



The Church Representation Rules

as they have effect in the Isle of Man

with the
Churchwardens Measure (Isle of Man) 2013
and Churchwardens Scheme 2014

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Preface

1. This booklet sets out the text of the Church Representation Rules contained in Schedule 3 to the Synodical Government Measure 1969, as extended to the Isle of Man by the Church Act 1987 (an Act of Tynwald). The text is that in force on **1 January 2018**.

2. The text incorporates the amendments of the Rules made by the following enactments before 1 January 1985 (see Church Act 1987 Sch.1 para.1) —

- the Church Representation Rules (Amendment) Resolution 1973 (SI 1973/1865)
- the Church Representation Rules (Amendment) Resolution 1980 (SI 1980/178)
- the Diocese in Europe Measure 1980
- the Church Representation Rules (Amendment) Resolution 1981 (SI 1981/959)
- the Church Representation Rules (Amendment) (No. 2) Resolution 1981 (SI 1981/1650)
- the Church Representation Rules (Amendment) Resolution 1984 (SI 1984/1039)
- the Church Representation Rules (Amendment) (No. 2) Resolution 1981 (SI 1984/1040)

and by the following enactments after 1984 —

- the Patronage (Benefices) Measure 1986, as extended by the Patronage Measure (Isle of Man) 1997 (SM 1 of 1997)
- the Church Representation Rules (Amendment) (No.1) Resolution 1989 (SI 1989/2094), extended by the Church Representation Rules (Amendment) (Isle of Man) Resolution 1990 (GC 187/90)
- the Church Representation Rules (Amendment) (No.2) Resolution 1989 (SI 1989/2095), extended by the Church Representation Rules (Amendment) (Isle of Man) Resolution 1990 (GC 187/90)
- the Care of Churches and Ecclesiastical Jurisdiction Measure 1991, extended by the Care of Churches and Ecclesiastical Jurisdiction Measure (Isle of Man) 1992 (SM 1 of 1992)
- the Priests (Ordination of Women) Measure 1993
- the Church Representation Rules (Amendment) Resolution 1994 (SI 1994/3118), extended by the Church Representation Rules (Amendment) (Isle of Man) Resolution 1995 (SD 217/95)
- the Church Representation Rules (Amendment) Resolution 1995 (SI 1995/3243), extended by the Church Representation Rules (Amendment) (Isle of Man) Resolution 1999 (SD 731/99)
- the National Institutions Measure 1998
- the National Institutions of the Church of England (Transfer of Functions) Order 1998 (SI 1998/1715)
- the Church Representation Rules (Amendment) Resolution 1999 (SI 1999/2112), extended by the Church Representation Rules (Amendment) (Isle of Man) Resolution 1999 (SD 731/99)
- the Church Representation Rules (Amendment) Resolution 2004 (SI 2004/1889), extended by the Church Representation Rules (Amendment) (Isle of Man) Resolution 2004 (SD 917/04)
- the Parochial Church Councils and Accounts Measure (Isle of Man) 2010 (SM 1 of 2010)
- the Mission and Pastoral Measure (Isle of Man) 2012 (SD 654/12)
- the Churchwardens Measure (Isle of Man) 2013 (SD 435/13)
- the Church Representation Rules (Amendment) Resolution 2014 (SI 2014/2113), extended by the Church Representation Rules (Amendment) (Isle of Man) Resolution 2014 (SD 2014/0372)
- the Church of England (Miscellaneous Provisions) Measure 2014, extended by the Church (Miscellaneous Provisions) Measure (Isle of Man) 2015 (SM 1 of 2015)

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- the Safeguarding and Clergy Discipline Measure 2016, extended by the Safeguarding and Clergy Discipline Measure (Isle of Man) 2017 (SM 1 of 2017)

3. The text incorporates the modifications made by Schedule 1 to the Church Act 1987, excluding those repealed by the Pastoral Measure (Isle of Man) 1990 (GC 3/91), and by the following resolutions under the Synodical Government Measure 1969 s.7(3)(a) (as extended by the Church Act 1987 s.1(5)) —

- the Church Representation Rules (Amendment) (Isle of Man) Resolution 1990 (GC 187/90)
- the Church Representation Rules (Amendment) (Isle of Man) (No. 2) Resolution 1990 (GC 432/90)
- the Church Representation Rules (Amendment) (Isle of Man) Resolution 1992 (GC 192/92)
- the Church Representation Rules (Amendment) (Isle of Man) Resolution 2003 (SD 399/03)
- the Church Representation Rules (Amendment) (Isle of Man) Resolution 2004 (SD 917/04)
- the Church Representation Rules (Amendment) (Isle of Man) Resolution 2005 (SD 857/05)
- the Church Representation Rules (Amendment) (Isle of Man) Resolution 2009 (SD 403/09)
- the Church Representation Rules (Amendment) (Isle of Man) Resolution 2013 (SD 88/13)
- the Church Representation Rules (Amendment) (Isle of Man) Resolution 2014 (SD 2014/0372)

4. The text of the Churchwardens Measure (Isle of Man) 2013 (SM 1 of 2013) and the Churchwardens Scheme 2014 (SD 2014/0370) is also included.

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Braddan, Isle of Man
May 2018

The Church Representation Rules and the Churchwardens Measure (Isle of Man) 2013 are published on the internet at —

*<http://www.gumbley.net/crr.htm>
<http://www.gumbley.net/cmim2013.htm>*

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PART I
CHURCH ELECTORAL ROLL

1. Formation of roll

(1) There shall be a church electoral roll (in these rules referred to as "the roll") in every parish, on which the names of lay persons shall be entered as hereinafter provided. The roll shall be available for inspection by bona fide inquirers.

(2) A lay person shall be entitled to have his name entered on the roll of a parish, if he is baptised, of sixteen years or upwards, has signed an application form for enrolment set out in Appendix 1 of these rules and declares himself either —

- (a) to be a member of the Church of England or of a Church in communion therewith resident in the parish; or
- (b) to be such a member and, not being so resident, to have habitually attended public worship in the parish during a period of six months prior to enrolment; or
- (c) to be a member in good standing of a Church not in communion with the Church of England which subscribes to the doctrine of the Holy Trinity and also to be a member of the Church of England and to have habitually attended public worship in the parish during a period of six months prior to enrolment.

Provided that where a lay person will have his sixteenth birthday after the intended revision of the electoral roll or the preparation of a new roll but on or before the date of the annual parochial church meeting, he may complete a form of application and his name shall be enrolled but with effect from the date of his birthday.

(4) A person shall be entitled to have his name on the roll of each of any number of parishes if he is entitled by virtue of paragraph (2) of this rule to have his name entered on each roll; but a person whose name is entered on the roll of two or more parishes must choose one of those parishes for the purposes of the provisions of these rules which prescribe the qualifications for election to a diocesan synod or the General Synod or for membership of a parochial church council under rule 14(1)(f).

(5) The roll shall, until a parochial church council has been constituted in a parish, be formed and revised by the minister and churchwardens (if any), and shall, after such council has been constituted, be kept and revised by or under the direction of the council. Reference in this rule to a parochial church council shall, so far as may be necessary for giving effect to these rules, be construed as including references to the minister and churchwardens (if any).

(6) Where a new parish is created by a pastoral scheme, the roll of that parish shall in the first instance consist —

- (a) in the case of a parish created by the union of two or more former parishes, of the rolls of those parishes combined to form one roll;
- (b) in any other case, of the names of the persons whose names are at the date of the coming into existence of the new parish entered on the roll of a parish the whole or any part of which forms part of the new parish and who are either resident in the new parish or have habitually attended public worship therein.

(7) The parochial church council shall appoint a church electoral roll officer to act under its direction for the purpose of carrying out its functions with regard to the electoral roll.

(8) The names of persons who are entitled to have their names entered upon the roll of the parish shall, subject to the provisions of these rules, be from time to time added to the roll. It shall be the duty of the church electoral roll officer to keep the roll constantly up to date by the addition and removal of names as from time to time required by these rules and to report such additions and removals at the next meeting of the parochial church council.

When additions and removals have been made by the electoral roll officer a list of such amendments shall be published by being exhibited continuously for not less than fourteen days on or near the principal door of every church in the parish and every building in the parish licensed for public worship in such manner as the council may appoint and the list shall contain notification of the right of appeal referred to in rule 43.

(9) Subject to the provisions of this rule, a person's name shall, as the occasion arises, be removed from the roll, if he —

- (a) has died; or
- (b) becomes a clerk in Holy Orders; or
- (c) signifies in writing his desire that his name should be removed; or
- (d) ceases to reside in the parish, unless after so ceasing he continues, in any period of six months, to attend public worship in the parish, unless prevented from doing so by illness or other sufficient cause; or
- (e) is not resident in the parish and has not habitually attended public worship in the parish during the preceding six months, not having been prevented from doing so by illness or other sufficient cause;
- (f) was not entitled to have his name entered on the roll at the time when it was entered.

(10) The removal of a person's name from the roll under any of the provisions of these rules shall be without prejudice to his right to have his name entered again, if he has or acquires that right.

(11) The roll shall where practicable contain a record of the address of every person whose name is entered on the roll, but a failure to comply with this requirement shall not prejudice the validity of any entry on the roll.

2. Revision of roll and preparation of new roll

(1) Except in a year in which a new roll is prepared, the roll of a parish shall be revised annually by or under the direction of the council. Notice of the intended revision in the form set out in section 2 of Appendix I to these rules shall be affixed by the minister or under this direction on or near the principal door of every church in the parish and every building in the parish licensed for public worship and remain so affixed for a period of not less than fourteen days before the commencement of the revision. The revision shall be completed not less than fifteen days or more than twenty-eight days before the annual parochial church meeting.

(2) Upon every revision all enrolments or removals from the roll which have been effected since the date of the last revision (or since the formation of the roll, if there has been no previous revision) shall be reviewed, and such further enrolments or removals from the rolls as may be required shall be effected.

(3) After the completion of the revision, a copy of the roll as revised shall, together with a list of the names removed from the roll since the last revision (or since the formation of the roll, if there has been no previous revision), be published by being exhibited continuously for not less than fourteen days before the annual parochial church meeting on or near the principal door of the parish church in such manner as the council shall appoint. During the period while the copy is so exhibited any errors and omissions in the roll may be corrected but subject thereto and to the provisions of rule 1(2) no names shall be added to or removed from the roll during the period in any year between the completion of the revision and the close of the annual parochial church meeting.

(4) Not less than two months before the annual parochial church meeting in the year 2007 and every succeeding sixth year notice in the form set out in section 3 of Appendix I to these rules shall be affixed by the minister or under his direction on or near the principal door of every church in the parish and every building in the parish licensed for public worship and remain so affixed for a period

of not less than fourteen days. On the affixing of the notice a new roll shall be prepared.

At every service held on each of the two Sundays within the period of fourteen days beginning with the date of the affixing of the notice or, in the case of a church in which no service is held on either of those Sundays, at every service held in that church on the first Sunday after that date the person conducting the service shall inform the congregation of the preparation of the new roll.

(5) The parochial church council shall take reasonable steps to inform every person whose name is entered on the previous roll that a new roll is being prepared and that if he wishes to have his name entered on the new roll he must apply for enrolment. No such steps need be taken with respect to any person whose name could be removed from the previous roll under rule 1(9).

(6) The new roll shall be prepared by entering on it the names of persons entitled to entry under rule 1(2), and a fresh application shall be required from persons whose names were entered on the previous roll. A person whose name was so entered shall not be disqualified for entry on the new roll by reason only of his failure to comply with the conditions specified in rule 1(2)(b) and (c), if he was prevented from doing so by illness or other sufficient cause, and the circumstances shall be stated on the application form. The preparation of the new roll shall be completed not less than fifteen days or more than twenty-eight days before the annual parochial church meeting.

(7) After the completion of the new roll, a copy shall be published by being exhibited continuously for not less than fourteen days before the annual parochial church meeting on or near the principal door of the parish church in such manner as the council shall appoint. During the period while the copy is so exhibited any errors and omissions in the roll may be corrected but subject thereto and to the provisions of rule 1(2), no names may be added to or removed from the roll during the period in any year between the completion of the revision and the close of the annual parochial church meeting. On the publication of the new roll it shall come into effect and the previous roll shall cease to have effect.

(8) Upon the alteration of the boundaries of any parishes the parochial church council of the parish from which any area is transferred shall enquire from the persons resident in that area whose names are entered on the roll of the parish, whether they wish to have their names transferred to the roll of the other parish. The parochial church council shall remove the names of persons answering in the affirmative from its own roll and shall inform the parochial church council of the parish in which

such persons now reside, which shall enter the names on its roll without any application for enrolment being required.

3. Procedural provisions relating to entry and removal of names

(1) When a person applying for enrolment on the roll of any parish signifies his desire that his name should be removed from the roll of any other parish, notice of that fact shall be sent by the parochial church council receiving that application to the parochial church council of that other parish.

(2) When the name of any person is removed from the roll of the parish owing to his having become resident in another parish, notice of that fact shall, wherever possible, be sent by the parochial church council of the first mentioned parish to the parochial church council of the last mentioned parish.

4. Certification of numbers on rolls

Not later than the 1st June the chairman, vice-chairman, secretary or church electoral roll officer of the parochial church council shall notify the secretary of the diocesan synod of the number of names on the roll of each parish as at the date of the annual meeting and a copy of such notification shall be affixed at or near to the principal door of every church in the parish and every building licensed for public worship in the parish when notification is sent to the secretary of the diocesan synod, and shall remain so affixed for a period of not less than fourteen days.

PART II

PAROCHIAL CHURCH MEETINGS AND COUNCILS

Annual meetings

6. Annual meetings

(1) In every parish there shall be held not later than the 30th April in each year the annual parochial church meeting (hereafter in these rules referred to as "the annual meeting").

(2) All lay persons whose names are entered on the roll of the parish shall be entitled to attend the annual meeting and to take part in its proceedings, and no other lay person shall be so entitled.

(3) A clerk in Holy Orders shall be entitled to attend the annual meeting of the parish and to take part in its proceedings —

(a) if he is either beneficed in or licensed to the parish or any other parish in the area of the benefice to which the parish belongs;

(b) if he is resident in the parish and is not beneficed in or licensed to any other parish.

