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## SCHEDULES

### SCHEDULE 2

Section 2.

#### CONSTITUTION OF THE GENERAL SYNOD

##### Extent Information

**E1** For extent to the Channel Islands and the Isle of Man see s. 9(3)-(5)

- 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:

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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.

[<sup>F1</sup>(2) The Presidents shall, after consultation with the Appointments Committee of the Church of England, appoint from among the members of any House of the Synod a panel of such number of persons as the Presidents may determine, who shall be available to take the chair at meetings of the Synod, being persons who shall be chosen for their experience of chairing and ability to chair meetings; and it shall be the duty of one of the persons on 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 Synod at which neither of the Presidents take the chair.]

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

#### Textual Amendments

**F1** Sch. 2 art. 4(2) substituted (1.10.2006) by [Church of England \(Miscellaneous Provisions\) Measure 2006 \(No. 1\)](#), **ss. 8(a)**, 16(2); [2006 No. 2](#), Instrument made by Archbishops

#### Modifications etc. (not altering text)

**C1** Sch. 2 Art. 4(2): functions of Standing Committee transferred (1.1.1999) to Appointments Committee by [S.I. 1998/1715](#), **arts. 1(2)(4)**, 2, **Sch. 1**; Instrument made by the Archbishops of Canterbury and York dated 14.10.1998

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.

[<sup>F2</sup>(3) This Article shall be subject to any provision of this Constitution or of any Measure with respect to special majorities of the Synod or of each House thereof, and where a special majority of each House is required the vote shall be taken on a division by Houses, and where a special majority of the whole Synod is required, the motion shall, for the purposes of this Article, be one relating solely to procedure.]

[<sup>F3</sup>(4) Without prejudice to Article 11(1) below, where a vote is to be taken by a division either of the whole Synod or by Houses, Standing Orders may provide for the vote to be taken either by physical separation of the members voting or by other means including such electronic method of voting as may from time to time be determined by the Business Committee.]

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#### Textual Amendments

- F2** Article 5(3) substituted by [Synodical Government \(Special Majorities\) Measure 1971 \(No. 1, SIF 21:1\), s. 1\(3\)](#)
- F3** Sch. 2 art. 5(4) substituted (1.10.2006) by [Church of England \(Miscellaneous Provisions\) Measure 2006 \(No. 1\), ss. 8\(b\), 16\(2\); 2006 No. 2](#), Instrument made by Archbishops

- 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 <sup>M1</sup>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 authorised 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.

#### Marginal Citations

- M1** [1919 c. 76 \(21:1\)](#).

- 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 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 House 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

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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 [<sup>F4</sup>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 [<sup>F5</sup>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 [<sup>F4</sup>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 [<sup>F6</sup>or, in case of the diocese in Europe, of the bishop's council and standing committee of that diocese].
- [<sup>F7</sup>(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.]
- [<sup>F8</sup>(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 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.]
- [<sup>F9</sup>(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.]

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- (2) Any question whether this Article applies to any Measure [<sup>F4</sup>or canon] 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.

#### Textual Amendments

- F4** Words inserted by Church of England (Worship and Doctrine) Measure 1974 (No. 3, SIF 21:7), **Sch. 1, para. 3**
- F5** Words inserted by Synodical Government (Amendment) Measure 1974 (No. 1, SIF 21:1), **s. 2(1)**
- F6** Words inserted by Diocese in Europe Measure 1980 (No. 2, SIF 21:1), **s. 3(1)**
- F7** Article 8(1A) inserted by Synodical Government (Amendment) Measure 1974 (No. 1, SIF 21:1), **s. 2(2)**
- F8** Article 8(1B) inserted by Synodical Government (Special Majorities) Measure 1971 (No. 1, SIF 21:1), **s. 1(1)** as Article 8(1A) and renumbered Article 8(1B) by Synodical Government (Amendment) Measure 1974 (No. 1, SIF 21:1), **s. 2(3)**
- F9** Article 8(1C) inserted by Church of England (Miscellaneous Provisions) Measure 1978 (No. 3, SIF 21:8), **s. 1**

#### Modifications etc. (not altering text)

- C2** Article 8 amended by Diocese in Europe Measure 1980 (No. 2, SIF 21:1), **s. 3(2)**

- 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 <sup>M2</sup>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 [<sup>F10</sup>such Committees, Commissions and other bodies (in addition to the Committees mentioned in section 10 of the National Institutions Measure 1998)], 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.

#### Textual Amendments

- F10** Words in Sch. 2 art. 10(2) substituted (1.1.1999) by S.I. 1998/1715, art. 4(4), **Sch. 2 para. 1**

#### Marginal Citations

- M2** 1919 c. 76 (21:1).

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- 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 authorised by this Constitution to be made, and consistently with this Constitution, for the meetings, business and procedure of the General Synod.
- [<sup>F11</sup>(1A) Provision may be made by Standing Order that the exercise of any power of the General Synod to suspend the Standing Orders or any of them shall require the assent of such a majority of the members of the whole Synod present and voting as may be specified in the Standing Order.]
- (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.

#### Textual Amendments

**F11** Article 11(1A) inserted by [Synodical Government \(Special Majorities\) Measure 1971 \(No. 1, SIF 21:1\), s. 1\(2\)](#)

- 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.
- (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.

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