

Section H

The Synods of the Church

H 1 Of the General Synod and the Convocations

(This is a conflated text of two parallel Canons promulgated by the Convocations of Canterbury and York. Wording which appears only in the Canterbury or the York version is shown in square brackets.)

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 service 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

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- (c) the member or members 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.

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.

H 2 Of the Representation of the Clergy in the Lower House of the Convocations

(This is a conflated text of two parallel Canons promulgated by the Convocations of Canterbury and York. Wording which appears only in the Canterbury or the York version is distinguished by the paragraph heading or shown in square brackets.)

Canterbury

1. Whenever the Lord Archbishop of Canterbury shall summon a Convocation of that province, the following persons, and they only, shall henceforth be cited to appear in the Lower House of the said Convocation:

- (a) three persons elected by and from among the deans of all the cathedral churches in the province, the deans of the two collegiate churches of St Peter in Westminster and of St George, Windsor, and the Dean of the Cathedral Church of the Holy Trinity in Gibraltar in such manner as may be provided by rules made under this Canon;
- (b) either the Dean of Jersey or the Dean of Guernsey as may be determined in such manner as may be provided by rules made under this Canon;
- (c) [*Repealed by Amending Canon No. 26*];
- (d) not less than three nor more than four persons in holy orders elected or chosen from among the chaplains of the armed forces in such manner as may be determined by the Forces Synodical Council as soon as practicable after any dissolution of the Convocation, provided that the total number of persons elected or chosen under this subparagraph, paragraph 1(bb) of Canon H 3 and Rule 35(1)(d) of the Church Representation Rules shall not exceed seven;
- (dd) the Chaplain General of Prisons or, where the holder of that office is not a person in holy orders, such prison chaplain as may be nominated by the Archbishop of Canterbury;
- (e) proctors of the clergy who shall be elected in accordance with the following provisions of this Canon provided that not more than one archdeacon shall be elected for any diocese or, where a diocese is divided into electoral areas, for any such area;

- (f) not more than two persons chosen by and from the priests and deacons who are members of religious communities having their mother house in the province in such manner as may be provided by rules made under this Canon;
- (g) each of the following persons, if he is a priest or deacon, the Dean of the Arches and Auditor, the Vicar-General of the province, the Third Church Estates Commissioner, the Chairman of the Church of England Pensions Board and any member of the Archbishops' Council beneficed, licensed or resident in the province;

and those persons, together with any persons co-opted under paragraph 11 hereof, shall constitute the said Lower House. For the purposes of this Canon and any rules made thereunder the diocese in Europe shall be deemed to be a diocese in the province of Canterbury and references to a diocese shall be construed accordingly.

York

1. Whenever the Lord Archbishop of York shall summon a Convocation of that province, the following persons, and they only, shall henceforth be cited to appear in the Lower House of the said Convocation:

- (a) two persons elected by and from among the deans of all the cathedral churches in the province in such manner as may be provided by rules made under this Canon;
- (b) [*Repealed by Amending Canon No. 26*];
- (c) proctors of the clergy who shall be elected in accordance with the following provisions of this Canon provided that not more than one archdeacon shall be elected for any diocese or, where a diocese is divided into electoral areas, for any such area;
- (d) not more than two persons chosen by and from the priests and deacons who are members of religious communities having their mother house in the province in such manner as may be provided by rules made under this Canon;
- (e) each of the following persons, if he is a priest or deacon, the Vicar-General of the province and any member of the Archbishops' Council beneficed, licensed or resident in the province;

and those persons, together with any person co-opted under paragraph 11 hereof, shall constitute the said Lower House.

Both Convocations

1A. A person in episcopal orders shall not be qualified to be elected, appointed, chosen or co-opted to be a member of the Lower House and no person who is a member of the House of Bishops of a diocesan synod shall be entitled to elect or choose a member or members of the Lower House; and any member of the Lower House who is ordained or consecrated as a bishop shall be deemed to have vacated his seat.

2. Each diocese in the province shall be an electoral area, and the number of persons elected for a diocese shall be in such proportion to the number of electors in that diocese as shall be determined from time to time by the General Synod:

Provided that

- (a) The total number of proctors directly elected and specially elected from the dioceses in the province shall not exceed [136 in the case of the Province of Canterbury] [59 in the case of the Province of York] and no diocese shall have fewer than three directly elected proctors [except the diocese in Europe which shall have two proctors – Canterbury] [except the diocese of Sodor and Man which shall have one proctor – York]. The priests and deacons chosen from the members of the religious communities, the chaplains mentioned in paragraph 1(d) of the provisions relating to the Convocation of Canterbury and ex officio and co-opted proctors shall be additional to the said total number.

