



Jersey

SYNODICAL GOVERNMENT (CHANNEL ISLANDS) ORDER 1970

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APPENDIX



Jersey

SYNODICAL GOVERNMENT (CHANNEL ISLANDS) ORDER 1970

Jersey Order in Council 9/1970

SYNODICAL GOVERNMENT (CHANNEL ISLANDS) ORDER 1970.

STATES OF JERSEY.

27th January, 1970.

THE STATES, adopting a Proposition of the Legislation Committee, requested the Bailiff to inform the Secretary of State that the terms of the draft Scheme applying the Synodical Government Measure 1969 to the Channel Islands were agreeable to the Insular Authorities.

A.D. LE BROCCQ,

Greffier of the States.

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A LA COUR ROYALE DE L'ILE DE JERSEY.

L'An 1970, le 21^e jour d'août.

MONSIEUR LE BAILLI ayant présenté à la Cour un Ordre de Sa Très Excellente Majesté en Conseil en date du 28 juillet 1970, intitulé: -

“The Synodical Government (Channel Islands) Order 1970”;

Lecture en ayant été donnée;

LA COUR, conformément aux conclusions du Procureur Général de la Reine, a ordonné que ledit Ordre soit enregistré sur les records de l'Ile et publié par l'Officier au lieu ordinaire à jour de marché, afin que toutes personnes puissent en avoir connaissance.

S.W. BISSON,

Greffier Judicaire.

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At the Court at Buckingham Palace.

The 28th day of July, 1970.

The Queen's Most Excellent Majesty in Council

WHEREAS the Bishop of Winchester has, in accordance with the Schedule to the Channel Islands (Church Legislation) Measure 1931,¹ as amended by section 2 of the Channel Islands (Church Legislation) Measure 1931 (Amendment) Measure 1957² settled the Scheme set out in the Schedule to this Order for applying the Synodical Government Measure 1969 to the Channel Islands, and the procedure set out in the Schedule to the first-mentioned Measure has been followed;

Now, therefore, Her Majesty, in pursuance of section 2 of the Channel Islands (Church Legislation) Measure 1931,³ as amended by section 1 of the Channel Islands (Church Legislation) Measure 1931 (Amendment) Measure 1957,² and of section 9(5) of the Synodical Government Measure 1969, is pleased, by and with the advice of Her Privy Council, to order and direct as follows: -

1. This Order may be cited as the Synodical Government (Channel Islands) Order 1970 and shall come into operation on 17th August, 1970.
2. The Scheme set out in the Schedule to this Order is hereby confirmed.
3. The Synodical Government Measure 1969 shall apply to the Channel Islands, and the Channel Islands (Representation) Measure, 1931⁴ shall be modified, in accordance with the provisions of the said Scheme.

W.G. AGNEW.

¹ Recueil des Lois, Tome VII, page 141.

² Recueil des Lois, Tome 1957-1960, page 311.

³ Recueil des Lois, Tome VII, page 139.

⁴ Recueil des Lois, Tome VII, page 143.

*Jersey Order in Council 9/1970 Synodical Government (Channel Islands) Order 1970***SCHEDULE****A SCHEME**

Prepared by the Bishop of Winchester in pursuance of the Channel Islands (Church Legislation) Measures 1931 and 1957 for applying the Synodical Government Measure 1969 to the Channel Islands.

PREAMBLE

Whereas section 9(5) of the Synodical Government Measure 1969 provides that the Measure may be applied to the Channel Islands or either of them, as defined in the Channel Islands (Church Legislation) Measures 1931 and 1957, in accordance with the provisions of the last-mentioned Measures and that any scheme made for the purpose of such application may provide for such modifications of the Channel Islands (Representation) Measure 1931 and of the Channel Islands (Church Legislation) Measure 1931 as may be necessary or expedient in consequence of the provisions of the first-mentioned Measure;

And whereas the Bishop of Winchester has come to the conclusion that the first-mentioned Measure ought to be applied to the Channel Islands with certain variations and has in accordance with paragraphs 1 to 3 of the Schedule to the Channel Islands (Church Legislation) Measure 1931 prepared the following draft Scheme for the purpose:

SCHEME*Application of the Synodical Government Measure 1969*

Nothing in this Scheme shall prejudice the continuing exercise of any jurisdiction exercised before the appointed day by the Dean of Jersey or the Dean of Guernsey or the continuing operation in Jersey of the Order in Council dated 30th June, 1623.

Section 1 shall apply to the Channel Islands so far as may be necessary to secure that the functions, authority, rights and privileges of the Convocation of Canterbury vested in the General Synod of the Church of England are exercisable with respect to matters concerning the Church of England in the Channel Islands.

Section 2(1) shall apply to the Channel Islands so far as may be necessary to secure that the other functions of the General Synod are exercisable with respect to matters concerning the Church of England in the Channel Islands in like manner as heretofore they have been exercisable by the Church Assembly; and accordingly section 2(2) shall apply to the Channel Islands for the purpose of construing Measures, enactments and instruments.