(c) if he is not resident in the parish and is not beneficed or licensed to any other parish, the parochial church council with the concurrence of the minister has declared him to be an habitual worshipper in the parish, the declaration being effective until the conclusion of the annual meeting in the year in which a new roll is prepared under rule 2 or his ceasing to be an habitual worshipper in the parish whichever is the earlier, but without prejudice to the renewal of such declaration; or

(d) if he is a co-opted member of the parochial church council in accordance with rule 14(1)(g).

(4) Without prejudice to paragraphs (2) and (3) of this rule —

(a) all the members of the team of a team ministry shall be entitled to attend, and take part in the proceedings of, the annual meeting of the parish or each of the parishes in the area of the benefice for which the team ministry is established, and where the area of a group ministry includes the area of a benefice for which a team ministry is established, all the vicars in that ministry shall be entitled to attend, and take part in the proceedings of, the annual meeting of each of the other parishes in the area for which the group ministry is established;

(b) all the incumbents and priests in charge in a group ministry shall be entitled to attend, and take part in the proceedings of, the annual meeting of each of the parishes in the area for which the group ministry is established.

(5) Where two or more benefices are held in plurality and a team ministry is, or is to be, established for the area of one of those benefices, then, if a pastoral scheme provides for extending the operation of the team ministry, so long as the plurality continues, to the area of any other benefice so held, paragraph (4) of this rule shall have effect as if the references to the area of the benefice were references to the combined area of the benefices concerned.

7. Convening of meeting

(1) The annual meeting shall be convened by the minister of the parish by a notice in the form set out in section 4 of Appendix I to these rules affixed on or near to the principal door of every church in the parish, and every building licensed for public worship in the parish, for a period including the last two Sundays before the day of the meeting.

(2) The annual meeting shall be held at such place on such date and at such hour as shall be directed by the previous annual meeting, or by the parochial church council (which may vary any direction given by a previous annual meeting) or in the absence of any such direction as shall be appointed by the minister.

(3) During the vacancy of the benefice or curacy or when the minister is absent or incapacitated by illness or any other cause, the vice-chairman of the parochial church council, or if there is no vice-chairman, or if he is unable or unwilling to act, the secretary or some other person appointed by that council shall have all the powers vested in the minister under this rule.

(4) The annual meeting shall be held at a place within the parish unless the parochial church council otherwise decide.

(5) The minister of a new parish created by a pastoral scheme, or, in the absence of the minister, a person appointed by the bishop, shall as soon as possible after the scheme comes into operation convene a special parochial church meeting, and subject to paragraph (6) of this rule, the provisions of these rules relating to the convening and conduct of the annual meeting shall apply to a special meeting convened under this paragraph.

(6) A special meeting so convened and held in the month of November or the month of December may, if the meeting so resolves, be for all purposes under these rules the annual meeting for the succeeding year, and a special meeting so convened shall in any event be for all purposes the annual meeting for the year in which it is so convened and held.

8. Chairman

(1) The minister, if present, or, if he is not present, the vice-chairman of the parochial church council, or, subject to paragraph (2) of this rule, if he also is not present, a chairman chosen by the annual meeting shall preside thereat.

(2) Where a parish is in the area of a benefice for which a team ministry is established, and a vicar in that ministry is entitled to preside at an annual meeting of that parish by virtue of a provision in a pastoral scheme or the bishop's licence assigning to the vicar the duties, or a share in the duties, of the chairmanship of the annual meeting of that parish, then, if both he and the vice-chairman of the parochial church council are not present at that meeting, but the rector in that ministry is present, the rector shall preside thereat.

(3) In the case of an equal division of votes, the chairman of the meeting shall have a second or casting vote, unless it is a case where rule 11(8)

applies; but no clerical chairman shall have a vote in the election of the parochial representatives of the laity.

9. Business

(1) The annual meeting shall receive from the parochial church council and shall be free to discuss —

- (a) a report on changes in the roll since the last annual parochial church meeting or, in a year in which a new roll is prepared, a report on the members entered on the new roll;
- (b) an annual report of the proceedings of the parochial church council;
- (c) an annual report on the financial affairs of the parish;
- (d) the examined accounts of the parochial church council, including the accounts of all trusts administered by it, for the year ending on the 31st December immediately preceding the meeting;
- (e) an examined statement of the funds and property, if any, remaining in the hands of the parochial church council at the said date;
- (ea) the accounts and statements referred to in section 5B(4) of the Incumbents and Churchwardens (Trusts) Measure 1964;
- (f) a report on the fabric, goods and ornaments of the church or churches of the parish under section 5 of the Care of Churches and Ecclesiastical Jurisdiction Measure 1991; and
- (g) a report on the proceedings of the diocesan synod.

(2) The council shall cause a copy of the said roll to be available for inspection at the meeting.

(3) The council shall cause the examined accounts and statement referred to in paragraph (1)(d) and (e) to be published and a copy to be sent to the diocesan board of finance in accordance with section 8(3) of the Parochial Church Councils (Powers) Measure 1956.

(4) The annual meeting shall in the manner provided by rule 11 —

- (a) elect in every third year parochial representatives of the laity to the diocesan synod;
- (b) elect parochial representatives of the laity to the parochial church council;
- (ba) elect parochial representatives of the laity to the mission council;
- (c) appoint sidesmen;
- (d) appoint the examiner of the accounts of the council, who shall not be a member of the council;

and the elections and appointments shall be carried out in the above order.

(6) Any person entitled to attend the annual meeting may ask any question about parochial church matters, or bring about a discussion of any matter of parochial or general church interest, by moving a general resolution or by moving to give any recommendation to the council in relation to its duties.

(7) The annual meeting shall have power to adjourn and to determine its own rules of procedure.

(8) The secretary of the parochial church council (or another person appointed by the meeting in his place) shall act as clerk of the annual meeting, and shall record the minutes thereof.

10. Qualifications of persons to be chosen or elected by annual meetings

(1) Subject to the provisions of rule 1(4) and paragraph (3) of this rule, the qualifications of a person to be elected a parochial representative of the laity to the parochial church council, the mission council or the diocesan synod are that —

- (a) his name is entered on the roll of the parish and, unless he is under the age of eighteen years at the date of the election, has been so entered for at least the preceding period of six months; and
- (b) he is an actual communicant as defined in rule 54(1); and
- (c) he is of sixteen years or upwards.

(2) The qualification of a person to be appointed a sidesman is that his name is entered on the roll of the parish.

(3) No person shall be nominated for election under rule 9 —

- (a) to serve on the parochial church council, the mission council or the diocesan synod unless he has signified his consent to serve, or there is in the opinion of the meeting sufficient evidence of his willingness to serve;
- (b) to serve on the parochial church council, if he has been disqualified under rule 46A..

11. Conduct of elections at annual meetings

(1) This rule shall apply to all elections at annual meetings.

(2) All candidates for election at an annual meeting must be nominated and seconded by persons entitled to attend the annual meeting, and in the case of parochial representatives of the laity, by persons whose names are entered on the roll of the parish. A candidate shall be nominated or

seconded either before the meeting in writing or at the meeting.

(3) If the number of candidates nominated is not greater than the number of seats to be filled, the candidates nominated shall forthwith be declared elected.

(4) If more candidates are nominated than there are seats to be filled, the election shall take place at the annual meeting.

(5) No clerk in Holy Orders shall be entitled to vote in the election of any parochial representatives of the laity.

(6) Each person entitled to vote shall have as many votes as there are seats to be filled but may not give more than one vote to any one candidate.

(7) Votes may be given —

- (a) by show of hands, or
- (b) if one or more persons object —
 - (i) on voting papers signed by the voter on the reverse thereof; or
 - (ii) if at least one tenth of the persons present and voting at the meeting so request, on numbered voting papers.

(8) 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.

(8A) When an election or any stage of an election is recounted, either on appeal or at the request of the presiding officer or of a candidate, if the original re-count are identical at the point when a lot must be drawn to resolve a tie, the original lot shall be used to make the determination.

(9) The result of an election by an annual meeting shall be announced as soon as practicable by the person presiding over the election, and a notice of the result shall in every case be affixed on or near the principal door of every church in the parish and every building licensed for public worship in the parish, and shall bear the date on which the result is declared. The notice shall remain affixed for not less than fourteen days.

Thereafter the secretary of the parochial church council shall hold a list of the names and addresses of the members of the council which shall be available for inspection on reasonable notice being given by any person who either is resident in the parish or has his name on the electoral roll, but the secretary shall not be bound to provide a copy of such list.

(10) Names and addresses of parochial representatives of the laity elected to the diocesan synod shall be sent by the secretary of the parochial church council to the diocesan electoral registration officer appointed in accordance with rule 33 of

these rules and to the secretary of the diocesan synod.

(10A) Names and addresses of parochial representatives of the laity elected to a mission council shall be sent by the secretary of the parochial church council to the secretary of the mission council.

(11) Where a vote is conducted in accordance with paragraph (7)(b)(ii) above, a record shall be made of the identity of each person to whom a numbered voting paper is issued and any such record, so long as it is retained, shall be kept separate from the voting papers.

Parochial church councils

14. Members

(1) Subject to the provisions of rule 1(4) and paragraph (3) of this rule, the parochial church council shall consist of —

- (a) all clerks in Holy Orders beneficed in or licensed to the parish;
- (aa) any clerk in Holy Orders who is duly authorised to act as chairman of meetings of the council by the bishop in accordance with paragraph 5(b) of Appendix II to these rules;
- (b) any deaconess or lay worker licensed to the parish;
- (c) in the case of a parish in the area of a benefice for which a team ministry is established, all the members of the team of that ministry;
- (d) the churchwardens, being actual communicant members of the Church of England whose names are on the roll of the parish;
- (e) such, if any, of the readers who are licensed to that parish or licensed to an area which includes that parish and whose names are on the roll of the parish, as the annual meeting may determine;
- (f) all persons whose names are on the roll of the parish and who are lay members of the diocesan synod or the General Synod;
- (g) such number of representatives of the laity as the annual meeting may decide, and so that the number determined may be altered from time to time by a resolution passed at any annual meeting, but such resolution shall not take effect before the next ensuing annual meeting; and
- (h) co-opted members, if the parochial church council so decides, not exceeding in number one-fifth of the representatives of the laity election under the last preceding subparagraph of this paragraph or two persons

whichever shall be the greater, and being either clerks in Holy Orders or actual lay communicant members of the Church of England of seventeen years or upwards. The term of office of a co-opted member shall be until the conclusion of the next annual meeting; but without prejudice to his being co-opted on subsequent occasions for a similar term, subject to and in accordance with the provisions of these rules.

(2) Any person chosen, appointed or elected as a churchwarden of a parish, being an actual communicant member of the Church of England whose name is on the roll of the parish, shall as from the date on which the choice, appointment or election, as the case may be, is made be a member of the parochial church council of the parish by virtue of this paragraph until he is admitted to the office of churchwarden, and he shall thereafter continue to be a member of that council by virtue of paragraph (1)(d) unless and until he ceases to be qualified for membership by virtue of that subparagraph.

(3) A person shall cease to be a member of a parochial church council —

- (a) if his name is removed from the roll of the parish under rule 1, on the date on which his name is removed;
- (b) if he refuses or fails to apply for enrolment when a new roll is being prepared, on the date on which the new roll is completed;
- (c) if he is or becomes disqualified under rule 46A, from the date on which the disqualification takes effect;

but this paragraph shall be without prejudice to any right which that council may have to make that person a co-opted member.

(4) Where a group ministry is established the incumbents of all benefices in the group, every priest in charge of any benefices therein and where the area of the group ministry includes the area of a benefice for which a team ministry is established, all the vicars in that ministry shall be entitled to attend meetings of the parochial church councils of all the parishes in the area for which the group ministry is established. They shall be entitled to receive documents circulated to members of councils of which they are not themselves members and to speak but not vote at meetings of such councils.

(5) Where two or more benefices are held in plurality and a team ministry is, or is to be, established for the area of one of those benefices, then, if a pastoral scheme provides for extending the operation of the team ministry, so long as the plurality continues, to the area of any other benefice so held, paragraphs 1(c) and (4) of this

rule shall have effect as if the references to the area of the benefice were references to the combined area of the benefices concerned.

15. General provisions

The provisions in Appendix II to these rules shall have effect with respect to parochial church councils, and with respect to the officers, the meetings and the proceedings thereof:

Provided that a parochial church council may, with the consent of the diocesan synod, vary the said provisions, in their application to the council.

16. Term of office

(1) Subject to the following provisions of these rules, representatives of the laity serving on the parochial church council by virtue of rule 14(1)(g) shall hold office from the conclusion of the annual meeting at which they were elected until the conclusion of the third annual meeting thereafter, one third retiring and being elected each year, but, subject to rule 17, shall on retirement be eligible for re-election.

(2) Where a representative of the laity resigns or otherwise fails to serve for his full term of office the casual vacancy shall be filled for the remainder of his term of office in accordance with rule 48(1).

(3) Notwithstanding the preceding provisions of this rule an annual meeting may decide that the representatives of the laity serving by virtue of rule 14(1)(g) shall retire from office at the conclusion of the annual meeting next following their election, but any such decision shall not affect the terms of office as members of the parochial church council of those due to retire from office at the conclusion of an annual meeting held after that at which the decision was taken.

(4) A decision taken under paragraph (3) above shall be reviewed by the annual meeting at least once every six years; and on any such review the annual meeting may revoke the decision, in which case paragraph (1) above shall apply unless and until a further decision is taken under paragraph (3).

(5) Persons who are members of a parochial church council by virtue of their election as lay members of the diocesan synod shall hold office as members of the council for a term beginning with the date of their election and ending with the 31st August next following the election of their successors.

(6) At an annual meeting at which all the representatives of the laity serving by virtue of rule 14(1)(g) are elected to hold office in accordance with paragraph (1) above, lots shall be drawn to decide which third of the representatives is to retire

in the first year following that in which the meeting is held, which third is to retire in the second year and which third is to retire in the third year.

17. Limitation on years of service

The annual meeting may decide that no representative of the laity, being a member of the parochial church council by virtue of rule 14(1)(g), may hold office after the date of that meeting for more than a specified number of years continuously and may also decide that after a specified interval a person who has ceased to be eligible by reason of such decision may again stand for election as representative of the laity on the council.