In this paragraph ‘proctors specially elected’ means the deans [the Dean of Jersey or Guernsey as the case may be – Canterbury] and the university proctors, and they shall be included in the said total number;

‘ex-officio proctors’ means the proctors referred to in [paragraph 1(dd) and (g) – Canterbury] [paragraph 1(e) – York] of this Canon; and

‘co-opted proctors’ means the proctors referred to in paragraph 11 of this Canon.

- (b) it shall be competent for the archbishop of the province on the petition of the electors in any diocese to divide the diocese into electoral areas and to assign a number of proctors to each area from the number allowed to the whole diocese; the division and assignment to be made in such manner that no electoral area will have fewer than three proctors and the number of proctors assigned to each area will be proportionate to the number of electors within that area.

- (c) in determining the number of proctors to be assigned to or elected for an electoral area such deviser method as may from time to time be specified by the Business Committee of the General Synod shall be used.

Canterbury

3. The universities in the province shall constitute four electoral areas:

- (a) the University of Oxford,
- (b) the University of Cambridge,
- (c) the University of London,
- (d) the other universities in the province acting together for this purpose;

and one proctor shall be elected for each such electoral area.

York

3. The universities in the province shall constitute two electoral areas:

- (a) the Universities of Durham and Newcastle acting together for this purpose;
- (b) the other universities in the province acting together for this purpose;

and one proctor shall be elected for each such electoral area.

Both Convocations

4. Where a diocese or part thereof is an electoral area, the electors shall be –

- (a) all clerks in holy orders exercising the office of Assistant Bishop in the area,
- (b) all archdeacons holding office in the area,
- (c) all clerks in holy orders beneficed in the area,
- (d) all clerks in holy orders holding in a cathedral church in the area or, in the case of the Province of Canterbury, either of the two collegiate churches referred to in paragraph 1(a) above; and

- (e) all clerks in holy order licensed under seal by the bishop of the diocese and all clerks in holy orders who are members of a deanery synod in the area and have written permission from the bishop of the diocese to officiate within that diocese,

but excluding members of the House of Bishops of the diocesan synod, deans, in the case of the Province of Canterbury the chaplains mentioned in paragraphs 1(d) and (dd) above and members of the religious communities,

Provided that no person shall be entitled to vote in more than one electoral area.

5. Subject to paragraphs 5A, 5B and 5C of this Canon the persons eligible as proctors for an electoral area shall be those who have been admitted to deacon's or priest's orders and are entitled to vote in that electoral area or would have been so entitled under paragraph [4(d)]* above had they been members of a deanery Synod.

Provided that a person shall be disqualified from serving as proctor for an electoral area if he holds any paid office or employment appointment which is or may be made or confirmed by the General Synod, the Convocations, the Central Board of Finance, the Church Commissioners for England (except that such disqualification shall not apply to any Commissioner in receipt of a salary or other emoluments), the Church of England Pensions Board or the Corporation of the Church House.

5A. Where any person, being a clergyman who

- (a) is beneficed in, or licensed to, any parish in an electoral area consisting of a diocese or part of a diocese, or
- (b) is licensed to serve as a vicar in a team ministry established for the area of any benefice in that electoral area,

would be entitled to vote in that electoral area but for the fact that he is entitled to vote in an electoral area consisting of a university or group of universities, then, subject to paragraphs 5B and 5C of this Canon, that person shall be eligible as a proctor for such one of those electoral areas as he may elect before any election.

5B. No person shall be entitled to offer himself for election in more than one electoral area.

5C. Where any person makes an election under paragraph 5A of this Canon in a general election of proctors for either of the electoral areas

referred to in that paragraph, or in an election to fill a casual vacancy in the proctors elected for either of those areas, then, if he is a candidate in any subsequent election to fill such a vacancy which occurs before the next following general election of proctors for the said areas, he shall be eligible as a proctor only for the electoral area for which he was eligible by virtue of the election made by him under the said paragraph 5A.

6. Elections of proctors shall, subject to the foregoing provisions of this Canon, be conducted in accordance with rules made under this Canon.

7. Any proctor elected for a diocese or part thereof who ceases to be eligible under paragraph 5 and 5A of this Canon for that diocese or any part thereof shall, unless the clerical members of the Bishops' Council and Standing Committee of the diocese have determined before the vacancy occurs or as provided below that he is able and willing to continue to discharge to their satisfaction the duties of a member of the Lower House elected for that diocese, be deemed to have vacated his seat:

Provided that there shall be no power for the Bishops' Council to make a determination under this paragraph where the seat is vacated by virtue of the proviso to paragraph 5 hereof.

And provided further that the clerical members of the Bishop's Council and the Standing Committee of the diocese shall not later than one year after any such determination and annually thereafter review the proctor's membership and determine whether he is able and willing as aforesaid.