Section 4 shall apply to the Channel Islands so far as may be necessary to secure that the functions of the diocesan synod of Winchester are exercisable with respect to matters concerning the Church of England in the Channel Islands; and accordingly section 4(7) shall apply in the Channel Islands for the purpose of construing any Measure or instrument.

Section 5(3) and (4) shall apply to the decanal conferences of the Channel Islands as from 1st June, 1970 and as from that date they shall be renamed deanery synods and any reference in any Measure to the decanal conferences of the Channel Islands or to the decanal conference of either Island shall be construed as a reference to the deanery synods of the Channel Islands or the deanery synod of that Island respectively.

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For section 4 there shall be substituted the following section –

“4. A lay person shall be entitled to have his name entered on the church electoral roll of either Island, if he –

- (a) is baptised;
- (b) is a member of the Church of England or another Church of the Anglican Communion or an overseas Church in communion with the Church of England, and is not a member of any other religious body which is not in communion with the Church of England;
- (c) is of seventeen years or upwards;
- (d) is resident in the Island ; and
- (e) has signed the form of application for enrolment set out in the Schedule to this Measure.”

In section 6 for the word “twenty-one” there shall be substituted the word “eighteen”.

In the Schedule there shall be substituted the following form: -

“Application for Enrolment on Church Electoral Roll.

I (Full Christian name and surname)

of (Full postal address) declare: -

- (i) I am baptised.
- (ii) I am a member of the Church of England
or
I am a member of
.....
being a Church of the Anglican Communion
or an overseas Church in communion with the
Church of England.
- (iii) I am not a member of any other religious body
which is not in communion with the Church of
England.
- (iv) I have attained the age of seventeen years.
- (v) I am resident in the Island of
- (vi) My name is not on the Church electoral roll of
any parish in the Diocese of Winchester.

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I hereby apply to have my name entered on the Church
electoral roll of the Island of

Signed.....

Date.....

* Strike out whichever is not applicable.”

SYNODICAL GOVERNMENT MEASURE 1969.

A MEASURE passed by The National Assembly of the Church of England to provide for the vesting by Canon of the functions, authority, rights and privileges of the Convocations of Canterbury and York in the General Synod of the Church of England, and for the modification by Canon of the functions of the said Convocations when sitting separately for their provinces; to rename and reconstitute the Church Assembly as the General Synod, and to make further provision for the synodical government of the Church of England, and for purposes connected with the matters aforesaid.

[25th July, 1969].

WHEREAS the Convocations of Canterbury and York, on the 8th day of October, 1968, resolved that the functions, authority, rights and privileges of the said Convocations should, by Canons made by them with Her Majesty's Licence and Assent, vest in the Church Assembly to be renamed and reconstituted as the General Synod of the Church of England;

AND WHEREAS it is expedient to give effect to the said resolution and to bring to an end the present dual exercise of functions by the Church Assembly and the Convocations, and to provide a system of synodical government for the Church of England.

VESTING OF FUNCTIONS AND AUTHORITY OF CONVOCATIONS IN A GENERAL SYNOD

1.-(1) It shall be lawful for the Convocations of Canterbury and York to submit for Her Majesty's Licence and Assent Canons in the form set out in Schedule 1 to this Measure providing –

- (a) for vesting in the General Synod of the Church of England, being the Church Assembly renamed and reconstituted in accordance with this Measure, the functions, authority, rights and privileges of the said Convocations;
- (b) for modifying the functions of the said Convocations when sitting separately for their provinces;

and, if Her Majesty is pleased to grant Her Licence and Assent, it shall be lawful for the said Convocations to make, promulge and execute the said Canons, which shall have full force and effect.

(2) The functions so vested shall be exercisable in accordance with the Constitution of the General Synod set out in Schedule 2 to this Measure and shall be exercisable for the Church of England as a whole, instead of being exercisable provincially, but without prejudice to the making of different provision, where appropriate, for the two provinces.

- (3) The provisions of sections 1 and 3 of the Submission of the Clergy Act 1533 –
 - (a) requiring the Queen's Assent and Licence to the making, promulgating and executing of Canons by the said Convocations, and

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- (b) providing that no Canons shall be made or put in execution by the said Convocations which are contrary or repugnant to the Royal prerogative or the customs, laws or statutes of this realm,

shall apply in like manner to the making, promulgating and executing of Canons by the General Synod.

(4) The dissolution and calling together of the said Convocations in pursuance of the Royal Writ (or otherwise under the Church of England Convocations Act 1966) shall have the effect, in accordance with the said Constitution, of dissolving and bringing into being the General Synod.

(5) The functions vested in the General Synod by the said Canons –

- (a) shall include the power of the said Convocations as declared by the Convocations of the Clergy Measure 1920, to make, promulge and execute Canons for the amendment of the Constitution of the Lower Houses thereof;
- (b) shall not include the functions of the said Convocations under the Measures mentioned in section 3 of this Measure, which shall be exercisable in accordance with that section.