19. Joint parochial church councils

(1) Where there are two or more parishes within the area of a single benefice or two or more benefices are held in plurality, the annual meetings of all or some of the parishes in the benefice or benefices may make a joint scheme to provide —

- (a) for establishing a joint parochial church council (hereinafter referred to as "the joint council") comprising the ministers of the parishes and such numbers of representatives of each of those parishes elected by and from among the other members of the parochial church council of the parish as may be specified in the scheme;
- (b) for the chairmanship, meetings and procedures of the joint council;
- (c) subject to paragraph 20 of Schedule 2 to the Patronage (Benefices) Measure 1986, for the delegation by the parochial church council of each such parish to the joint council of such of its functions, other than its functions as an interested party under Schedule 2 to the Mission and Pastoral Measure (Isle of Man) 2012 and its functions under section 3 of the Priests (Ordination of Women) Measure 1993, as may be so specified.

(2) Subject to the scheme and to any pastoral scheme made under paragraph 7 of Schedule 1 to the said Measure and subject to paragraph 20 of Schedule 2 to the Patronage (Benefices) Measure 1986, the parochial church council of any such parish may delegate to the joint council such of its functions, other than its functions as an interested party under the said Schedule 2 and its functions under section 3 of the Priests (Ordination of Women) Measure 1993, as it thinks fit.

(3) The joint council shall meet from time to time for the purpose of consulting together on matters of common concern.

(4) No scheme under this rule shall be valid unless approved by at least two-thirds of the

persons present and voting at the annual meeting nor shall the scheme provide for it to come into operation until such date as the standing committee of the diocesan synod may determine being a date not later than the next ensuing annual meeting. Every such scheme shall on its approval be communicated to the said standing committee which may determine —

- (a) that the scheme shall come into operation; or
- (b) that the scheme shall not come into operation; or
- (c) that the scheme shall come into operation with specified amendments, if such amendments are approved by an annual or special parochial church meeting and the scheme as amended is approved by at least two-thirds of the persons present and voting at that meeting.

(5) A special parochial church meeting of a parish to which this rule applies may be convened for the purpose of deciding whether to join in making such a scheme, and where such a meeting is convened the foregoing provision shall have effect with the substitution for references to the annual meeting of references to the special meeting.

(6) Where a pastoral scheme or order, or any instrument of the bishop made by virtue of such a scheme or order, establishes a joint parochial church council for two or more of the parishes in a single benefice or two or more of the parishes in benefices held in plurality, no scheme under this rule relating to those parishes shall provide for the scheme to come into operation until on or after the date on which the provisions of the pastoral scheme, pastoral order or instrument, as the case may be, establishing the joint parochial church council cease to have effect.

(7) Where the provisions of a pastoral scheme for the holding of benefices in plurality are terminated under section 8(3) of the Mission and Pastoral Measure (Isle of Man) 2012, any provision of a scheme under this rule establishing a joint parochial church council for all or some of the parishes of those benefices and the other provisions thereof affecting that council shall cease to have effect on the date on which the first mentioned provisions cease to have effect.

(8) A scheme under this rule may be amended or revoked by a subsequent scheme passed in accordance with the provisions of paragraph (4) of this rule.

20. Team councils

(1) Where a team ministry is established for the area of a benefice which comprises more than one

parish the annual meetings of the parishes in that area may make a joint scheme to provide —

- (a) for establishing a team council comprising —
 - (i) the team rector;
 - (ii) the members of the team other than the team rector;
 - (iii) every assistant curate, deaconess and lay worker licensed to a parish within the team who are not members of the team; and
 - (iv) such number of lay representatives elected by and from among the lay representatives of the parochial church council of each parish in the area as may be specified in the scheme;

Provided that where the total number of persons in sub-paragraphs (ii) and (iii) above who would otherwise number more than one quarter of the total membership of the team council they may, and where those persons number more than one third they shall select among themselves which members shall be members of the team council so that the total number of those persons shall not exceed more than one third of the council.

- (b) for the chairmanship, meetings and procedure of the team council; and
- (c) subject to paragraph 20 of Schedule 2 to the Patronage (Benefices) Measure 1986, for the delegation by the paragraph of each such parish to the team council of such functions, other than its functions as an interested party under Schedule 2 to the Mission and Pastoral Measure (Isle of Man) 2012 and its functions under section 3 of the Priests (Ordination of Women) Measure 1993, as may be so specified.

(2) Subject to the scheme and to any pastoral scheme relating to the team council made under paragraph 4(3) of Schedule 3 to the said Measure subject to paragraph 20 of Schedule 2 to the Patronage (Benefices) Measure 1986, the parochial church council of any such parish may delegate to the team council such of its functions, other than its functions as an interested party under the said Schedule 2 and its functions under section 3 of the Priests (Ordination of Women) Measure 1993, as it thinks fit.

(3) The team council shall meet from time to time for the purpose of consulting together on matters of common concern.

(4) No scheme under this rule shall be valid unless approved by at least two-thirds of the persons present and voting at the annual meeting nor shall the scheme provide for it to come into operation until such date as the bishop's council

and standing committee may determine being a date not later than the next ensuing annual meeting. Every such scheme shall on its approval be communicated to the bishop's council and standing committee of the diocesan synod which may determine —

- (a) that the scheme shall come into operation; or
- (b) that the scheme shall not come into operation; or
- (c) that the scheme shall come into operation with specified amendments, if such amendments are approved by an annual or special parochial church meeting and the scheme as amended is approved by at least two-thirds of the persons present and voting at that meeting.

(5) A special parochial church meeting of a parish to which this rule applies may be convened for the purpose of deciding whether to join in making such a scheme, and where such a meeting is convened the foregoing provisions shall have effect with the substitution for references to the annual meeting of references to the special meeting.

(6) Where a pastoral scheme establishing a team ministry, or an instrument of the bishop made by virtue of that scheme, establishes a team council for that ministry, no scheme under this rule relating to that ministry shall provide for the scheme to come into operation until on or after the date on which the provisions of the pastoral scheme or of the instrument, as the case may be, establishing the team council cease to have effect.

(7) A scheme under this rule may be amended or revoked by a subsequent scheme passed in accordance with the provisions of paragraph (4) of this rule.

21. Group councils

(1) Where a pastoral scheme establishes a group ministry, the annual meetings of the parishes in the area for which the group ministry is established may make a joint scheme to provide —

- (a) for establishing a group council comprising —
 - (i) all the members of the group ministry;
 - (ii) every assistant curate, deaconess and lay worker licensed to any such parish; and
 - (iii) such number of lay representatives elected by and from among the lay representatives of the parochial church council of each parish in the area as may be specified in the scheme;

- (b) for the chairmanship, meetings and procedure of the group council; and

- (c) for the delegation by the parochial church council of each such parish to the group council of such functions, other than its functions as an interested party under Schedule 2 to the Mission and Pastoral Measure (Isle of Man) 2012 and its functions under Part II of the Patronage (Benefices) Measure 1986 and section 3 of the Priests (Ordination of Women) Measure 1993, as may be so specified.

(2) If the area of a group ministry includes the area of a benefice for which a team ministry is established, a scheme under this rule shall provide for the vicars in that ministry, as well as the rector, and all the other members of the team to be members of the group council.

(3) Paragraphs (2) to (7) of rule 20 shall apply in relation to a scheme under this rule as they apply in relation to a scheme under that rule with the modifications that the references to a team ministry and a team council there shall be substituted references to a group ministry and a group council respectively except that the functions of a parochial church council under Part II of the Patronage (Benefices) Measure 1986 and section 3 of the Priests (Ordination of Women) Measure 1993 may not be delegated to a group council.

Other meetings

22. Special meetings

(1) In addition to the annual meeting the minister of a parish may convene a special parochial church meeting, and he shall do so on a written representation by not less than one-third of the lay members of the parochial church council; and the provisions of these rules relating to the convening and conduct of the annual meeting shall, with the necessary modifications, apply to a special parochial church meeting.

(2) All lay persons whose names are entered on the roll of the parish on the day which is twenty-one clear days before the date on which any special parochial church meeting is to be held shall be entitled to attend the meeting and to take part in its proceedings, and no other lay person shall be so entitled.

(3) A clerk in Holy Orders shall be entitled to attend any such meeting and to take part in its proceedings if by virtue of rule 6(3), (4) or (5) he would have been entitled to attend the annual meeting if it had been held on the same date, and no other such clerk shall be so entitled.

23. Extraordinary meetings

(1) On a written representation made to the archdeacon by not less than one-third of the lay members of the parochial church council, or by one-tenth of the persons whose names are on the roll of the parish, and deemed by the archdeacon to have been made with sufficient cause, the archdeacon shall convene an extraordinary meeting of the parochial church council or an extraordinary parochial church meeting, and shall either take the chair himself or appoint a chairman to preside. The chairman, not being otherwise entitled to attend such meeting, shall not be entitled to vote upon any resolution before the meeting.

(2) In any case where the archdeacon is the minister, any representation under paragraph (1) of this rule shall be made to the bishop, and in any such case the references to the archdeacon in paragraph (1) of this rule shall be construed as references to the bishop, or a person appointed by him to act on his behalf.

(3) Paragraphs (2) and (3) of rule 22 shall apply in relation to an extraordinary parochial church meeting under this rule as they apply in relation to a special parochial church meeting under that rule with the modification that for the word "special" in paragraph (2) of that rule there shall be substituted the word "extraordinary".

PART IV

DIOCESAN SYNODS

30. Membership of diocesan synods

(1) A diocesan synod shall consist of a house of bishops, a house of clergy and a house of laity.

(2) The members of the house of bishops shall consist of the bishop of the diocese and such other person or persons, being a person or persons in episcopal orders working in the diocese, as the bishop of the diocese, with the concurrence of the archbishop of the province, may nominate.

(3) The bishop of the diocese shall be the president of the diocesan synod.

(4) The members of the house of clergy shall consist of —

- (a) the following ex-officio members —
 - (i) the Archdeacon of Man;
 - (ii) the Vicar General (if in Holy Orders);
 - (iii) the canons of the cathedral church of St German;
 - (iv) the proctor elected from the diocese to the Lower House of the Convocation of the Province of York;

- (v) the chairman of the diocesan advisory committee (if in Holy Orders);

- (b) every clerk in Holy Orders beneficed or licensed to officiate in the diocese;

- (c) one or more clerks in Holy Orders holding permission to officiate in the diocese. One clerk may be elected or chosen for every ten such clerks or part thereof, elected or chosen in such manner as may be approved by the bishop by and from such clerks.

(5) The members of the house of laity shall consist of —

- (a) the following ex-officio members —
 - (i) the Vicar General (if not in Holy Orders);
 - (ii) the member elected from the diocese to the House of Laity of the General Synod;
 - (iii) the chairman of the diocesan advisory committee (if not in Holy Orders);

- (b) the parochial representatives of the laity elected to the synod by the annual meetings of the parishes in the diocese;

- (c) the deaconesses and full-time lay workers licensed by the bishop to work in the diocese.

(6) 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. Except in regard to their appointment the nominated members shall have the same rights and be subject to the same rules as elected members. Where a nominated lay person is on more than one electoral roll, he shall choose the parochial church council of which he is to be a member.

(7) No person, other than the chancellor of a diocese, shall be entitled to be a member of more than one diocesan synod at the same time.

31. Election and choice of members

(1) The parochial representatives of the laity elected by annual meetings shall be so elected every three years, and shall hold office for a term of three years beginning with the 1st September next following their election.

(2) The numbers to be so elected from the several parishes shall be determined from time to time by resolution of the diocesan synod, and those numbers shall be related to the number of names on the roll of each parish as at the date of the annual meeting at which the election takes place.

(3) A resolution under paragraph (2) of this rule shall not have effect in relation to an election unless it is passed before the 1st January in the year

in which the election takes place; and the secretary of the diocesan synod shall notify the secretary of each parochial church council of the resolution as soon as may be after it is passed.

(4) Any person to be chosen as mentioned in rule 30(4)(c) shall be so chosen every three years and shall hold office for a term of three years beginning with the 1st September next following the date on which he is so chosen.

32. Procedure

(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 following sub-paragraphs, nothing shall be deemed to have the assent of the diocesan synod unless the three houses which constitute the synod have assented thereto, but that if in the case of a particular question (except a matter referred to the diocesan synod by the General Synod under the provisions of Article 8 of the Constitution) the diocesan bishop (if present) so directs, that question shall be deemed to have the assent of the house of bishops only if the majority of the members of that house who assent thereto includes the diocesan bishop;
- (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;
- (g) that every other question shall be decided by the members of the diocesan synod present and voting, the assent of the three houses being presumed unless the diocesan bishop (if present) requires or any ten members require that a separate vote of each house be taken;
- (h) 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;

- (i) that where there is an equal division of votes in the house of bishops, the diocesan bishop shall have a second or casting vote;
 - (j) that the diocesan bishop shall have the right to require that his opinion on any question be recorded in the minutes;
 - (k) that there shall be a 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.
- (3) The registrar of the diocese shall be the registrar of the diocesan synod, and may appoint a deputy.

33. Diocesan electoral registration officer

In every diocese there shall be a diocesan electoral registration officer who shall be appointed by the standing committee of the diocesan synod and who shall record the names and addresses of all members of the house of laity of the diocesan synod in a register (in these rules referred to as "the register of lay electors").

PART V

HOUSE OF LAITY OF GENERAL SYNOD

35. Membership of House of Laity

- (1) The House of Laity of the General Synod shall consist of —
- (a) the members elected by the diocesan electors of each diocese as hereinafter provided;
 - (b) two members chosen by and from the members of religious communities having their mother house in either province in such manner as may be provided by a resolution of the General Synod;
 - (c) such ex-officio and co-opted members as are hereinafter provided;
 - (d) not less than three nor more than four members elected or chosen in such manner as may be determined by the Armed Forces Synod as soon as practicable after any dissolution of the General Synod, being actual communicants, provided that the total number of persons elected or chosen to serve on the General Synod by virtue of this subparagraph, paragraph 1(d) of the provisions relating to the Convocation of Canterbury of

Canon H 2 and paragraph 1(bb) of Canon H 3 shall not exceed seven.

