

SYNOD NEWS – NOVEMBER 1988

CHANCELLOR J. BULLIMORE

and

B. J. T. HANSON

Registrar and Legal Advisor to the General Synod

The Church of England (Ecumenical Relations) Measure received the Royal Assent on 29 July 1988 and the Archbishops brought it into force on 1 November 1988 (sec.9(3)). The purposes of the Measure were described in the July 1988 Journal. The General Synod has given Final Approval to two Canons under the enabling powers contained in the Measure. *Canon B 43*, entitled "Of Relations with Other Churches", makes provision for the ministry of ministers and laity of other Churches in Church of England churches and for the participation of Church of England clergy and laity in services of Churches of other denominations. *Canon B 44*, entitled "Of Local Ecumenical Projects" deals with those parishes of the Church of England or parts of parishes where ecumenical commitment is to be expressed as a local ecumenical project. It is anticipated that both Canons will be promulgated at the February 1989 Group of Sessions.

The Church of England (Pensions) Measure also referred to in the July 1988 Journal received the Royal Assent on 27 October 1988 and was brought into force by the Archbishops (sec.19) in two stages; section 16 on 1 November 1988 and the remainder of the Measure on 1 December 1988. Pursuant to this legislation, at the November 1988 Group of Sessions, the General Synod approved the *Clergy Pensions (Amendment) Regulations 1988* and the *Church of England Pensions Regulations 1988*, which come into force on 31 March and 1 April, 1989 respectively.

The Legal Officers (Annual Fees) Order 1988 was approved after a short debate, and provides for increased annual retainers payable to diocesan registrars as from 1 January 1989. The Fees Advisory Committee were persuaded that an uplift of about 9% was justified, as the usual price rise indices were not overhelpful in dealing with rent, staff cost increases etc.

The Patronage (Appeals) Rules 1988 and *Benefices (Institution Appeals) Rules 1988* have been laid before Synod, and come into force on 1 January 1989. They will doubtless become bedtime reading for all registrars.

The Payments to Redundant Churches Fund Order 1988 provides for the Church Commissioners to provide £3.7m in the five year period from 1 April 1989, which will be matched by an £8.7m contribution by the state.

The Clergy (Ordination) Measure which provides for the ordination of those presently prohibited by reason of being divorced or married to someone divorced, is with the Ecclesiastical Committee of Parliament, which has asked for a meeting with the Synod's Legislative Committee in February 1989.

The General Synod gave General Approval to a number of instruments designed to modify the election rules of the Synod's three Houses. These instruments now go to a revision committee with a view to the changes becoming operative before the next general election to the Convocations and the House of Laity of the General Synod in July 1990.

The General Synod also gave General Approval to the draft *Care of Cathedrals Measure*. Debate on a Measure with the same title was adjourned at the February 1988 Group of Sessions when dissatisfaction was voiced about its complexities. (see an article in the July 1988 Journal at p. 24). The objective of the Measure is to strengthen and extend the Church's legal and administrative structures for the care and conservation of the cathedrals of the Church of England. A new central body to be known as the Cathedrals Fabric Commission for England will replace the existing Cathedrals Advisory Commission and each cathedral will have a Fabric Advisory Committee. *One or other* body must give approval to material alterations to the fabric or the disposal or acquisition of objects of architectural, archaeological, artistic or historic interest. A system of appeals is set out. The major differences are that the Dean or Provost and residentiary Canons are not to have voting power on the Fabric Advisory Committees. The Measure does not contain "enforcement" provisions because this is being dealt with in the wider context of the forthcoming legislation on the care of parish churches and will be the subject of a separate Measure. The Measure now goes to a revision committee and is expected to be returned to the Synod for revision in full Synod at the July 1989 Group of Sessions, the sooner the better in view of the Mappa Mundi affair. The Deans and Provosts and their Chapters, and the members of the present Cathedral Advisory Commission, are now satisfied with the general arrangements as being workable.

Amendments to the *Church Representation Rules* provide for parochial or deanery elections to be carried out by post, and for diocesan responsibility for maintaining a central register of lay deanery elections, which will be open for public inspection. Election papers will be sent to individual electors and not sent out in bulk e.g. to deanery secretaries. A new Rule 36 will provide for election appeals and provision is also made for casual vacancies.

A working party report on *diocesan registrars* (GS 808) was approved, together with 11 of its 14 recommendations, which will affect the work done by diocesan registrars within the ambit of their annual retainer. They will no longer be required to attend at archdeaconry visitations, a simple form for the resignation of an incumbent is to be prepared and its use made mandatory, and a Measure is to be prepared to clarify the law relating to sequestration without further formality. A rest from further investigation of the work of diocesan registrars was urged upon Synod . . . oh, if only . . .

Finally following a report by the Committee for Black Anglican Concerns (GS 844A) the Synod agreed to introduce a Measure and changes in the Canons and Church Representation Rules, to allow for 24 members of the

General Synod to be 'black' persons. The method proposed will be to 'top up' the numbers of elected members in that category to 24 if that number has not been reached. Those entitled will be those unsuccessful candidates under the S.T.V. system who had the highest percentage of the quota when eliminated. This positive discrimination could only be lawful, Synod was advised by leading counsel, if a Measure was approved by Parliament (or by an order of the Home Secretary under Section 73 of the Race Relations Act 1976.). Will it all be done for the 1990 elections? 'Black' will be a self selection criterion in an ethnic monitoring questionnaire.

NOTTINGHAM 1989

This is the last call for registration as a member of next year's exciting residential conference, 7-9 April 1989, at Nottingham University. Members were sent a booking form with the previous issue of the Journal, but a spare can be obtained from the Secretary's office if needed. Bookings are moving steadily to the maximum number which can be accommodated, and attendance must be strictly on a "First come, first served" basis.

The attractive programme includes lead addresses by The Lord Archbishop of York; our President – The Lord Bishop of Chichester; and Chancellor Hemmerick of the Diocese of Toronto; together with welcomes from the Lord Bishop of Southwell and the Vice-Chancellor of Nottingham University. The thriving working parties will also be offering participation in their special interests. The Annual General Meeting will also be held during the Conference. This is an event not to be missed. Don't delay – **BOOK NOW!**

For further information -
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