RENAMING AND RECONSTITUTION OF THE CHURCH ASSEMBLY AS THE GENERAL SYNOD

2.-(1) As from the appointed day, the Church Assembly shall be renamed the General Synod of the Church of England (and may be referred to as “the General Synod”) and shall be reconstituted in accordance with the Constitution of the General Synod set out in Schedule 2 to this Measure.

(2) References in sections 3 and 4 of the Church of England Assembly (Powers) Act 1919 and in other Measures, enactments and instruments to the Church Assembly and to its Constitution and Legislative Committee shall, as from the appointed day, be construed as references or, where the contexts so require, as including references to the General Synod and its Constitution and the Legislative Committee appointed thereunder, respectively, and any definitions of the said expressions and of “the National Assembly of the Church of England” in section 1 of the said Act and in the Interpretation Measure 1925 shall cease to apply or be limited to the said contexts.

* * * * *

CONSTITUTION AND FUNCTIONS OF DIOCESAN SYNODS

4. -(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;

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- (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 bishops 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 opinion 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 the 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.

(7) As soon as a diocesan synod has been constituted, the diocesan conference shall be dissolved and all functions exercisable by the diocesan conference shall be transferred to the diocesan synod, and any reference in any Measure or instrument to diocesan conferences shall be construed as references to diocesan synod:

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.

CONSTITUTION AND FUNCTIONS OF DEANERY SYNODS

5. * * * * *

- (3) The functions of a deanery synod shall be –
 - (a) to consider matters concerning the Church of England and to make provision for such matters in relation to their deanery, and to consider and express their opinion on any other matters of religious or public interest;
 - (b) to bring together the views of the parishes of the deanery on common problems, to discuss and formulate common policies on those problems, to foster a sense of community and interdependence among those parishes, and generally to promote

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in the deanery the whole mission of the Church, pastoral, evangelistic, social and ecumenical;

- (c) to make known and so far as appropriate put into effect any provision made by the diocesan synod;
- (d) to consider the business of the diocesan synod, and particularly any matters referred to that synod by the General Synod, and to sound parochial opinion whenever they are required or consider it appropriate to do so;
- (e) to raise such matters as the deanery synod consider appropriate with the diocesan synod:

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.

(4) If the diocesan synod delegate to deanery synods functions in relation to the parishes of their deaneries, and in particular the determination of parochial shares in quotas allocated to the deaneries, the deanery synod shall exercise those functions.

In this subsection “quota” means an amount to be subscribed to the expenditure authorized by diocesan synods.

* * * * *

SHORT TITLE, INTERPRETATION AND EXTENT

9.-(1) This Measure may be cited as the Synodical Government Measure 1969.

(2) In this Measure “the appointed day” means such day as may be appointed by the Archbishops of Canterbury and York, following the completion of the first elections after the passing of this Measure of the Lower Houses of the Convocations and of the House of Laity, and “deanery” means rural deanery.

* * * * *

*SCHEDULES**SCHEDULE 1***(Section 1)****FORM OF PROPOSED CANON***Of the General Synod and the Convocations*

1. On such day as may be appointed by the Archbishops of Canterbury and York under the Synodical Government Measure 1969, the powers to legislate by Canon and other functions of the Convocation of Canterbury [York], and the authority, rights and privileges of the said Convocation, shall vest in the General Synod of the Church of England, being the Church Assembly renamed and reconstituted by the said Measure.

2. Notwithstanding such vesting as aforesaid, the said Convocation may continue to meet separately, within the province or elsewhere at such places and times as they may determine, for the purpose of considering matters concerning the Church of England and making provision by appropriate instruments for such matters in relation to their province or referring such matters to the General Synod, and shall meet for the purpose of discharging their functions under section 3 of this Measure and their functions under Article 7 of the Constitution of the General Synod in respect of provisions touching doctrinal formulae or the services or ceremonies of the Church of England or the administration of the Sacraments or sacred rites thereof, or to consider any other matter referred to them by the General Synod:

Provided that the power to make provision as aforesaid shall not be exercisable by Canon, and shall (without prejudice to the said Article 7) be exercisable consistently with the exercise of functions by the General Synod and, in the event of any inconsistency, the provision made by the General Synod shall prevail.

3. The said Convocation may, by their Standing Orders or otherwise, make provision for joining to their two Houses, at such sittings and for the purposes of such of their functions as they may determine, a House of Laity composed of –

- (a) such of the members of the House of Laity of the General Synod as are elected for areas in the province;
- (b) such of the ex-officio and co-opted members of the said House as may be allocated to the province for the purposes of this paragraph by the President and the Prolocutor of the Houses of the said Convocation and the Prolocutor and Pro-Prolocutor of the House of Laity of the General Synod; and
- (c) the member of the said House chosen by the lay members of religious communities in the said province:

Provided that the House of Laity joined as aforesaid to the two Houses of the said Convocation shall not be given any power to vote on any matter referred to the Convocation under Article 7 of the said Constitution, or any matter in respect of which powers are exercisable by the Convocation in accordance with section 3 of the said Measure.