(2) For the purpose of this Part of these rules the diocese in Europe shall be deemed to be a diocese in the Province of Canterbury.

(3) For the purposes of this Part of these rules, the diocesan electors of the diocese of Sodor and Man shall be the members of the house of laity of the diocesan synod except persons who are lay members of a religious community with separate representation in the General Synod under paragraph (1)(b) of this rule.

(5) The qualifying date for lay members of religious communities under paragraph (1)(b) of this rule and for diocesan electors under paragraph (2) of this rule shall be 6.00 a.m. on the date of the dissolution of the General Synod, save that when a casual vacancy is being filled, the qualifying date shall be 6.00 a.m. on the date on which the nomination papers are issued.

(6) The register of lay electors shall be open to inspection at the diocesan office and any errors and omissions in the list may be corrected until the close of nominations. Thereafter no names may be added or removed until the declaration of the result of the election and those persons whose names are entered on the register shall be the qualified electors entitled to vote in that election.

Elections of members

36. Number of elected members

(1) The total number of members directly elected and specially elected from the dioceses in the Province shall not exceed 136 for Canterbury and 59 for York and no diocese shall have fewer than three elected members (except the diocese of Sodor and Man which shall elect one member). The representatives of the religious communities referred to in rule 35(1)(b), the elected or chosen persons referred to in rule 35(1)(d), ex-officio and co-opted members (as defined in rule 35) shall be additional to the said total number. In this rule the term "specially elected" means the representatives of the Channel Islands elected in accordance with the provisions of the Channel Islands (Representation) Measure 1931 and such persons shall be included in the said total number.

37. Qualifications of elected members

(1) Subject to the provisions of rule 1(4) and of rule 46A, a lay person shall be qualified for election for any diocese by the diocesan electors if —

(a) he is an actual communicant as defined in rule 54(1) but as if, in that definition, for the

words "whose name is on the roll of a parish and" there were substituted the word "who";

(b) he is of eighteen years of age on the date of dissolution of the General Synod or, when a casual vacancy is being filled, on the date on which the nomination papers are issued in accordance with rule 39(3);

(c) his name is at 6.00 a.m. on the date of dissolution of the General Synod or, when a casual vacancy is being filled, on the date on which the nomination papers are issued in accordance with rule 39(3) entered on the roll of any parish in the diocese.

38. Electoral areas

The diocese of Sodor and Man shall be an electoral area for the purpose of elections to the House of Laity.

39. Conduct of elections

(1) Subject to any directions by the General Synod or the Presidents thereof, elections to the House of Laity shall be carried out during the three months immediately following any dissolution of the General Synod and shall be so carried out in each diocese during such period within the said three months as shall be fixed by the archbishops of Canterbury and York.

(2) The presiding officer in each diocese or each area of a diocese shall be the registrar of the diocese or a person appointed by him with the approval of the registrar of the province, except that, if the said registrar is a candidate in the election, the presiding officer shall be a person appointed by the registrar of the province. The expenses of the elections shall be paid out of diocesan funds.

(3) On receipt of the names and addresses of the qualified electors from the diocesan electoral registration officer (which shall, in the case of each elector who has notified the diocesan electoral registration officer that he wishes to receive and send nomination papers and receive election addresses by electronic mail, include the electronic mail address which the elector has authorised for those purposes), the presiding officer shall ensure that in respect of the election —

(i) those persons are sent or given nomination papers (which, in the case of a person who has authorised the use of an electronic mail address, shall be sent to that address); and

(ii) only such persons are sent or given nomination and voting papers at the address entered against their name in the register of lay electors or at some other address notified in writing to the presiding officer by the

person concerned before the close of nominations.

The presiding officer shall also send nomination papers to any other person who requests them (and, if the person making the request authorises the use of an electronic mail address, the papers shall be sent to that address).

(4) Every candidate must be nominated and seconded by diocesan electors qualified to vote in the area in which the candidate is seeking to be elected. All nominations shall be in writing, shall include the year of the candidate's birth and a statement as to whether the candidate has previous service as a member of the House of Laity and, if so, as to the dates of the candidate's previous service and shall be delivered either by post, as an attachment to electronic mail, by facsimile transmission or in person to the presiding officer of the area, together with evidence of the candidate's consent to serve, within such period, being a period of not less than twenty-eight days ending on such date as may be specified by the presiding officer, as that officer may specify.

(5) It shall be the duty of the presiding officer —

- (a) to scrutinise nomination papers as soon as they have been lodged and he shall, without delay, inform the candidate concerned whether the nomination is valid; Where the nomination is invalid the presiding officer shall give his reasons for so ruling and if, by the close of the nomination period no valid nomination is received, the candidate shall be excluded from the election;
 - (b) to supply free of charge to a duly nominated candidate in the election one copy of the names and addresses of the qualified electors (including, if an elector has authorised the use of an electronic mail address, that address) within seven days of receiving his written request.
- (6) If any of the candidates so request the presiding officer shall despatch to every elector election addresses from those candidates being not more than one sheet of A4 paper. One copy of the address shall be provided by the candidates at their own expense and be delivered or sent by electronic mail to the presiding officer by such date as he shall determine being not less than seven days after the close of nominations. The presiding officer shall be under no obligation to despatch to electors election addresses received after the due date or which are not in the prescribed form.
- (6A) It shall be the duty of the presiding officer, before voting papers are issued, to post or cause to be posted on the website of the diocese concerned copies of all election addresses received by the due

date in the prescribed form, together with a list of all the candidates.

(7) It shall be the duty of the presiding officer in any election under these rules to seek to ensure that during the period beginning on the date on which nominations are invited and ending on the last date for return of voting papers, no papers or other literature except election addresses prepared by the candidates under paragraph (6) of this rule shall be circulated to the electors by him or by or under authority of the diocesan synod or distributed at a synod meeting which in his opinion are likely to prejudice the election

(8) Subject to rule 51, if more candidates are nominated for any area than there are seats to be filled, the election shall be conducted by voting papers by the method of the single transferable vote under rules to be made from time to time as provided by the Standing Orders of the General Synod. Every voting paper, which shall include the year of birth of each candidate and a statement as to whether the candidate is seeking re-election and, if so, as to the dates of the candidate's previous service, shall be marked and signed on the reverse thereof by the elector and shall be returnable to the presiding officer within such period, being a period of not less than twenty-eight days after the date on which the voting paper is issued, as that officer may specify, provided that a voting paper sent by facsimile transmission shall not be counted as a valid vote.

(9) A candidate or a person nominated by him has the right to be present at the counting of the votes in order to scrutinise the count but shall take no part in it. The presiding officer shall give not less than seven days' notice in writing to each candidate of the time and place at which the votes are to be counted.

(10) Where within seven days of a count being completed the presiding officer is of the opinion that a recount should take place because of a possible irregularity or inaccuracy in the count, he may, with the concurrence of the registrar of the province, order such a recount and shall give notice in writing to each candidate of the time and place at which the votes are to be recounted.

(11) A full return of the result of each election and of the result sheet shall be sent by the presiding officer within four working days of the declaration of the result to each candidate in the election, the Clerk to the General Synod and an election scrutineer appointed by the Business Committee of the General Synod. The scrutineer shall have power within ten days of the declaration of the result to order a recount of the voting papers if in his opinion this might be material to the result of the election.

(12) The full return of the result and the result sheet shall, until the end of the first group of sessions of the new Synod—

- (a) in the case of an election in a diocese or part of a diocese, be displayed in the diocesan office, posted on the diocese's website and displayed at the General Synod Office;
- (b) in the case of any other election, be displayed at the General Synod Office and posted on the Church of England website.

(13) The presiding officer in each area shall ensure that the valid voting papers received by him for the purposes of any election to the House of Laity are preserved for a period of not less than two years beginning with the date of the election.

40. Duties and payment of presiding officers

(1) Rules defining the duties to be undertaken by the presiding officers in connection with elections to the House of Laity shall be prepared by the provincial registrars acting jointly, but no such rules shall have effect unless approved by the lay members of the Business Committee of the General Synod.

(2) A presiding officer shall be entitled to such fees for the performance by him of the duties aforesaid as may be specified in any order for the time being in force made under section 1 of the Ecclesiastical Fees Measure 1986 (as it has effect in England); and where with the prior agreement in writing of the standing committee the presiding officer or any other person performs any other duties in connection with elections to the House of Laity he shall be entitled to such fees as may be specified in the agreement.

41. Term of office of members of General Synod and other bodies

The term of office of elected members of the House of Laity, of the members elected or chosen under rule 35(1)(d) above and of members chosen by the lay members of religious communities shall be for the lifetime of the General Synod for which they are elected or chosen, but without prejudice to their acting under Article 3(4) of the Constitution during the period of the dissolution of the General Synod or their continuing to be ex-officio members of other bodies constituted under these rules during that period.

42. Ex-officio and co-opted members of the House of Laity

(1) The following persons, if they are not in Holy Orders, shall be ex-officio members of the House of Laity —

- (a) the Dean of the Arches and Auditor;
- (b) the Vicar-General of the Province of Canterbury;
- (c) the Vicar-General of the Province of York;
- (d) the three Church Estates Commissioners;
- (e) the Chairman of the Central Board of Finance;
- (f) the Chairman of the Church of England Pensions Board;
- (g) the members of the Archbishops' Council who are actual communicants;
- (h) the Chair of the Dioceses Commission.

(2) The House of Laity shall have power to co-opt persons who are actual lay communicant members of the Church of England or eighteen years or upwards to be members of the House of Laity:

Provided that —

- (a) the co-opted members shall not at any time exceed five in number; and
- (b) no person shall be qualified to become a co-opted member unless not less than two-thirds of the members of the Standing Committee of the House of Laity shall have first consented to his being co-opted, either at a meeting of the Standing Committee or in writing.

(3) Except in regard to their appointment, the ex-officio and co-opted members shall have the same rights and be subject to the same rules and regulations as elected members. Where such members are on more than one electoral roll, they shall choose the parochial church council of which they are to be a member.

(4) Co-opted members shall continue to be members of the House of Laity until the next dissolution of the General Synod, but without prejudice to their acting under Article 3(4) of the Constitution during the period of the dissolution or to their continuing to be ex-officio members of other bodies constituted under these rules during that period:

Provided that the House of Laity may, in the case of any co-opted member, fix a shorter period of membership.

(5) The House of Laity may make standing orders for regulating the procedure of and incidental to the appointment of co-opted members and otherwise for carrying this rule into effect.

(5A) The lay members of the standing committee shall not later than one year after the determination referred to in paragraph (5) above and annually thereafter review the membership of a member to whom paragraph (1)(d) above applies and

determine whether he is able and willing as mentioned in paragraph (5) above.

PART VI APPEALS AND DISQUALIFICATIONS

43. Enrolment appeals

- (1) There shall be a right of appeal with regard to —
 - (a) any enrolment, or refusal of enrolment, on the roll of a parish or the register of lay electors;
 - (b) the removal of any name, or the refusal to remove any name, from the roll of a parish or the register of lay electors.
- (2) The following persons shall have a right of appeal under this rule —
 - (a) a person who is refused enrolment on the roll or register;
 - (b) a person whose name is removed from the roll or register; or
 - (c) any person whose name is entered on the roll or register who wishes to object to the enrolment or removal of the name of any other person on that roll or register.
- (3) Notice of the appeal shall be given in writing to the secretary of the diocesan synod.
- (4) Notice of appeal shall be given not later than fourteen days from the date of the notification of the enrolment, removal or refusal or not later than fourteen days after the last day of the publication (as provided by rule 2(3)) of a new roll or register or of a list of additions or removals from such roll or register.
- (5) In any appeal arising under this rule the secretary of the diocesan synod shall refer any appeal to the standing committee of the diocese unless within that period the appellant withdraws the appeal in writing. The said committee shall appoint three or a greater number being an odd number of their lay members to consider and decide the appeal.

44. Election appeals

- (1) There shall be a right of appeal with regard to —
 - (a) the allowance or disallowance of any vote given or tendered in an election under these rules or to a body constituted under or in accordance with these rules;
 - (b) the result of any election or choice held or made or purporting to be held or made under these rules, or any election or choice or

members of a body constituted under or in accordance with these rules.

- (2) The following persons shall have a right of appeal under this rule —
 - (a) an elector in the said election;
 - (b) a candidate in the said election;
 - (c) the chairman of the house of laity or the house of clergy of the diocesan synod or, in an election to the House of Laity of the General Synod, the Chairman and Vice-Chairman of that House of Laity as specified in paragraph (5) of this rule.
- (4) Subject to paragraph (6) of this rule notice of the appeal shall be given in writing to the chairman of the house of laity of the diocesan synod. Notices under this paragraph shall be given —
 - (a) in the case of an appeal against the allowance or disallowance of a vote, not later than fourteen days after such allowance or disallowance;
 - (b) in the case of an appeal against the result of an election or choice, not later than fourteen days after the result thereof has been announced by the presiding officer.
- (5) The Chairman and Vice-Chairman of the House of Laity of the General Synod shall each have a right of appeal under this rule in accordance with paragraph (1) of this rule in respect of any election to the House of Laity of the General Synod in either of the Provinces of Canterbury or York and he shall give notice in writing of such appeal to the presiding officer concerned not later than three months after the result of the election has been declared by the said presiding officer. Provided that if the office of Chairman or Vice-Chairman is vacant when the result of the election is published the person who last held office shall be deemed to hold that office for the purposes of this rule.
- (6) An error in the electoral roll or the register of lay electors shall not be a ground of appeal against the result of any election unless —
 - (a) either it has been determined under this rule that there has been such an error or the question is awaiting determination under rule 43; and
 - (b) the error would or might be material to the result of the election;and the allowance or disallowance of a vote shall not be a ground of appeal against the result of any election unless the allowance or disallowance would or might be material to the result of the election.
- (8) An appeal arising out of an election or choice of members of the House of Laity of the General Synod shall, within the period of fourteen days of

the appeal being lodged, be referred to the Chairman and Vice-Chairman of that House unless, within that period, the appellant withdraws the appeal in writing. Subject to paragraph (9) of this rule, the Chairman and Vice-Chairman acting jointly shall appoint three persons (one of whom shall be a qualified lawyer) from an appeal panel consisting of the Dean of Arches and Auditor, the Vicar General of the Province of Canterbury, the Vicar General of the Province of York and twelve members of the House of Laity of the General Synod nominated by the Appointments Committee of the Church of England to consider and decide the appeal.