8. Where any person:

- (a) being a member of the Lower House under paragraph [1(a), (b), (dd) or (g) – Canterbury] [1(a), or (e) – York] of this Canon, vacates the office by virtue of which he was eligible for or entitled to such membership;
- (b) having been chosen under paragraph 1 [(f) – Canterbury] [(d) – York], ceases to be a member of a religious community in the province;
- [(bb) having been nominated by the Archbishop of Canterbury under paragraph 1(dd) either vacates his office or a clerk in holy orders is admitted to the office referred to in the said paragraph – Canterbury];
- (c) having been elected under paragraph 3, ceases to be eligible for the electoral area for which he was elected;

- (d) being a member of the said Lower House has his election or choice declared void in accordance with rules made under this Canon;

he shall be deemed to have vacated his seat.

9. Subject to the provisions of this paragraph an election, appointment, or choice of a person to fill a casual vacancy shall, except as may be otherwise provided by rules made under this Canon, be conducted in the same manner as an ordinary election, appointment or choice and shall be completed, so far as possible, within six months of the occurrence of the vacancy and in the event of the vacancy not being filled within that period, the Prolocutor of the Lower House may give directions to the presiding officer as to the date by which the vacancy must be filled.

Provided that where a casual vacancy occurs less than twelve months before an ordinary election to the Lower House will be held, the vacancy shall not be filled unless the clerical members of the Bishop's Council and Standing Committee so direct.

10. The powers to make rules under this Canon shall be exercised by the General Synod in accordance with Standing Orders of the General Synod.

11. The Lower House of the Convocation shall have power to co-opt not more than [three – Canterbury] [two – York] persons who have been admitted to priest's orders to be members of that House. The House may, in the case of any such member, fix a period of membership shorter than the lifetime of the Convocation.

***Note:** *As is apparent from the context, the reference in paragraph 5 to 'paragraph 4(d)' should in fact be to 'paragraph 4(e)'. Pending correction by a future Amending Canon, the Canon should be applied accordingly.*

H 3 Of the Constitution of the Upper Houses of the Convocations

1. Whenever the Lord Archbishop of Canterbury shall summon a Convocation of that province, the following persons, and they only, shall henceforth be cited to appear in the Upper House of the said Convocation:

- (a) the diocesan bishops of the province;
- (b) the Bishop of Dover;
- (bb) the Bishop to the Forces, if chosen by the Forces Synodical Council as soon as practicable after any dissolution of the Convocations.
- (c) four persons elected in such manner as may be provided by rules made under this Canon by and from among the suffragan bishops of the province (other than the Bishop of Dover) and the other persons in episcopal orders working in a diocese in the province who are members of the House of Bishops of that diocese;
- (d) other persons in episcopal orders residing in the province who are members of the Archbishops' Council;

and those persons together with the said Archbishop shall constitute the said Upper House.

Provided that, where a See is vacant during any meeting of the Upper House, and a suffragan bishop is, during the period of that meeting, exercising functions of the diocesan bishop by virtue of an instrument under section 8 of the Church of England (Miscellaneous Provisions) Measure 1983, and has not been elected to the Upper House under subparagraph (c) above, the suffragan bishop may attend and speak, but not vote, at that meeting in place of the bishop.

For the purposes of this Canon and any rules made thereunder the diocese in Europe shall be deemed to be a diocese in the province of Canterbury.

2. Whenever the Lord Archbishop of York shall summon a Convocation of that province, the following persons, and they only, shall henceforth be cited to appear in the Upper House of the said Convocation:

- (a) the diocesan bishops of the province;

- (b) three persons elected in such manner as may be provided by rules made under this Canon by and from among the suffragan bishops of the province and the other persons in episcopal orders working in a diocese in the province who are members of the House of Bishops of that diocese;
- (c) other persons in episcopal orders residing in the province who are members of the Archbishops' Council;

and those persons together with the said Archbishop shall constitute the said Upper House.

Provided that, where a See is vacant during any meeting of the Upper House, and a suffragan bishop is, during the period of that meeting, exercising functions of the diocesan bishop by virtue of an instrument under section 8 of the Church of England (Miscellaneous Provisions) Measure 1983, and has not been elected to the Upper House under subparagraph (b) above, the suffragan bishop may attend and speak, but not vote, at that meeting in place of the bishop.

3. Where any person, being a member of the Upper House of the Convocation of Canterbury or a member of the Upper House of the Convocation of York ceases to be eligible for such membership, he shall be deemed to have vacated his seat.
4. An election to fill a casual vacancy shall, except as may be otherwise provided by rules made under this Canon, be conducted in the same manner as an ordinary election.
5. The power to make rules under this Canon shall be exercised by the General Synod in accordance with Standing Orders of the General Synod.