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4. The vesting of rights and privileges of the said Convocation in the General Synod by this Canon shall not affect the right of the said Convocation (which shall be exercisable also by the General Synod) to present addresses to Her Majesty, or the right of the Lower House of the said Convocation to present gravamina to the Upper House thereof.

SCHEDULE 2**(Section 2)****CONSTITUTION OF THE GENERAL SYNOD**

1. The General Synod shall consist of the Convocations of Canterbury and York joined together in a House of Bishops and a House of Clergy and having added to them a House of Laity.

2. The House of Bishops and the House of Clergy shall accordingly comprise the Upper and the Lower Houses respectively of the said Convocations, and the House of Laity shall be elected and otherwise constituted in accordance with the Church Representation Rules.

3.-(1) The General Synod shall meet in session at least twice a year, and at such times and places as it may provide, or, in the absence of such provision, as the Joint Presidents of the Synod may direct.

(2) The General Synod shall, on the dissolution of the Convocations, itself be automatically dissolved, and shall come into being on the calling together of the new Convocations.

(3) Business pending at the dissolution of the General Synod shall not abate, but may be resumed by the new Synod at the stage reached before the dissolution, and any Boards, Commissions, Committees or other bodies of the Synod may, so far as may be appropriate and subject to any Standing Orders or any directions of the Synod or of the Archbishops of Canterbury and York continue their proceedings during the period of the dissolution, and all things may be done by the Archbishops or any such bodies or any officers of the General Synod as may be necessary or expedient for conducting the affairs of the Synod during the period of dissolution and for making arrangements for the resumption of business by the new Synod.

(4) A member of the General Synod may continue to act during the period of the dissolution as a member of any such Board, Commission, Committee or body:

Provided that, if a member of the Synod who is an elected proctor of the clergy or an elected member of the House of Laity does not stand for re-election or is not re-elected, this paragraph shall cease to apply to him with effect from the date on which the election of his successor is announced by the presiding officer.

4.-(1) The Archbishops of Canterbury and York shall be joint Presidents of the General Synod, and they shall determine the occasions on which it is desirable that one of the Presidents shall be the chairman of a meeting of the General Synod, and shall arrange between them which of them is to take the chair on any such occasion :

Provided that one of the Presidents shall be the Chairman when any motion is taken for the final approval of a provision to which Article 7 of this Constitution applies and in such other cases as may be provided in Standing Orders.

(2) The Presidents shall, after consultation with the Standing Committee of the General Synod, appoint from among the members of the Synod a panel of not less than 3 or more than 8 chairmen, who shall be chosen for their experience and ability as chairmen of meetings and may be members of any House ; and it shall be the duty of one of the chairmen on

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the panel, in accordance with arrangements approved by the Presidents and subject to any special directions of the Presidents, to take the chair at meetings of the General Synod at which neither of the Presidents take the chair.

(3) The Provincial Registrars shall be Joint Registrars of the General Synod.

5.-(1) A motion for the final approval of any Measure or Canon shall not be deemed to be carried unless, on a division by Houses, it receives the assent of the majority of the members of each House present and voting :

Provided that by permission of the chairman and with the leave of the General Synod given in accordance with Standing Orders this requirement may be dispensed with.

(2) All other motions of the General Synod shall, subject as hereinafter provided, be determined by a majority of the members of the Synod present and voting, and the vote may be taken by a show of hands or a division :

Provided that, except in the case of a motion relating solely to the course of business or procedure, any 25 members present may demand a division by Houses and in that case the motion shall not be deemed to be carried unless, on such a division, it receives the assent of the majority of the members of each House present and voting.

(3) This Article shall be subject to any provision of this Constitution or any Measure requiring a two-thirds majority of each House, and in that case the vote shall be taken on a division by Houses.

6. The functions of the General Synod shall be as follows: -

(a) to consider matters concerning the Church of England and to make provision in respect thereof –

(i) by Measure intended to be given, in the manner prescribed by the Church of England Assembly (Powers) Act 1919, the force and effect of an Act of Parliament, or

(ii) by Canon made, promulgated and executed in accordance with the like provisions and subject to the like restrictions and having the like legislative force as Canons heretofore made, promulgated and executed by the Convocations of Canterbury and York, or

(iii) by such order, regulation or other subordinate instrument as may be authorized by Measure or Canon ; or

(iv) by such Act of Synod, regulation or other instrument or proceeding as may be appropriate in cases where provision by or under a Measure or Canon is not required ;

(b) to consider and express their opinion on any other matters of religious or public interest.