(9) (a) Where the Chairman or Vice-Chairman of the House of Laity has given notice of appeal under paragraph (5) of this rule, or where he comes from the diocese to which the appeal relates, he shall take no part in the appointing of the three persons to hear the appeal and he shall not be appointed to hear the appeal.

(b) Where a member of the appeal panel comes from the diocese to which the appeal relates, or might otherwise have a benefit from the outcome of the election, he shall not be appointed to hear the appeal.

(10) In any appeal arising under this rule except an appeal arising out of an election of members of the House of Laity of the General Synod, the secretary of the diocesan synod shall refer any appeal to the standing committee of the diocese who shall appoint three or a greater number, being an odd number, of their lay members to consider and decide the appeal.

(11) In any appeal arising under this rule to the House of Clergy of the diocesan synod the secretary of the said synod shall refer any appeal to the standing committee of the diocese, who shall appoint three or a greater number, being an odd number, of their clerical members to consider and decide the appeal.

(12) Where an appeal is pending under this rule in respect of an election to any synod any person who was declared elected in accordance with rule 39 but whose election is or may be affected by the appeal shall for all purposes be deemed to be a member of that synod until the appeal is heard or disposed of.

45. Appeals: general

For the purpose of the consideration and decision of any appeal under rules 43 and 44, persons appointed to consider and decide the appeal —

(a) shall consider all the relevant circumstances and shall be entitled to inspect all documents and papers relating to the subject matter of the appeal, and be furnished with all

information respecting the same which they may require;

(b) shall give the parties to the appeal an opportunity of appearing before them in person or through a legal or other representative;

(c) shall have power at any time to extend the time within which a notice of appeal is given;

(d) shall, unless by consent of the persons appointed the appeal is withdrawn, determine the matter at issue, and in an election appeal shall determine whether —

(i) the person or persons whose election is complained of was or were duly elected;

(ii) the facts complained of amount to a minor infringement of the rules which did not affect the outcome of the election, in which event the appeal shall be dismissed; or

(iii) the facts complained of amount to a procedural irregularity in the conduct of the election, but that in all the relevant circumstances the appeal shall be dismissed; or

(iv) the election was void;

the determination so certified shall be final as to the matters at issue and, in any case in which there has been no valid election, the members shall direct a fresh election to be held and shall give such directions in connection therewith as they may think necessary;

(e) shall have power at any time to consent to the withdrawal of the appeal by an appellant subject to a determination in respect of costs in accordance with paragraph (f) of this rule;

(f) shall have power to direct that any party to an appeal shall be entitled to payment of costs by any other party or by the diocesan board of finance and to direct that a party shall be responsible for the reasonable expenses of the persons appointed to hear the appeal; save that in so far as the same have not been paid by any other person, the diocesan board of finance shall pay all expenses of the persons appointed to hear the appeal provided that the said board shall first be satisfied that they are reasonable in amount.

46. Vacation of seat by member ceasing to be qualified for election

(1) Where —

(a) any lay member of the diocesan synod, being a parochial representative, ceases to be

entered on the roll of the parish by which he was elected;

- (d) any elected member of the House of Laity of the General Synod ceases to have the qualification for entry on the roll of any parish in the diocese for which he was elected;
- (e) any elected member of the House of Laity of the General Synod takes any paid office or employment as provided by rule 46A(c);
- (f) any member of a diocesan synod or of the House of Laity of the General Synod has his election declared void in accordance with the provisions of rule 45 or becomes disqualified in accordance with the provisions of rule 46A(aa) or (ab) hereof;

his seat shall, subject to the following provisions of this rule, forthwith be vacated.

(2) If the name of a person to whom paragraph (1)(a) of this rule applies is entered on the roll of any parish in the diocese other than that of the parish referred to in that paragraph, his seat shall not be vacated under this rule if, before the vacancy occurs, the parochial church council so resolve.

(5) If the lay members of the standing committee have determined before the vacancy occurs that a person to whom paragraph (1)(d) of this rule applies is able and willing to continue to discharge to their satisfaction the duties of a member of the House of Laity elected for that diocese, neither his seat as a member of that House nor as a lay member of the diocesan synod shall be vacated under this rule.

Disqualification

46A. Disqualifications

(aa) A person shall be disqualified from being nominated, chosen or elected or from serving as a member of a parochial church council or any synod under these rules if the person is included in a barred list (within the meaning of the Safeguarding Vulnerable Groups Act 2006).

(ab) A person shall be disqualified from being nominated, chosen or elected or from serving as a member of a parochial church council or any synod under these rules if the person has been convicted of an offence mentioned in Schedule 1 to the Children and Young Persons Act 1966 (an Act of Tynwald).

(ac) A person shall be disqualified from being appointed to act or from acting as secretary or treasurer of a parochial church council if the person is included in a barred list (within the meaning of the Safeguarding Vulnerable Groups Act 2006).

(ad) A person shall be disqualified from being appointed to act or from acting as secretary or

treasurer of a parochial church council if the person has been convicted of an offence mentioned in Schedule 1 to the Children and Young Persons Act 1966 (an Act of Tynwald).

(2) A person shall be disqualified being nominated for election or from continuing to serve as a member of the General Synod if he holds any paid office or employment appointment to which is or may be made or confirmed by the General Synod, the Convocations, the Church Commissioners for England (except that such disqualification shall not apply to any Commissioner so appointed in receipt of a salary or other emoluments), the Church of England Pensions Board or the Corporation of the Church House.

46B. Waiver of disqualification

(1) A person's disqualification under rule 46A(ab) or (ad) may be waived by the bishop of the diocese in question giving the person notice in writing; and the notice must specify the bishop's reasons for giving the waiver.

(2) A waiver under paragraph (1)—

- (a) is of unlimited duration, and
- (b) has effect in every diocese.

(3) Before giving a waiver under paragraph (1), the bishop must consult—

- (a) the diocesan safeguarding advisor, and
- (b) such other persons as the bishop considers appropriate.

(4) On giving a notice under paragraph (1), the bishop shall send a copy of the notice to the registrar of the diocese; and the registrar shall file the copy in the diocesan registry.

(5) Where a person's seat is vacated under rule 46(1) on a person being disqualified under rule 46A(ab), the person may resume the seat if the disqualification is waived under paragraph (1) of this rule and if the seat has remained vacant.

46C. Suspension

(1) This Rule applies where a member of a parochial church council or synod, or the secretary or treasurer of a parochial church council, is arrested on suspicion of committing an offence mentioned in Schedule 1 to the Children and Young Persons Act 1966 (an Act of Tynwald) or is charged with such an offence without being arrested.

(2) This Rule also applies where the bishop is satisfied, on the basis of information provided by a Department or the Chief Constable, that a person of

a description referred to in paragraph (1) presents a significant risk of harm.

(3) The bishop may suspend the person from the position in question by giving the person notice in writing; and the notice must specify the bishop's reasons for imposing the suspension.

(4) The bishop may at any time revoke the suspension by giving the person notice in writing.

(5) For the purposes of paragraph (2), a person presents a significant risk of harm if there is a significant risk that the person may—

- (a) harm a child or vulnerable adult,
- (b) cause a child or vulnerable adult to be harmed,
- (c) put a child or vulnerable adult at risk of harm,
- (d) attempt to harm a child or vulnerable adult, or
- (e) incite another person to harm a child or vulnerable adult.

(6) Before suspending a person in reliance on paragraph (2), or revoking a suspension made in reliance on that paragraph, the bishop must consult—

- (a) the diocesan safeguarding advisor, and
- (b) such other persons as the bishop considers appropriate.

(7) Where, in reliance on paragraph (1), a notice of suspension is given under paragraph (3) and the suspension has not been revoked under paragraph (4), the suspension continues until the earlier of—

- (a) the expiry of three months beginning with the day on which the notice is given, and
- (b) the conclusion of the matter.

(8) If, in the case of a suspension made in reliance on paragraph (1), the matter is not concluded before the expiry of the period referred to in paragraph (7)(a), a further notice of suspension may be given under paragraph (3); and paragraph (7) and this paragraph apply to the further suspension as they applied to the earlier suspension or suspensions.

(9) Where, in reliance on paragraph (2), a notice of suspension is given under paragraph (3) and the suspension has not been revoked under paragraph (4), the suspension continues until the expiry of three months beginning with the day on which the notice is given.

(10) In the case of a suspension made in reliance on paragraph (2), a further notice of suspension may be given under paragraph (3); and paragraph (9) and this paragraph apply to the further suspension as they applied to the earlier suspension or suspensions.

(11) Having given a notice of suspension or revocation under this rule, the bishop shall give each of the following written notification—

- (a) the clergy who hold office in the parish,
- (b) the churchwardens of the parish,
- (c) the registrar of the diocese,
- (d) the diocesan safeguarding advisor, and
- (e) such other persons as the bishop considers appropriate.

(12) The registrar shall file the notification given under paragraph (11)(c) in the diocesan registry.

(13) For the purposes of this Rule, a matter is concluded when—

- (a) a decision is taken not to charge the person with the offence in question, or
- (b) where the person is charged with the offence, the proceedings for the offence are concluded.

(14) In this Rule—

"the Chief Constable" means the Chief Constable of the Isle of Man;

"child" means a person aged under 18;

"Department" means a Department of the Isle of Man Government;

"vulnerable adult" has the same meaning as in the Safeguarding and Clergy Discipline Measure 2016.

46D. Appeal against suspension

(1) A person to whom a notice of suspension is given under Rule 46C(3) may appeal against the suspension to the Vicar General.

(2) On an appeal under this Rule, the Vicar General may, within 28 days following the lodging of the appeal, either confirm or revoke the suspension.

47. Ex-officio membership not to disqualify for election

No person shall be disqualified from being elected or chosen a member of any body under these rules by the fact that he is also a member ex-officio of that body; and no person shall be deemed to vacate his seat as such an elected or chosen member of any body by reason only of the fact that subsequently to his election or choice he has become a member of that body ex-officio.

PART VII
SUPPLEMENTARY AND
INTERPRETATION

48. Casual vacancies

(1) Casual vacancies among the parochial representatives elected to the parochial church council, mission council or diocesan synod shall be filled as soon as practicable after the vacancy has occurred. Where the annual parochial church meeting is not due to be held within the next two months following the occurrence of the vacancy, a vacancy among the parochial representatives elected to the parochial church council or mission council may be filled, and a vacancy among the parochial representatives elected to the diocesan synod shall be filled, by the election by the parochial church council of a person qualified to be so elected. Returns of parochial representatives of the laity elected to fill one or more casual vacancies on a mission council shall be sent by the secretary of the parochial church council to the secretary of the mission council. Returns of parochial representatives of the laity elected to fill one or more casual vacancies on the diocesan synod shall be sent by the secretary of the parochial church council to the diocesan electoral registration officer and to the secretary of the diocesan synod.

(3) Subject to paragraphs (1) and (6) of this rule, casual vacancies among persons elected under these rules shall be filled and elections to fill such casual vacancies shall be conducted in the same manner as ordinary elections.

(4) Elections to fill casual vacancies shall, where possible, be held at such times as will enable all casual vacancies among representatives of the laity who are electors to be filled at the time of every election to the House of Laity of the General Synod, but no such election shall be invalid by reason of any casual vacancies not having been so filled.

(5) (a) Subject to the provisions of this rule, an election to fill a casual vacancy in the House of Laity shall be completed, so far as possible, within six months from the occurrence of the vacancy and in the event of the vacancy not being filled within that period, the Chairman of the House of Laity of the General Synod may give directions to the presiding officer as to the date by which the vacancy must be filled.

(b) Where a casual vacancy occurs in the House of Laity of the General Synod and the period of holding a general election to that House is due to begin within twelve months of the vacancy, the vacancy shall not be filled unless the lay members of the standing committee, acting in accordance

with any directions of the diocesan synod, otherwise direct.

(c) Where a casual vacancy in the House of Laity of the General Synod occurs within the period of two years —

(i) beginning with 1st August in the year of the last general election to that House, or

(ii) beginning with the date of the declaration of the result of an election to fill a casual vacancy where the election was conducted by voting papers in the same manner as a general election;

the election to fill the casual vacancy shall be conducted by those papers in accordance with paragraph (6) of this rule.

(6) (a) Where the election is to be conducted by the voting papers of a general election, the number of persons to be elected shall be the same as in the general election, provided that no continuing candidate elected during the original count shall be excluded.

(b) Where the election is to be conducted by the voting papers of an election other than a general election, the number of persons to be elected shall be calculated by adding together the number of persons previously elected using these voting papers who are still continuing as elected persons, and the number of casual vacancies to be filled, provided that no continuing candidate elected during the original count shall be excluded.

(c) The presiding officer for the area in question shall ask every candidate not elected in the preceding election who is still qualified for election for the diocese in question if he consents to serve.

(d) If the number of candidates is the same as the places to be filled and he or they do consent or only one of those candidates so consents he shall be elected to fill the casual vacancy.

(e) If more candidates than places to be filled so consent the votes validly cast in the preceding election shall be recounted from the beginning in accordance with the rules mentioned in rule 39(8), the presiding officer having first withdrawn those candidates who do not consent or are no longer eligible for election.

(7) An election to fill a casual vacancy in either house of the diocesan synod shall be completed within six months from the occurrence of the vacancy, provided that where a casual vacancy occurs in either house and the period for holding a general election to that house is due to begin within nine months of the vacancy, the vacancy shall not be filled unless the members of the standing committee who are from the same house otherwise direct.

(8) The preceding provisions of this rule shall apply, so far as applicable and with the necessary modifications, to the choosing of persons under these rules as it applies to the election of persons thereunder, and shall also apply to the election or choosing of members of any body constituted under or in accordance with these rules.

(9) Any person elected or chosen to fill a casual vacancy shall hold office only for the unexpired portion of the term of office of the person in whose place he is elected or chosen.

