

## RECENT LEGISLATIVE DEVELOPMENTS

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This article comments on both the July and November 1993 Groups of Sessions of the General Synod which have contained a great deal of legislation as the various Committees which started work after the last election in 1990 produce the fruits of their labours.

In July the Church Representation Rules (Amendment) Resolution and the attendant amendments to the election rules of the three Houses were given general approval. Every five years the Elections Review Group considers and recommends changes to the election rules in the light of problems which have been encountered at the last election. Some of the more important amendments include a minimum scale of representation of laity on deanery synods to ensure that parishes with small electoral rolls are not over-represented by comparison with larger parishes and a requirement that the diocesan administration should have accurate details of deanery synod membership. Changes have also been made in the election appeals rules.

The Diocesan Chancellorship Regulations 1993 were also approved in July which limit the number of chancellorships which may be held by one person to two. The Regulations are made pursuant to section 2A of the Ecclesiastical Jurisdiction Measure 1963 and are not retrospective. They came into force on 1 October 1993.

The Pastoral (Amendment) Measure (see (1993) 3 Ecc L J 65) was given final approval by the Synod and awaits consideration by both Houses of Parliament. The Vacancy in See Committees Regulation was declared an Act of Synod (see (1993) 3 Ecc L J 115). Final Drafting also took place for Draft Amending Canon No 17 which deals with amendments to the Liturgical Canons (see (1993) 3 Ecc L J 115).

In July the Revision Stage of the Care of Cathedrals (Supplementary Provisions) Measure took place when no amendments were moved (see (1993) 3 Ecc L J 65). At the November Group of Sessions the Measure was given Final Approval and now awaits submission to the Ecclesiastical Committee of Parliament.

Draft Amending Canon No 17 was also given Final Approval in November with overwhelming majorities in all three Houses.

In November further consideration was given to matters arising out of the passing of the Women Priests Legislation. Following a take note debate at the July Sessions on a proposal from the House of Bishops that there should be an Act of Synod to assist clergy and laity who could not accept the ministry of women priests or of bishops who ordained them, the Archbishop of York proposed the approval by the Synod of the Episcopal Ministry Act of Synod. After a number of amendments had been considered the General Synod approved the text of the draft Act which will be proclaimed an Act of Synod at the one day Session to be held on 22 February 1994. The Synod went on to approve a proposal for the creation of three additional suffragan sees, two in Canterbury and one in York, which will be held by the Provincial Episcopal Visitors provided for by the Act of Synod.

In the July Sessions and the November Sessions all stages were taken of the Church of England (Legal Aid) Measure which was given final approval with no votes cast against it. The Measure now awaits submission to the Ecclesiastical Committee of Parliament. In a report to the Synod the Legal Aid Commission had made a number of recommendations in the light of the Tyler case with a view to keeping the cost of legal aid to the minimum consistent with the Legal Aid System, to allow the Commission to function as effectively and economically as possible and to provide the Church with the best possible value for the money spent from the Fund. The Measure amends the law to make the above objectives possible and also removes doubts which had arisen on points of detail concerning the existing legislation. Some of the recommendations were dealt with in the Church of England (Legal Aid) Rules 1993 which were approved by the Synod in July and came into force on 1 September 1993 (S.I. 1993 No 1840).

At the November Sessions the revision stage for the draft Teams and Group Ministries Measure was dealt with. The Measure had been generally approved in February 1992 (see (1992) 2 Ecc L J 388) and had had a long revision committee stage. Two amendments were successfully moved at the revision stage in full Synod and the Measure is now recommitted to the Steering Committee in respect of its final drafting.

A new Miscellaneous Provisions Measure and Canon were generally approved in November. As the name implies the legislation deals with a miscellany of items which do not warrant a Measure of their own. The items range from uncontroversial amendments of the Pastoral Measure 1983 to a clause dealing with the ministry of clergy of the Church of Ireland in parishes of the Church of England.

Finally, the Payments to Redundant Churches Fund 1993 was approved in November as were the Ordination of Women (Financial Provisions) Rules 1993. The latter Rules, which are made under section 10 of the Ordination of Women (Financial Provisions) Measure 1993, make provision for regulating the procedure and practice in proceedings on an appeal by an applicant for financial provision who is aggrieved by a determination of the Pensions Board in carrying out its functions under the Measure.