7.-(1) A provision touching doctrinal formulae or the services or ceremonies of the Church of England or the administration of the Sacraments or sacred rites thereof shall, before it

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is finally approved by the General Synod, be referred to the House of Bishops, and shall be submitted for such final approval in terms proposed by the House of Bishops and not otherwise.

(2) A provision touching any of the matters aforesaid shall, if the Convocations or either of them or the House of Laity so require, be referred, in the terms proposed by the House of Bishops for final approval by the General Synod, to the two Convocations sitting separately for their provinces and to the House of Laity ; and no provision so referred shall be submitted for final approval by the General Synod unless it has been approved, in the terms so proposed, by each of the two Convocations sitting as aforesaid and by the House of Laity.

(3) The question whether such a reference is required by a Convocation shall be decided by the President and Prolocutor of the Houses of that Convocation, and the Prolocutor shall consult the Standing Committee of the Lower House of Canterbury or, as the case may be, the Assessors of the Lower House of York, and the decision of the President and Prolocutor shall be conclusive :

Provided that if, before such a decision is taken, either House of a Convocation resolves that the provision concerned shall be so referred or both Houses resolve that it shall not be so referred, the resolution or resolutions shall be a conclusive decision that the reference is or is not required by that Convocation.

(4) The question whether such a reference is required by the House of Laity shall be decided by the Prolocutor and Pro-Prolocutor of that House who shall consult the Standing Committee of that House, and the decision of the Prolocutor and the Pro-Prolocutor shall be conclusive :

Provided that if, before such a decision is taken, the House of Laity resolves that the reference is or is not required, the resolution shall be a conclusive decision of that question.

(5) Standing Orders of the General Synod shall provide for ensuring that a provision which fails to secure approval on a reference under this Article by each of the four Houses of the Convocations or by the House of Laity of the General Synod is not proposed again in the same or a similar form until a new General Synod comes into being, except that, in the case of objection by one House of one Convocation only, provision may be made for a second reference to the Convocations and, in the case of a second objection by one House only, for reference to the Houses of Bishops and Clergy of the General Synod for approval by a two-thirds majority of the members of each House present and voting, in lieu of such approval by the four Houses aforesaid.

(6) If any question arises whether the requirements of this Article or Standing Orders made thereunder apply to any provision, or whether those requirements have been complied with, it shall be conclusively determined by the Presidents and Prolocutors of the Houses of the Convocations and the Prolocutor and Pro-Prolocutor of the House of Laity of the General Synod.

8.-(1) A Measure 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, shall not be finally approved by the General Synod unless, at a stage determined by the Archbishops, the Measure 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.

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(2) Any question whether this Article applies to any Measure or scheme, or whether its requirements have been complied with, shall be conclusively determined by the Archbishops, the Prolocutors of the Lower Houses of the Convocations and the Prolocutor and Pro-Prolocutor of the House of Laity of the General Synod.

9.-(1) Standing Orders of the General Synod may provide for separate sittings of any of the three Houses or joint sittings of any two Houses, and as to who is to take the chair at any such separate or joint sitting.

(2) The House of Laity shall elect a Chairman and Vice-Chairman of that House who shall also discharge the functions assigned by this Constitution and the Standing Orders and by or under any Measure or Canon to the Prolocutor and Pro-Prolocutor of that House.

10.-(1) The General Synod shall appoint a Legislative Committee from members of all three Houses, to whom shall be referred all Measures passed by the General Synod which it is desired should be given, in accordance with the procedure prescribed by the Church of England Assembly (Powers) Act 1919, the force of an Act of Parliament ; and it shall be the duty of the Legislative Committee to take such steps with respect to any such Measure as may be so prescribed.

(2) The General Synod may appoint or provide by their Standing Orders for the appointment of a Standing Committee and such other Committees, Commissions and bodies, which may include persons who are not members of the Synod, and such officers as they think fit.

(3) Each House may appoint or provide by their Standing Orders for the appointment of such Committees of their members as they think fit.

11.-(1) The General Synod may make, amend and revoke Standing Orders providing for any of the matters for which such provision is required or authorized by this Constitution to be made, and consistently with this Constitution, for the meetings, business and procedure of the General Synod.

(2) Each House may make, amend and revoke Standing Orders for the matter referred to in Article 10(3) hereof and consistently with this Constitution and with any Standing Orders of the General Synod, for the separate sittings, business and procedure of that House.

(3) Subject to this Constitution and to any Standing Orders, the business and procedure at any meeting of the General Synod or any House or Houses thereof shall be regulated by the chairman of the meeting.

12.-(1) References to final approval shall, in relation to a Canon or Act of Synod be construed as referring to the final approval by the General Synod of the contents of the Canon or Act, and not to the formal promulgation thereof :

Provided that the proviso to Article 4(1) shall apply both to the final approval and to the formal promulgation of a Canon or Act of Synod.