(10) In calculating the period of six months referred to in paragraphs (5) and (7) of this rule —

- (a) where during the course of an election irregularities are found which are of such a kind that the presiding officer is of the opinion that he should declare the proceedings null and void, he shall so declare and shall notify all electors of the declaration and shall cause a fresh election to be held which shall be completed within the period of six months from the date of the notice to the elections of the fresh election;
- (b) where in an appeal a determination is made that there has been no valid election and the presiding officer is directed to hold a fresh election, the period of six months shall run from the date of such direction.

(11) In this rule the expression "casual vacancy" includes the case where insufficient candidates have been nominated to fill the places available.

(12) For the purposes of paragraph (5)(b), the time when the period for holding a general election is due to begin is the time when the Convocations of the Provinces are dissolved under section 1(2) of the Church of England Convocations Act 1966.

49. Resignations

Any person holding any office under these rules or being a member of any body constituted by or under these rules may resign his office or membership by notice in writing signed by him and sent or given to the secretary of the body of which he is an officer or member, as the case may be; and his resignation shall take effect on the date specified in the notice or, if no date is specified, on the receipt of the notice by the secretary of that body.

50. Notices

Any notice or other document required or authorised to be sent or given under these rules shall be deemed to have been duly sent or given if sent through the post addressed to the person to whom it is required or authorised to be sent or given at that person's last known address.

51. Constraints in elections

(1) If in any election conducted in accordance with these rules it is a requirement that a given number or not less than a given number of places of those elected shall be filled by candidates of a named category, the presiding officer shall follow the procedure set out in paragraphs (2) to (4) of this rule.

(2) The presiding officer shall examine the nomination papers to ascertain if the number of candidates nominated in any named category is less than or equal to the required given number.

(3) If the number of candidates nominated in any named category is less than or equal to the required given number, those candidates shall be declared to be elected and their names shall not be included on the voting paper and thereafter the requirement shall be disregarded and the election shall proceed with the number of seats to be filled being reduced by the number of persons declared elected.

(4) The presiding officer shall circulate with the voting papers a separate notice giving the names of any who have been declared elected in accordance with paragraph (3) of this rule.

52. Revocation and variation of rules etc.

Subject to the provisions of these rules any power conferred by these rules to make, approve, frame, pass or adopt any rule, order, resolution, determination, decision, appointment or scheme, or to give any consent or settle any constitution, or to prescribe the manner of doing anything, shall be construed as including a power, exercisable in a like manner and subject to the like conditions, to revoke or vary any such rule, order, resolution, determination, decision, appointment, scheme, consent or constitution, or anything so prescribed.

53. Special provisions

(1) In the carrying out of these rules in any diocese the bishop of such diocese shall have power —

- (a) to make provision for any matter not herein provided for;
- (b) to appoint a person to do any act in respect of which there has been any neglect or default on the part of any person or body charged with any duty under these rules;
- (c) so far as may be necessary for the purpose of giving effect to the intention of these rules, to extend or alter the time for holding any meeting or election or to modify the procedure laid down by these rules in connection therewith, provided that such power shall not be exercised in relation to the

conduct of the elections referred to in rules 33 and 39 of these rules;

- (d) subject to paragraph (1)(c) of this rule, in any case in which difficulties arise, to give any directions which he may consider expedient for the purpose of removing the difficulties.
- (2) The powers of the bishop under this rule shall not enable him —
 - (a) to validate anything that was invalid at the time when it was done;
 - (b) to give any direction that is contrary to any resolution of the General Synod.
- (3) No proceedings of any body constituted under these rules shall be invalidated by any vacancy in the membership of that body or by any defect in the qualification, election or appointment of any members thereof.
- (4) No proceedings shall be invalidated by the use of a form which differs from that prescribed by these rules if the form which has in fact been used is to a substantially similar effect. Any question as to whether the form which has been used is to a substantially similar effect shall be determined by the bishop.
- (5) In the case of an omission in any parish to prepare or maintain a roll or form or maintain a council or to hold the annual meeting, the rural dean, upon such omission being brought to his notice, shall ascertain and report to the bishop the cause thereof.
- (6) During a vacancy in an archbishopric or where by reason of illness an archbishop is unable to exercise his functions under these rules or to appoint a commissary under paragraph 10 of this rule the functions of an archbishop under these rules shall be exercisable by the other archbishop.
- (7) During a vacancy in a diocesan bishopric the functions of a diocesan bishop under these rules, including his functions as president of the diocesan synod, shall be exercisable by such person, being a person in episcopal orders, as the archbishop of the province may appoint.
- (8) Where by reason of illness a diocesan bishop is unable to exercise his functions under these rules or to appoint a commissary under paragraph (10) of this rule, the archbishop of the province may, if he thinks it necessary or expedient to do so, appoint a person in episcopal orders to exercise the functions mentioned in paragraph (7) of this rule during the period of the bishop's illness.
- (9) If a person appointed in pursuance of paragraph (7) or (8) of this rule becomes unable by reason of illness to act under the appointment, the archbishop may revoke the appointment and make a fresh one.

(10) An archbishop or diocesan bishop may appoint a commissary and delegate to him all or any of the functions of the archbishop or bishop under these rules, but if a bishop proposes to delegate a commissary his functions as president of the diocesan synod he shall appoint a person in episcopal orders as commissary.

(11) If a person appointed in pursuance of paragraph (7) or (8) of this rule, or a person to whom the functions of a bishop as president of the diocesan synod are delegated under paragraph (10) of this rule, is a member of the house of clergy of the diocesan synod, his membership of that house shall be suspended during the period for which the appointment or delegation has effect.

54. Meaning of minister, parish and other words and phrases

(1) In these rules —

"actual communicant" means a person who has received Communion according to the use of the Church of England or of a Church in communion with the Church of England at least three times during the twelve months preceding the date of his election or appointment being a person whose name is on the roll of a parish and is either —

- (a) confirmed or ready and desirous of being confirmed, or
- (b) receiving Holy Communion in accordance with the provisions of Canon B15A paragraph 1(b);

"diocesan safeguarding advisor" means the person appointed as such for the diocese in question in accordance with provision made by Canon;

"the Measure" means the Synodical Government Measure 1969;

"minister" means —

- (a) in relation to an ecclesiastical parish, the incumbent of the parish;
- (c) a curate licensed to the charge of a parish or a minister acting as priest-in-charge of a parish in which rights of presentation are suspended;
- (d) a vicar in a team ministry to the extent that the duties of a minister are assigned to him by a pastoral scheme or his licence from the bishop;

"parish" means an ecclesiastical parish;

"public worship" means public worship according to the rites and ceremonies of the Church of England.

Church Representation Rules

(2) Any reference in these rules to the laity shall be construed as references to persons other than clerks in Holy Orders, and the expression "lay" shall be construed accordingly.

(5) If any question arises whether a Church is a Church in communion with the Church of England, it shall be conclusively determined for the purposes of these rules by the Archbishops of Canterbury and York.

(6) In these rules words importing residence include residence of a regular nature but do not include residence of a casual nature.

(7) Any reference herein to "these rules" shall be construed as including a reference to the Appendices hereto.

(9) A reference in these Rules to an offence mentioned in Schedule 1 to the Children and Young Persons Act 1966 (an Act of Tynwald) is a reference to an offence which is—

- (a) mentioned in that Schedule as amended, extended or applied from time to time, or
- (b) treated by an enactment (whenever passed or made) as if it were mentioned in that Schedule.

APPENDIX I

Section 1

Rule 1(2)

***APPLICATION FOR ENROLMENT ON CHURCH ELECTORAL ROLL
OF THE PARISH OF***

Full name

Preferred title (if any)

Full address

Postcode

I declare that

1 I am baptised, am a lay person and am aged 16 or over [or become 16* on _____]
2†

A I am a member of the Church of England (or of a Church in communion with the Church of England) and am resident in the parish

OR

B I am a member of the Church of England (or of a Church in communion with the Church of England) and, not being resident in the parish, I have habitually attended public worship in the parish during a period of six months prior to enrolment

OR

C I am a member in good standing of a Church (not in communion with the Church of England) which subscribes to the doctrine of the Holy Trinity and also declare myself to be a member of the Church of England and I have habitually attended public worship in the parish during a period of six months prior to enrolment.

I declare that the above answers are true and I apply for inclusion on the Church Electoral Roll of the parish.

Signed

Date

*Those who become 16 during the next 12 months may complete the form, and become eligible to be entered on the Roll on their sixteenth birthday.

†Tick one only of boxes 2A, B or C.

NOTES

1. The only Churches at present in communion with the Church of England are other Anglican Churches and certain foreign Churches.
2. Membership of the electoral roll is also open to members in good standing of a Church not in communion with the Church of England which subscribes to the doctrine of the Holy Trinity where those members are also prepared to declare themselves to be members of the Church of England.
3. Every six years a new roll is prepared and those on the previous roll are informed so that they can re-apply. If you are not resident in the parish but were on the roll as an habitual worshipper and have been prevented by sickness or absence or other essential reason from worshipping for the past six months, you may write "would" before "have habitually attended" in the form and add "but was prevented from doing so because . . ." and then state the reason.
4. If you have any problems over this form, please approach the clergy or lay people responsible for the parish, who will be pleased to help you.
5. In this form "parish" means an ecclesiastical parish.

Section 2

Rule 2(1)

FORM OF NOTICE OF REVISION OF CHURCH ELECTORAL ROLL

Diocese of

Parish of

*NOTE:—

The revision must be completed not less than 15 days or more than 28 days before the Annual Parochial Church Meeting.

Notice is hereby given that the Church Electoral Roll of the above parish will be revised by the Parochial Church Council, *beginning on the day of 19 and ending on the day of 19

After such revision, a copy of the roll will forthwith be exhibited for not less than 14 days on, or near to, the principal door of the Parish Church for inspection.

Under the Church Representation Rules any lay persons are entitled to have their names entered on the roll if they —

- (i) are baptised and aged 16 or over,
- (ii) have signed a form of application for enrolment;

and either

- (iii) are members of the Church of England or of any Church in communion with the Church of England being resident in the parish or (not being resident in the parish) having habitually attended public worship in the parish during a period of six months prior to the application for enrolment; or
- (iv) are members in good standing of a Church (not in communion with the Church of England) which subscribes to the doctrine of the Holy Trinity declaring themselves to be also members of the Church of England and having habitually attended public worship in the parish during a period of six months prior to enrolment.

Forms of application for enrolment can be obtained from the undersigned. In order to be entitled to attend the annual parochial church meeting and to take part in its proceedings, forms of application must be returned by the date shown above for the ending of the revision of the Church Electoral Roll by the Parochial Church Council.

Any error discovered in the roll should at once be reported to the undersigned.

†Not less than 14 days notice must be given. Dated this† day of 19

Church Electoral Roll Officer
Address

NOTE: In this notice "parish" means an ecclesiastical parish.

Section 3

Rule 2(4)

FORM OF NOTICE OF PREPARATION OF NEW ROLL

Diocese of

Parish of

*NOTE:—

The new roll must be completed not later than 15 days or more than 28 days before the Annual Parochial Church Meeting.

Notice is hereby given that under the Church Representation Rules a new Church Electoral Roll is being prepared.* All persons who wish to have their names entered on the new roll, whether their names are entered on the present roll or not, are requested to apply for enrolment not later than

The new roll will come into operation on

Forms of application for enrolment can be obtained from the undersigned. In order to be entitled to attend the annual parochial church meeting and to take part in its proceedings, forms of application must be returned by the earlier of the dates given above.

Under the Church Representation Rules any lay persons are entitled to have their names entered on the roll if they —

- (i) are baptised and aged 16 or over,
- (ii) have signed a form of application for enrolment;

and either

- (iii) are members of the Church of England or of any Church in communion with the Church of England being resident in the parish or (not being resident in the parish) having habitually attended public worship in the parish during a period of six months prior to the application for enrolment; or
- (iv) are members in good standing of a Church (not in communion with the Church of England) which subscribes to the doctrine of the Holy Trinity declaring themselves to be also members of the Church of England and having habitually attended public worship in the parish during a period of six months prior to enrolment.

Any error discovered in the roll should at once be reported to the undersigned.

Church Electoral Roll Officer
Address

NOTE: In this notice "parish" means an ecclesiastical parish.

APPENDIX II

Rule 13

GENERAL PROVISIONS RELATING TO PAROCHIAL CHURCH COUNCILS

Officers of the Council

1. (a) The minister of the parish shall be chairman of the parochial church council (hereinafter referred to as "the council").

(b) A lay member of the council shall be elected as vice-chairman of the council.

(c) During a vacancy in the benefice or when the chairman is incapacitated by absence or illness or any other cause or when the minister invites him to do so the vice-chairman of the chairman shall act as chairman and have all the powers vested in the chairman.

(d) (i) The council may appoint one of their number to act as secretary of the council. Failing such appointment the office of secretary shall be discharged by some other fit person who shall not thereby become a member of the council, provided that such person may be co-opted to the council in accordance with the provisions of rule 14(1)(h).

(ii) Where a person other than a member of the council is appointed to act as secretary, that person may be paid such remuneration (if any) as the council deems appropriate provided that such person shall not be eligible to be a member of the council.

(iii) The secretary shall have charge of all documents relating to the current business of the council except that, unless he is the electoral roll officer, he shall not have charge of the roll. He shall be responsible for keeping the minutes, shall record all resolutions passed by the council and shall keep the secretary of the diocesan synod informed as to his name and address.

(d) (i) The council may appoint one of their number to act as secretary of the council. Failing such appointment the office of secretary shall be discharged by some other fit person who shall not thereby become a member of the council, provided that such person may be co-opted to the council in accordance with the provisions of rule 14(1)(h).

(ii) Where a person other than a member of the council is appointed to act as secretary, that person may be paid such remuneration (if any) as the council deems appropriate provided that such person shall not be eligible to be a member of the council.

(iii) The secretary shall have charge of all documents relating to the current business of the council except that, unless he is the electoral roll officer, he shall not have charge of the roll. He

shall be responsible for keeping the minutes, shall record all resolutions passed by the council and shall keep the secretary of the diocesan synod informed as to his name and address.

(e) (i) The council may appoint one or more of their number to act as treasurer solely or jointly. Failing such appointment, the office of treasurer shall be discharged either —

by such of the churchwardens as are members of the council or, if there is only one such churchwarden, by that churchwarden solely; or

by some other fit person who shall not thereby become a member of the council, provided that such person may be co-opted to the council in accordance with the provisions of rule 14(10)(h).

