Holy Communion in accordance with the provisions of Canon B 15A paragraph (b);

‘the Measure’ means the Synodical Government Measure 1969;

- (2) Any reference in these rules to the laity shall be construed as a reference to persons other than clerks in Holy Orders, and the expression ‘lay’ in these rules shall be construed accordingly.