(2) Any question concerning the interpretation of this Constitution, other than questions for the determination of which express provision is otherwise made, shall be referred to and determined by the Archbishops of Canterbury and York.

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(3) No proceedings of the General Synod or any House or Houses thereof, or any Board, Commission, Committee or body thereof shall be invalidated by any vacancy in the membership of the body concerned or by any defect in the qualification, election or appointment of any member thereof.

13. Any functions exercisable under this Constitution by the Archbishops of Canterbury and York, whether described as such or as Presidents of the General Synod, may, during the absence abroad or incapacity through illness of one Archbishop or a vacancy in one of the Sees, be exercised by the other Archbishop alone.

SCHEDULE 3**(Section 4)****CHURCH REPRESENTATION RULES**

* * * * *

PART IV**DIOCESAN SYNODS***Membership of Diocesan Synods*

24.-(1) A diocesan synod shall consist of three authorities, the bishop, who shall be president, a house of clergy and a house of laity.

(2) The members of the house of clergy shall consist of –

(a) the following ex-officio members, that is to say : -

- (i) the suffragan bishop or bishops and any full-time assistant bishop or bishops ;
- (ii) the dean or provost of the cathedral (including in appropriate dioceses, the Dean of Westminster, the Dean of Windsor and the Deans of Jersey and Guernsey);
- (iii) the archdeacons ;
- (iv) the proctors elected from the diocese or from any university in the diocese (the University of London being for this purpose wholly in the diocese of London) to the Lower House of the Convocation of the Province, excluding the registrar of the diocese (if so elected) ;
- (v) the chancellor of the diocese (if in Holy Orders) ; and
- (vi) the chairman of the diocesan board of finance (if in Holy Orders) ;

(b) members elected by the houses 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.

(3) The members of the house of laity shall consist of : -

(a) the following ex-officio 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 (if not in Holy Orders) ;

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- (iii) the members elected from the diocese to the House of Laity of the General Synod, excluding the registrar of the diocese (if so elected) ;
 - (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 communicant members of the Church of England of age to vote at a Parliamentary election.
- (4) The bishop of the diocese may nominate ten additional members of the diocesan synod, who may be of the clergy or the laity and shall be members of the appropriate house.

Elections of Members of Diocesan Synods by Deanery Synods

25.-(1) The elections of members of the diocesan synod 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 ending with the election of their successors.

(2) Any clerk in Holy Orders who is a member of the deanery synod or is working or residing in the deanery shall be qualified to be so elected by the house of clergy of a deanery synod, and the electors shall be the members of that house other than the co-opted members :

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

(3) Any lay person who is an actual communicant member of the Church of England of age to vote at a Parliamentary election 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 a 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 the members of that house other than the co-opted members :

Provided that a person whose name is entered on the roll of two parishes in different deaneries must choose one of those parishes for the purpose of such qualification.

(4) The diocesan synod shall, not later than the 1st 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 and adjusted under rule 4 :

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

(5) For the purposes of such determination by the diocesan synod, the secretary of every deanery synod shall, not later than the 1st July in the year preceding any such election, certify the number of members of the house of clergy of the synod to the secretary of the diocesan synod.

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(6) 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 two houses are approximately equal :

Provided that for the purposes of the first two elections after the passing of this Measure of the diocesan synod for the diocese of London, and the filling of casual vacancies among the persons then elected, this paragraph shall have effect with the substitution of the number 500 for the number 270.

(7) 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.

26.-(1) Elections of members of the diocesan synod by the houses of the deanery synods shall be carried out in each diocese during such period between the 1st day of June and the last day of July (both inclusive) as shall be fixed by the bishop of the diocese.

(2) The presiding officers for the deaneries in each diocese shall be appointed by the bishop, and the expenses of elections shall be paid out of diocesan funds.

(3) Every candidate must be nominated and seconded by a qualified elector. A notice in the form set out in section 5 of Appendix I indicating the number of seats to be filled and inviting nominations shall be dispatched to every elector by the presiding officer not earlier than 1st June in each election year. Nominations in the form set out in section 6 of Appendix I shall be sent to the presiding officer in writing within such period not being less than 14 days as he shall specify and be accompanied by a statement signed by the candidate of his willingness to serve.

(4) 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 section 7 of Appendix I to every qualified elector.

(5) The voting paper marked and signed by the elector shall be returnable to the presiding officer within such period not being less than 14 days as he shall specify. Only one vote may be given to any one candidate and no elector may give more votes than there are seats to be filled. No vote shall be counted if given on a voting paper not in accordance with this paragraph.

(6) Where owing to an equality of votes an election is not decided, the decision between the persons for whom the equal numbers of votes have been cast shall be taken by lot by the presiding officer.

(7) 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 him to every candidate not later than the 1st September in each election year.

Variation of Membership of Diocesan Synods by Scheme

27.-(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 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 :

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Provided that no scheme shall be made under this rule so as to come into operation before the end of the first term of office of elected members of the synod except for the purposes of the elections at the end of that term.