(ii) Where a person other than a member of the council is appointed to act as treasurer that person may be paid such remuneration (if any) as the council deems appropriate provided that such person shall not be eligible to be a member of the council.

(f) The council shall appoint an electoral roll officer, who may but need not be a member of the council and may be the secretary and if he is not a member may pay to him such remuneration as it shall think fit. He shall have charge of the roll.

(g) If an examiner of the accounts of the council is not appointed by the annual meeting, or if an examiner appointed by the annual meeting is unable or unwilling to act, an examiner (who shall not be a member of the council) shall be appointed by the council. The remuneration (if any) of the examiner shall be paid by the council.

Meetings of council

2. The council shall hold not less than four meetings in each year. Meetings shall be convened by the chairman and if not more than four meetings are held they shall be at quarterly intervals so far as possible.

Power to call meetings

3. The chairman may at any time convene a meeting of the council. If he refuses or neglects to do so within seven days after a requisition for that purpose signed by not less than one-third of the members of the council has been presented to him those members may forthwith convene a meeting.

Notices relating to meetings

4. (a) Except as provided by paragraph 8 of this Appendix, at least ten clear days before any meeting of the council notice thereof specifying the

time and place of the intended meeting and signed by or on behalf of the chairman of the council of the persons convening the meeting shall be posted at or near the principal door of every church or building licensed for public worship in the parish.

(b) Not less than seven days before the meeting a notice thereof specifying the time and place of the meeting signed by or on behalf of the secretary shall be posted or delivered to every member of the council. Such notice shall contain the agenda of the meeting including any motion or other business proposed by any member of the council of which notice has been received by the secretary. The notice required by this sub-paragraph shall not be required for a council meeting immediately following the annual parochial church meeting being a council meeting which has been called solely for the purpose of appointing or electing any officers of the council or the members of the standing committee thereof provided that the notice required by sub-paragraph (a) hereof has been given.

(c) If for some good and sufficient reason the chairman, vice-chairman and secretary, or any two of them, consider that a convened meeting should be postponed, notice shall be given to every member of the council specifying a reconvened time and place within fourteen days of the postponed meeting.

Chairman at meetings

5. Subject to the provisions of rules 22 and 23 the chair at a meeting of the council shall be taken —

- (a) by the chairman of the council if he is present;
- (b) if the chairman is not present, by the clerk in Holy Orders, licensed to or with permission to officiate in the parish duly authorised by the bishop with the clerk's agreement, following a joint application by the minister of the parish and the council or, if the benefice is vacant, by the council for the purposes of this sub-paragraph;
- (c) if neither the chairman of the council nor the clerk mentioned in sub-paragraph (b) above is present, by the vice-chairman of the council:

Provided that at any such meeting the chairman presiding shall, if he thinks it expedient to do so or the meeting so resolves, vacate the chair either generally or for the purpose of any business in which he has a personal interest or for any other particular business. Should none of the persons mentioned above be available to take the chair for any meeting or for any particular item on the agenda during a meeting than a chairman shall be

chosen by those members present from among themselves and the person so chosen shall preside for that meeting or for that particular item.

Quorum and agenda

6. No business shall be transacted at any meeting of the council unless at least one-third of the members are present thereat and no business which is not specified in the agenda shall be transacted at any meeting except by the consent of three-quarters of the members present at the meeting.

Order of business

7. The business of a meeting of the council shall be transacted in the order set forth in the agenda unless the council by resolution otherwise determine.

Short notice for emergency meetings

8. In the case of sudden emergency or other special circumstances requiring immediate action by the council a meeting may be convened by the chairman of the council at not less than three clear days' notice in writing to the members of the council but the quorum for the transaction of any business at such meetings shall be a majority of the then existing members of the council and no business shall be transacted at such meeting except as it specified in the notice convening the meeting.

Place of meetings

9. The meeting of the council shall be held at such place as the council may direct or in the absence of such direction as the chairman may direct.

Vote of majority to decide

10. The business of the council shall be decided by a majority of the members present and voting thereon.

Casting vote

11. In the case of an equal division of votes the chairman of the meeting shall have a second or casting vote.

Minutes

12. (a) The names of the members present at any meeting of the council shall be recorded in the minutes.

(b) If one-fifth of the members present and voting on any resolution so require, the minutes

shall record the names of the members voting for and against that resolution.

(c) Any member of the council shall be entitled to require that the minutes shall contain a record of the manner in which his vote was cast on any resolution.

(d) Minutes of meetings of the council shall be available to all members of the council. The members shall also have access to past minutes which the chairman and vice-chairman jointly determine to be relevant to current council business.

(e) The auditor of the council's accounts, the bishop and the archdeacon or a person authorised by one of them in writing shall have access to the approved minutes of council meetings without the authority of the council.

(f) Other persons whose names are on the church electoral roll may have access to the approved minutes of council meetings held after the annual parochial church meeting in 1995 except any minutes deemed by the council to be confidential.

(g) Other persons may have access to the minutes of council meetings only in accordance with a specific authorisation of the council.

Adjournment

13. Any meeting of the council may adjourn its proceedings to such time and place as may be determined at such meeting.

Standing committee

14. (a) The council shall have a standing committee consisting of not less than five persons. The minister and such of the churchwardens as are members of the council shall be *ex-officio* members of the standing committee, and the council shall by resolution appoint at least two other members of the standing committee from among its own members and may remove any person so appointed. Unless removed from office, the appointed members shall hold office from the date of their appointment until the conclusion of the next annual meeting of the parish.

(b) The standing committee shall have power to transact the business of the council between the meetings thereof subject to any directions given by the council.

Other committees

15. The council may appoint other committees for the purpose of the various branches of church work in the parish and may include therein persons who are not members of the council. The minister shall be a member of all committees *ex-officio*.

Validity of proceedings

16. No proceedings of the council shall be invalidated by any vacancy in the membership of the council or by any defect in the qualification or election of any member thereof.

Interpretation

17. Any question arising on the interpretation of this Appendix shall be referred to the bishop of the diocese and any decision given by him or by any person appointed by him on his behalf shall be final.

CHURCHWARDENS MEASURE (ISLE OF MAN) 2013

(SM 1 of 2013)

1. Short title	"commencement" means the date on which this Measure comes into operation;
2. Commencement	"diocesan safeguarding advisor" means the person appointed as such for the diocese of Sodor and Man in accordance with provision made by Canon;
3. Interpretation	"meeting of the parishioners" has the meaning given by section 7(2);
4. Number of churchwardens	"minister", in relation to a parish, means —
5. Qualifications and disqualifications	(a) the incumbent of the benefice the area of which comprises or includes the parish;
6. Removal or waiver of disqualification	(b) if that benefice is vacant, a priest licensed to the charge of, or acting as priest-in-charge of, the parish; or
7. Election of churchwardens	(c) if the duties of a minister are assigned to a vicar in a team ministry by a pastoral scheme or his or her licence from the Bishop, that vicar;
8. Term of office	"parish" means an ecclesiastical parish;
9. Admission to office	"pastoral scheme" has the same meaning as in the Mission and Pastoral Measure (Isle of Man) 2012;
9A. Suspension	"register of electors" means a register of electors in force under the Registration of Electors Act 2006;
9B. Duration of suspension	"year" means a year ending on 31st December.
9C. Appeal against suspension	
10. Exercise of functions	
11. Resignation etc.	
12. Special provisions	
13. Transitional provision	
14. Minor and consequential amendments	
Schedule 1 Rules for election of churchwardens	
Schedule 2 Repeals	

GENERAL NOTE Commencement: the Measure came into force on 1st January 2015 by virtue of the Churchwardens Measure (Isle of Man) 2013 (Appointed Day) Order 2014 (SD 2014/0371).

<p>1. Short title</p> <p>The short title of this Measure is the Churchwardens Measure (Isle of Man) 2013.</p> <p>2. Commencement</p> <p>Except for the purpose of making or approving a scheme under section 4, this Measure comes into operation on such day as the Bishop may by order appoint.</p> <p>3. Interpretation</p> <p>In this Measure —</p> <p>"actual communicant" has the same meaning as in the Church Representation Rules;</p> <p>"annual meeting of the parishioners" means a meeting of the parishioners held pursuant to section 7(3);</p> <p>"casual vacancy" includes a case where no or insufficient candidates have been nominated to fill the places available;</p> <p>references to the Church Representation Rules are to those Rules as they have effect in the Island;</p>	<p>4. Number of churchwardens</p> <p>(1) For each parish there shall be such number of churchwardens (being not less than 2) as is specified in a scheme made by the Church Commissioners.</p> <p>(2) A scheme under subsection (1) shall designate a parish in relation to each ancient ecclesiastical parish for the purposes of section 14 of the Burials Act 1986.</p> <p>(3) A scheme under subsection (1) shall not have effect unless it is approved by the Sodor and Man Diocesan Synod.</p> <p>5. Qualifications and disqualifications</p> <p>(1) Subject to subsections (2) to (6), the churchwardens of every parish shall be elected from persons —</p> <p>(a) who have been baptised;</p> <p>(b) whose names are on the church electoral roll of the parish;</p> <p>(c) who are actual communicants;</p> <p>(d) who are 18 years of age or upwards; and</p> <p>(e) who are not disqualified under subsection (2).</p>
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(2) A person is disqualified for being a churchwarden if he or she —

- (a) has been convicted of —
 - (i) any offence involving dishonesty or deception, or
 - (ii) any offence mentioned in Schedule 1 to the Children and Young Persons Act 1966 ;
- (b) has been adjudged bankrupt and has not been discharged;
- (c) has made a composition or arrangement with his or her creditors and has not been discharged in respect of it;
- (d) has been removed from the office of trustee of a charity by an order made by the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which he or she was responsible or to which he or she was privy, or which he or she by conduct contributed to or facilitated;
- (e) is subject to a disqualification order or disqualification undertaking under the Company Officers (Disqualification) Act 2009 .

(3) In subsection (2) —

- (a) paragraph (a) applies wherever the conviction occurred, and whether before or after commencement, but does not apply in relation to any conviction which is a spent conviction for the purposes of the Rehabilitation of Offenders Act 2001 ;
- (b) paragraph (b) applies wherever the adjudication occurred, and whether before or after commencement;
- (c) paragraph (c) applies wherever the composition or arrangement was made, and whether before or after commencement; and
- (d) paragraphs (d) and (e) apply in relation to orders made, removals effected and undertakings given before or after commencement.

(3A) A person is disqualified for being chosen for the office of churchwarden if he or she is included in a barred list (within the meaning of the Safeguarding Vulnerable Groups Act 2006 (an Act of Parliament)).

(4) Subject to subsection (6), a person is disqualified for being a churchwarden when he or she has served as a churchwarden of the same parish for 6 successive periods of office.

(5) A disqualification under subsection (4) lasts for one year beginning with the date on which the churchwarden vacated office at the end of the last such period.

(6) A meeting of the parishioners may by resolution —

- (a) decide that subsection (4) shall not apply in relation to the parish concerned; or
 - (b) revoke a previous resolution under paragraph (a).
- (7) Any custom or rule of common law whereby certain persons are disqualified for being a churchwarden shall cease to have effect.

6. Removal or waiver of disqualification

(1) This section applies if it appears to the Bishop, in the case of any particular person who, apart from this section, —

- (a) would not be qualified by virtue of paragraph (b), (c) or (d) of section 5(1), or
- (b) would be disqualified under section 5(2) or (4),

that there are exceptional circumstances which justify a dispensation from the provision in question.

(2) In a case falling within subsection (1)(a), the Bishop may in writing permit that person to hold the office of churchwarden even though the requirement in question is not met.

(3) In a case falling within subsection (1)(b), the Bishop may waive the disqualification in question by giving written notice to the person concerned; and the notice must specify the Bishop's reasons for giving the waiver.

(4) Before giving a waiver under subsection (3) in respect of a disqualification imposed by section 5(2)(a)(ii), the Bishop must consult —

- (a) the diocesan safeguarding advisor, and
- (b) such other persons as the Bishop considers appropriate.

(5) On giving a notice under subsection (3), the Bishop shall give a copy of the notice to the Diocesan Registrar; and the Registrar shall file the copy in the diocesan registry.

(6) A permission under subsection (2) applies only to the period of office next following the date on which it is given.

(7) A waiver under subsection (3) is of unlimited duration.

7. Election of churchwardens

(1) The churchwardens of a parish shall be elected by a meeting of the parishioners.

(2) A meeting of the parishioners for the purposes of this Measure is a joint meeting of —

- (a) the persons whose names are entered on the church electoral roll of the parish;

- (b) the persons resident in the parish whose names are entered on a register of electors by reason of such residence; and
 - (c) in the case of a parish designated under section 4(2), the persons resident in the ancient ecclesiastical parish in question whose names are entered on a register of electors by reason of such residence.
- (3) An annual meeting of the parishioners must be held in every parish not later than 30th April in each year.
- (4) Subject to subsection (5), a casual vacancy among the churchwardens must be filled at a special meeting of the parishioners as soon as practicable after the vacancy has arisen.
- (5) A special meeting to fill a casual vacancy arising on or after 1st January need not be held if —
- (a) at least 2 churchwardens remain in office, or
 - (b) the annual meeting of the parishioners is to be held before the expiration of one month after the vacancy arises.
- (6) Schedule 1 has effect with respect to meetings of the parishioners and elections of churchwardens.

8. Term of office

Subject to sections 9 and 11, a churchwarden holds office from the end of the meeting of the parishioners at which he or she was elected until the end of the next annual meeting of the parishioners.

9. Admission to office

- (1) A person elected to the office of churchwarden must appear before the Chapter Court and take the oath of office at a time and place appointed by the Vicar General.
- (2) If a person elected to the office of churchwarden fails to comply with the requirement of subsection (1) before the relevant date, his or her office shall become vacant on that date.
- (3) In subsection (2) "the relevant date" means —
- (a) in the case of a churchwarden elected at an annual meeting of the parishioners, 1st August following the meeting;
 - (b) in any other case, the expiration of 3 months beginning with the date of the meeting at which the churchwarden was elected.

9A. Suspension

- (1) This section applies where —
- (a) a churchwarden is arrested on suspicion of committing an offence mentioned in Schedule 1 to the Children and Young Persons Act 1966 or is charged with such an offence without being arrested, or

- (b) the Bishop is satisfied, on the basis of information provided by a Department or the Chief Constable, that a churchwarden presents a significant risk of harm.
- (2) The Bishop may suspend the person from the office of churchwarden by giving written notice to him or her; and the notice must specify the Bishop's reasons for imposing the suspension.
- (3) The Bishop may at any time revoke a suspension under this section by giving written notice to the person.
- (4) For the purposes of subsection (1)(b), a person presents a significant risk of harm if there is a significant risk that he or she may —
- (a) harm a child or vulnerable adult,
 - (b) cause a child or vulnerable adult to be harmed,
 - (c) put a child or vulnerable adult at risk of harm,
 - (d) attempt to harm a child or vulnerable adult, or
 - (e) incite another person to harm a child or vulnerable adult.
- (5) Before suspending a person in reliance on subsection (1)(b) or revoking a suspension made in reliance on subsection (1)(b), the Bishop must consult —
- (a) the diocesan safeguarding advisor, and
 - (b) such other persons as the Bishop considers appropriate.
- (6) Having given a notice of suspension or revocation under this section, the Bishop shall give each of the following written notification —
- (a) the Archdeacon,
 - (b) the clergy who hold office in the parish,
 - (c) the other churchwarden or churchwardens of the parish,
 - (d) the Diocesan Registrar,
 - (e) the diocesan safeguarding advisor, and
 - (f) such other persons as the Bishop considers appropriate.
- (7) The Registrar shall file the notification given under subsection (6)(d) in the diocesan registry.
- (8) In this section —
- "child" means a person aged under 18;
- "vulnerable adult" means a person aged 18 or over whose ability to protect himself or herself from violence, abuse, neglect or exploitation is significantly impaired through physical or mental disability or illness, old age, emotional fragility or distress, or otherwise; and for that purpose, the reference

to being impaired is to being temporarily or indefinitely impaired.

9B. Duration of suspension

(1) Where, in reliance on section 9A(1)(a), a notice of suspension is given under section 9A(2) and the suspension has not been revoked under section 9A(3) or 9C(2), the suspension continues until the earlier of —

- (a) the expiry of 3 months beginning with the day on which the notice is given, and
- (b) the conclusion of the matter.

(2) If, in the case of a suspension made in reliance on section 9A(1)(a), the matter is not concluded before the expiry of the period referred to in subsection (1)(a), a further notice of suspension under section 9A(2) may be given to the person; and subsection (1) and this subsection apply to the further suspension as they applied to the earlier suspension or suspensions.

(3) Where, in reliance on section 9A(1)(b), a notice of suspension is given under section 9A(2) and the suspension has not been revoked under section 9A(3) or 9C(2), the suspension continues until the expiry of 3 months beginning with the day on which the notice is given.

(4) In the case of a suspension made in reliance on section 9A(1)(b), a further notice of suspension under section 9A(2) may be given to the person; and subsection (3) and this subsection apply to the further suspension as they applied to the earlier suspension or suspensions.

(5) For the purposes of this section, a matter is concluded when —

- (a) a decision is taken not to charge the person with the offence in question, or
- (b) where he or she is charged with the offence, the proceedings for the offence are concluded.

9C. Appeal against suspension

(1) A person to whom a notice of suspension is given under section 9A(2) may appeal against the suspension to the Vicar General.

(2) On an appeal under this section, the Vicar General may, within 28 days following the lodging of the appeal, either confirm or revoke the suspension.

10. Exercise of functions

(1) If a parish has more than 2 churchwardens, the churchwardens may arrange for the exercise by some of their number, designated by name, of any functions of theirs which are specified in the arrangement (other than functions under this section) in relation to —

- (a) if the parish has more than one parish church, any of the parish churches;
 - (b) any parish burial ground in the parish;
 - (c) any parish trust; or
 - (d) with the consent of the Bishop, any other matter.
- (2) An arrangement under subsection (1) —
- (a) must be made by the churchwardens of the parish acting unanimously;
 - (b) must be in writing, in a form approved by the Bishop; and
 - (c) must designate at least 2 churchwardens in respect of any function to which it relates; and
 - (d) may authorise a specified number, not less than 2, of the churchwardens so designated to exercise that function on behalf of them all.
- (3) While an arrangement under subsection (1) is in force in relation to any function, the churchwardens designated under subsection (2)(c) are to be treated, in respect of that function, as being the churchwardens of the parish to the exclusion of the other churchwardens.
- (4) An arrangement under subsection (1) —
- (a) may be varied or cancelled by a subsequent arrangement under that subsection;
 - (b) may be cancelled by a resolution passed by a majority of the churchwardens; and
 - (c) ceases to have effect in relation to the exercise of any function if at any time the churchwardens of the parish cease to include at least 2 persons designated under subsection (2)(c) in respect of that function.
- (5) The churchwardens must —
- (a) send to the Diocesan Registrar a copy of any arrangement under subsection (1) and of any resolution under subsection (4)(b); and
 - (b) notify the Diocesan Registrar in writing that such an arrangement has ceased to have effect under subsection (4)(c).
- (6) If such an arrangement relates to a matter falling within subsection (1)(b) or (c), the churchwardens must also send such a copy, and give a like notification, to the Department of Infrastructure and the Chief Registrar.
- (7) In this section —
- "ecclesiastical charity" has the same meaning as in Schedule 3 to the Church Act 1992 ;
 - "parish burial ground" has the same meaning as in the Burials Act 1986;
 - "parish trust" means an ecclesiastical charity of which the churchwardens of a parish are

trustees, whether alone or jointly with the incumbent of the parish or any other person.

11. Resignation etc.

(1) A person may resign the office of churchwarden by sending to the Bishop by post written notice of his or her intention to resign, and not otherwise.

(2) The resignation shall have effect and the office shall be vacated—

(a) at the end of the period of 2 months following the date when the notice is sent to the Bishop; or

(b) on such earlier date as may be determined by the Bishop after consultation with the minister and any other churchwarden of the parish.

(3) The office of a churchwarden of a parish is vacated if —

(a) his or her name is removed from the church electoral roll of the parish under rule 1 of the Church Representation Rules;

(b) his or her name is not on a new church electoral roll of the parish prepared under rule 2(4) of those Rules;

(c) he or she ceases to be qualified under section 5(1) or becomes disqualified under section 5(2) or (3A);

(d) he or she fails to attend any meeting of the parochial church council of the parish for a continuous period of 6 months beginning with the date of the first meeting he or she failed to attend; or

(e) he or she is absent from the Island for a continuous period of 3 months without the written agreement of the other churchwarden or churchwardens of the parish.

(4) Where the office of churchwarden is vacated under subsection (3)(c) on a person becoming disqualified under section 5(2), he or she may resume the office if the disqualification is waived under section 6(3) and the office has remained vacant.

12. Special provisions

(1) In the carrying out of the provisions of this Measure the Bishop may —

(a) make provision for any matter not provided for in this Measure;

(b) appoint a person to do any act in respect of which there has been any neglect or default on the part of any person or body charged with any duty under this Measure;

(c) so far as may be necessary for the purpose of giving effect to the intentions of this Measure, extend or alter the time for holding

any meeting or election or to modify the procedure laid down by this Measure in connection with it;

(d) in any case in which there has been no valid election, direct a fresh election to be made, and to give such directions in connection with it as he may think necessary; and

(e) in any case in which any difficulty arises, give any directions which he may consider expedient for the purpose of removing the difficulty.

(2) The powers of the Bishop under this section do not enable him to validate anything that was invalid at the time it was done.

13. Transitional provision

Subject to section 11 (except subsection (3)(c)), a churchwarden holding office immediately before commencement shall continue to hold office until the end of the next annual meeting of the parishioners.

14. Minor and consequential amendments etc.

(1) Section 14 of the Burials Act 1986 is amended as follows —

(a) in subsections (3) and (7), for "churchwardens of" substitute "relevant churchwardens in relation to";

(b) in subsection (8) —

(i) in the definition of "parish", after "ancient" insert "ecclesiastical";

(ii) at the end insert —

""the relevant churchwardens" means the churchwardens of the ecclesiastical parish which is designated for the purpose of this section in relation to the parish in question by a scheme under section 4 of the Churchwardens Measure (Isle of Man) 2013."

(2) The Church Representation Rules are further modified by the omission of paragraph (2) of rule 14.

(3) The enactments mentioned in Schedule 2 are repealed to the extent specified in the third column of that Schedule.

Section 7(6).

SCHEDULE 1

RULES FOR ELECTION OF CHURCHWARDENS

Convening of meeting of the parishioners

1. (1) The meeting of the parishioners must be convened by —

(a) the minister, or

(b) during any period when there is no minister or when the minister is unable or unwilling to do so, the churchwardens of the parish,

by a notice signed by the minister or a churchwarden, as the case may be.

(2) The notice must state the day, time and place at which the meeting is to be held.

(3) The notice must be affixed on or near to the principal door of —

(a) every parish church in the parish;

(b) every church building or part of a building in the parish which is designated as a parish centre of worship under section 17(2) of the Mission and Pastoral Measure (Isle of Man) 2012; and

(c) every other building licensed for public worship in the parish,

for a period including the last 2 Sundays before the meeting.

Proceedings of meeting

2. (1) The minister, if present, or, if he or she is not present, a chairman chosen by the meeting of the parishioners shall preside at the meeting of the parishioners.

(2) All persons entitled to attend the meeting, other than the minister, are entitled to vote at the election of churchwardens.

(3) In case of an equal division of votes on any question, the chairman of the meeting shall not have a second or casting vote and the motion on that question shall be treated as lost.

(3) The meeting may adjourn, and may determine its own rules of procedure.

(4) A person appointed by the meeting shall act as clerk of the meeting and shall record the minutes of the meeting.

Nominations

3. (1) Candidates for election at the meeting of the parishioners must be nominated and seconded in writing by persons entitled to attend the meeting.

(2) Each nomination paper must include a statement, signed by the person nominated, to the effect that he or she —

(a) is willing to serve as a churchwarden, and

(b) is not disqualified under section 5.

(3) A nomination is not valid unless —

(a) it is received before the beginning of the meeting by —

(i) the minister of the parish; or

(ii) during any period when there is no minister, the churchwarden by whom the notice convening the meeting was signed; and

(b) where section 6 applies, the Bishop's permission or waiver was given under section 6(2) or (3) before the nomination paper is received by the minister or churchwarden, as the case may be.

Conduct of elections

4. Subject to paragraphs 2 and 3, elections of churchwardens by the meeting of the parishioners must be conducted and announced in the same manner as elections under rule 11 of the Church Representation Rules.

Return of elections

5. The person presiding at the meeting of the parishioners must, within 7 days after the meeting, notify the Diocesan Registrar in writing of the full name and address of each churchwarden elected by the meeting.

Section 14(3).

SCHEDULE 2

REPEALS

(omitted)

CHURCHWARDENS SCHEME 2014

(SD 2014/0370)

The Church Commissioners for the Isle of Man make this Scheme under section 4 of the Churchwardens Measure (Isle of Man) 2013.

1. Title

The title of this Scheme is the Churchwardens Scheme 2014.

2. Commencement

This Scheme comes into operation on 1st January 2015.

3. Number of churchwardens

(1) The number of churchwardens of each parish specified in column 1 of Part 1 of Schedule 1 is —

- (a) from 1st January 2015 until the end of the first meeting of the parishioners after that date, the number of churchwardens of that parish holding office immediately before that date;
- (b) after the end of that meeting, the number specified in relation to that parish in column 2 of that Part.

(2) If a pastoral scheme uniting the parishes of All Saints, Douglas and Saint George, Douglas comes into operation, the number of churchwardens of the united parish created by the pastoral scheme is —

- (a) from the relevant date until the end of the first meeting of the parishioners after the relevant date, the total number of churchwardens of those parishes holding office immediately before the relevant date;
- (b) after the end of that meeting, the number specified in column 2 of Part 2 of Schedule 1.

In this paragraph "the relevant date" means the coming into operation of the pastoral scheme or 1st January 2015, whichever is the later.

4. Designation of parishes for purposes of parish burial grounds

The parish designated in relation to each ancient ecclesiastical parish specified in column 1 of Schedule 2 for the purposes of section 14 of the Burials Act 1986 is that specified in relation to it in column 2 of that Schedule.

5. Revocation

The Churchwardens Scheme 2012 is revoked.

SCHEDULE 1 NUMBER OF CHURCHWARDENS PART 1

<i>Parish</i>	<i>Churchwardens</i>
All Saints, Douglas*	2
Arbory and Castletown	4
Braddan	4
Bride, Lezayre and North Ramsey	6
Lonan and Laxey	2
Malew and Santan	8
Marown, Foxdale and Baldwin	6
Maughold and South Ramsey	6
The Northern Plain	8
Onchan	4
Rushen	4
Saint George, Douglas*	2
Saint Matthew, Douglas	2
Saint Ninian, Douglas	2
Saint Thomas, Douglas	2
The West Coast	10

*see article 3(2) and Part 2 below

PART 2

<i>Parish</i>	<i>Churchwardens</i>
Saint George and All Saints, Douglas	4

SCHEDULE 2 PARISH DESIGNATED IN RELATION TO EACH ANCIENT PARISH

<i>Ancient parish</i>	<i>Designated parish</i>
Patrick	
German	the West Coast
Michael	
Ballaugh	
Jurby	the Northern Plain
Andreas	
Lezayre	Bride, Lezayre and North Ramsey
Bride	
Maughold	Maughold and South Ramsey
Lonan	Lonan and Laxey
Onchan	Onchan
Braddan	Braddan
Marown	Marown, Foxdale and Baldwin
Santan	
Malew	Malew and Santan

Churchwardens Measure(Isle of Man) 2013

<i>Ancient parish</i>	<i>Designated parish</i>
Arbory	Arbory and Castletown
Rushen	Rushen

THE COMMON SEAL of the
Church Commissioners for the
Isle of Man was hereunto affixed
on 20th October 2014 in the
presence of:

M. Barwood

Secretary

L.S.