(2) Paragraphs (2) and (3) of rule 21 shall apply to schemes under this rule as it applies to schemes under that rule.

Procedure of Diocesan Synods

28.-(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 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 two next following sub-paragraphs, nothing shall be deemed to have the assent of the diocesan synod unless the three authorities which constitute the synod have assented thereto ;
- (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, and every other question shall be decided in like manner, the assent of the three authorities being presumed, unless any ten members present demand that a separate vote of each of the houses of clergy and laity be taken, or unless the bishop requires his distinct opinion to be recorded ;
- (g) 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 Measure, that matter shall be deemed to have been approved for the purposes of the said Article ;
- (h) 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) The registrar of the diocese shall be the registrar of the diocesan synod, and may appoint a deputy.

APPENDIX I

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Section 5

Rule 26(3)

NOTICE OF ELECTION TO HOUSE OF CLERGY OR HOUSE OF LAITY OF DIOCESAN SYNOD

Diocese of

Deanery of

1. An election of members of the House of Clergy/Laity of the Diocesan Synod will be held in the above Deanery on.....

2. Candidates must be nominated and seconded by qualified electors on forms to be obtained from.....

3. Nominations must be received by no later than 12 o'clock (noon) on

Date.....

.....
Presiding Officer.

Section 6.

Rule 26(3).

FORM OF NOMINATION TO THE HOUSE OF CLERGY OR HOUSE OF LAITY OF THE DIOCESAN SYNOD.

Diocese of

Deanery of.....

Election of members of the House of Clergy/Laity of the Diocesan Synod

We the undersigned, being qualified electors, hereby nominate the following person as a candidate at the election in the above Deanery.

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Surname	Other Names	Address and Description

Proposer's signature.....

Proposer's full name.....

Address

Seconder's signature.....

Seconder's full name

Address

I, the above named hereby signify my willingness to serve as a member of the House of Clergy/Laity of the Diocesan Synod if elected.

Candidate's signature.....

Note : This nomination must be sent to so as to be received no later than 12 noon on

Section 7

Rule 26(4).

FORM OF VOTING PAPER FOR ELECTIONS TO THE HOUSE OF CLERGY OR THE HOUSE OF LAITY OF THE DIOCESAN SYNOD

..... Diocesan Synod.

Election of members of the House of Clergy/Laity.

Deanery ofmembers to be elected.

Voting Paper.

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Candidates' names, addresses and descriptions	Mark your vote in this column

Instructions to Voters.

1. This voting paper must be signed.
2. You have as many votes as there are members to be elected.
3. You may not give more than one vote to any one candidate.
4. You vote by placing an "X" opposite the name(s) of the candidate(s) of your choice.
5. If you inadvertently spoil your voting paper you may return it to the Presiding Officer who will give you another paper.
6. This voting paper duly voted upon and signed must be delivered (by post or otherwise) to so as to arrive by no later than

Signature of Voter.....

Full name

Address

.....

* * * * *

* * * * *

SCHEDULE 4**(Section 4)****TRANSITIONAL PROVISIONS***Transfer of Functions from Convocations*

1.-(1) The transfer of functions from the Convocations of Canterbury and York to the General Synod on the appointed day shall not affect the validity of anything done by the Convocations before the appointed day in the exercise of those functions ; and any Canons, Acts of Convocation, regulations, directions, instruments or other things made, given or done by the said Convocations in the exercise of those functions shall, if in force immediately before that day, continue in force and have effect as if they had been made, given or done by the General Synod.

(2) Any business of the said Convocations in the exercise of the functions aforesaid, being business which was pending immediately before the dissolution of the said Convocations preceding the appointed day, shall not abate by reason of the dissolution but may be resumed by the General Synod at the stage which the business had reached immediately before the dissolution.

Reconstitution of Church Assembly

2.-(1) The reconstitution of the Church Assembly as the General Synod shall not affect the validity of anything done by the Assembly before the appointed day ; and any orders, regulations, rules, directions, instruments or other things made, given or done by the Church Assembly and in force immediately before the appointed day shall continue in force and have effect as if they had been made, given or done by the Church Assembly reconstituted as the General Synod.

(2) The reconstitution of the Church Assembly as the General Synod shall not affect any Boards, Commissions, Committees or other bodies of the Church Assembly which would otherwise continue in being, or any officers of the Church Assembly (which expression includes all persons in receipt of salaries paid from the Church Assembly Fund) ; and they shall continue as the Boards, Commissions, Committees, bodies and officers of the General Synod, but without prejudice to the making of such changes as the General Synod may determine in accordance with its constitution and standing orders.

(3) Any business pending before the Church Assembly immediately before the appointed day may be continued by the Assembly reconstituted as the General Synod.

(4) The Archbishops of Canterbury and York may, before the appointed day, make or authorize the making of all such temporary appointments and arrangements and the doing of all such things as they may think necessary to enable the functions of the General Synod to be discharged effectively as from the appointed day.

Changes affecting Diocesan and Ruridecanal Conferences

3.-(1) The dissolution of a diocesan conference and the transfer of functions from the conference to a diocesan synod shall not affect the validity of anything done by the conference before its dissolution or affect the continuance in being of any other diocesan body ; and any

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scheme, direction, appointment, election, resolution, notice, instrument or other thing given, made or done by the diocesan conference which could have been given, made or done by the diocesan synod shall, if in force immediately before the conference was dissolved, continue in force and have effect as given, made or done by the diocesan synod.

(2) The repeal of the Representation of the Laity Measure 1956 and the Diocesan Conferences Regulation 1958 shall not take effect as respects any diocesan conference or ruridecanal conference until that conference is dissolved under this Measure.

(3) It shall not be necessary to hold any further elections of members of diocesan conferences and ruridenacal conferences and the term of office of the existing elected members thereof shall be extended until the conferences are dissolved under this Measure, and this provision shall be deemed to have had effect as from the 1st January, 1969.

Commencement of Church Representation Rules

4.-(1) The repeal of the Rules for the Representation of the Laity by this Measure shall not affect any person's membership of the House of Laity or of any other body, or the tenure of any office, or the contents of any church electoral roll, until such membership is terminated, or such office is vacated, or such roll is revised or replaced, under the Church Representation Rules.

(2) The references in rule 12(1)(e) of the said Rules to lay members of any deanery synod, diocesan synod or the General Synod shall, until the said synods are respectively constituted, be construed as references to lay members of any ruridecanal conference, diocesan conference or the Church Assembly, and references in rule 19(2) and (3) and Rule 24(3) to the General Synod shall, until it is constituted, be construed as references to the Church Assembly.

(3) Any determination, resolution, appointment, ruling, consent or other thing made, given or done for the purposes of any provision of the Rules for the Representation of the Laity shall, if in effect immediately before the commencement of this Measure, continue to have effect, so far as applicable, for the purposes of any corresponding provision of the Church Representation Rules, and may be revoked or varied as if made under the last-mentioned Rules.

5.-(1) The first elections of parochial representatives of the laity to deanery synods under the Church Representation Rules shall take place at the annual meetings of parishes in the year 1970, and the first choosing of members of deanery synods under any such resolution as is mentioned in Part III of the said Rules shall be completed not later than thirtieth April in that year, and the powers of diocesan synods under the said Part III shall, for the purposes of the first elections and choosing as aforesaid, be exercised by diocesan conferences.

(2) The first elections by the members of deanery synods of members of diocesan synods under Part IV of the Church Representation Rules shall take place in the year 1970 ; and the diocesan synods shall forthwith after those elections be constituted in accordance with the said Part IV, and the powers of diocesan synods under that Part shall, for the purposes of those first elections, be exercised by diocesan conferences.

(3) The election of members of the House of Laity due to take place in the year 1970 under the Rules for the Representation of the Laity shall be held during the periods in that year fixed under rule 25(1) of those Rules, and rule 25(4) thereof shall apply to that election instead of rule 33(4) of the Church Representation Rules, but in other respects the election and matters connected therewith shall be held and carried out in accordance with the Church Representation Rules, subject to the modification that the powers exercisable by the General Synod shall be

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exercisable by the Church Assembly (as constituted at the passing of this Measure) ; and the House of Laity then elected and constituted shall, on the appointed day, be the House of Laity of the General Synod.

(4) Any certificate or information required by the Church Representation Rules to be given to or by the secretaries of deanery synods, diocesan synods or the General Synod shall, before the said synods are constituted, be given to or by the secretaries of ruridecanal conferences, diocesan conferences or the Church Assembly, as the case may be, and the certificate required to be given under rule 25(5) shall certify the number of beneficed or licensed clergy of the chapter of clergy of the ruridecanal conference, which shall be treated as if it were the house of clergy of the deanery synod ; and any certificates received by the secretaries of the said conferences shall, where necessary, be given or sent to the secretaries of the said synods when they are constituted.

(5) The powers of diocesan synods under rule 23 and rule 28 of the said rules to make rules of procedure for deanery synods and diocesan synods respectively shall be exercisable by diocesan conferences before the constitution of diocesan synods, without prejudice to any rules so made being amended or replaced by diocesan synods when constituted.

Power to Remove Transitional Difficulties

6.-(1) If any difficulty arises on or in connection with any of the transitional matters for which this Schedule provides, it shall be referred to the Archbishops of Canterbury and York who may give any directions which they may consider expedient for the purpose of removing the difficulty, and such directions may extend the time for doing anything required by the Church Representation Rules for or in connection with the first elections or choosing of members of any bodies constituted under or in accordance with those Rules.

(2) Rule 43(6) and (7) of the said Rules shall extend to the functions of the Archbishops under this paragraph.