

**GENERAL SYNOD
OF THE
CHURCH OF IRELAND**

2012

BILLS

AND

EXPLANATORY MEMORANDA

INTRODUCTION

This pamphlet contains those Bills which were lodged with the honorary secretaries at least six weeks before the first day of the session.

A Bill is a proposal for legislation which, if passed, will become a Statute, binding on all members of the Church of Ireland. The procedure is designed to ensure that the proposed legislation is considered carefully, both in principle and in detail, and that there is a day's interval for reflection before final approval is given.

The Bills will be taken into consideration in the order in which they appear in this pamphlet, unless the Synod directs otherwise. On the first stage, the proposer moves "That leave be given to introduce Bill no. ___" unless leave has been given in the previous session. This is a formal motion which is normally put to the Synod without debate, but in certain circumstances one speech in support of the motion, and one in opposition to it, may be permitted.

If that motion is passed, the Synod proceeds to the Second Reading, when the principles of the Bill are open to debate. At the conclusion of the debate on this stage, the motion "That the Bill be approved in principle and given a second reading" is put to the Synod. If this motion is passed, indicating that the Synod approved the Bill in principle, the Committee stage follows.

In the case of Special Bills leave to introduce such a Bill may be given only at an ordinary session of the Synod; leave having been given, the Bill shall be deemed to have been read a first time, but it shall not be processed further until the next ordinary session when it will come before the Synod for second reading.

On the Committee stage, the Bill is considered in detail, the clauses being put to the Synod one by one for debate and decision. The clauses are taken first in their order; then, the schedules (if any); and, finally, the Preamble (the introductory matter). Amendments, notice of which was given to the honorary secretaries not later than the Friday before the session, will appear on the agenda paper for the first day; no other amendment may be moved on Committee stage except with the leave of the Synod. An amendment is taken on the clause to which it relates, and is disposed of before the clause itself is put to the Synod.

In the case of Special Bills, an amendment can be moved on Committee stage only if notice has been given in the previous session except for any dealing with omissions or grammatical errors.

When the Committee stage has been concluded, the Bill is reported to the Synod, and a day – usually the third day – is fixed for the remaining stages.

On the third day the Report stage is taken. Any amendments which have been lodged with the honorary secretaries before the close of business on the second day will appear on the supplemental agenda paper for the third day. After these amendments have been disposed of – or immediately if there are not any amendments – the Synod proceeds to the Third Reading. At this stage, debate is confined to the provisions of the Bill, and at its conclusion the motion "That the Bill be now read a third time and passed" is put to the Synod.

A simple majority of the House of Representatives is required to pass any and every motion during the passage of a Bill through the Synod, except when

- (a) a vote by orders has been requisitioned by ten members of either order (which may be done on any motion), in which case a simple majority of each order, voting separately, is required.
- (b) a two-thirds majority of each order, voting separately, is required to pass the Second Reading and the Third Reading of a Bill which proposes a modification or alteration in the articles, doctrines, rites, rubrics or formularies of the Church.

For fuller information on Bill procedure reference should be made to Part II of Chapter I of the Constitution and to the Standing Orders. A leaflet on Bill procedure is available on application to the Honorary Secretaries.

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Bill No 1**Explanatory Memorandum**

At present many dioceses in the Church of Ireland are conducting regular censuses which result in valuable information on the numbers attending services, the age profile, the numbers of children in Sunday School and other details. This information is used for many purposes including calculating diocesan assessments and to evaluate future needs for the Church.

Unfortunately, this information is of limited use Church-wide as each diocese collects information at different times and applies different criteria. For example, the definition of what constitutes a 'regular worshipper' varies from diocese to diocese. Other information, eg Sunday school membership is collected in some dioceses but not in others.

This Bill will (if passed) allow the Standing Committee to request all dioceses to collect certain information from all parishes according to consistent criteria Church-wide. The information gained will be collated at diocesan level with diocesan councils reporting their major findings to the Honorary Secretaries.

Many groups within the Church have requested access to statistical information of this nature including the Commission on Ministry, the Council for Mission and the Episcopal Ministry and Episcopal Structures Working Group.

Nothing in the Bill will prevent diocesan councils from collecting their own statistics for their purposes, in addition to those requested by Standing Committee.

THE BISHOP OF DERRY AND RAPHOE
MR SAMUEL HARPER

BILL

(At the request of the Standing Committee)

To facilitate the collection of reliable statistical information to assist decision-making in the Church of Ireland

WHEREAS certain statistics regarding the Church of Ireland are not generally available and decision-making in the Church is thereby impeded;

AND WHEREAS it is desirable that reliable statistical information should be available to assist decision-making at all levels in the Church of Ireland;

BE IT ENACTED by the Archbishops and Bishops and the clergy and laity of the Church of Ireland, in General Synod assembled in Dublin in the year 2012, and by the authority of the same, as follows:-

1. In this Statute 'the Standing Committee' means the Standing Committee of the General Synod, 'the Honorary Secretaries' means the Honorary Secretaries of the General Synod elected in accordance with the provisions of Standing Order 7 of the Standing Orders of the General Synod and 'diocesan councils' means the diocesan councils provided for under Chapter II, Part II of the Constitution of the Church of Ireland.
2. The General Synod directs that, at a date to be set by the Standing Committee and at defined periods thereafter to be set by the Standing Committee (but not more frequently than every three years), the diocesan councils of each diocese shall collect such information relating to the Church of Ireland population as the Standing Committee may direct and shall supply such information to the Honorary Secretaries on request.
3. The Standing Committee may, by resolution, make regulations to give effect to this Statute.
4. Nothing in this Statute shall prevent diocesan councils from seeking information from parishes, cathedrals and chaplaincies, in addition to that requested by the Standing Committee, for use by the diocesan councils in that diocese.

BILL NO 2**Explanatory Memorandum**

Following discussion of the issues raised during the Special Meeting of the General Synod in March 2011, the Standing Committee, on 12 April 2011, established a Working Group to examine the scope and nature of contemporary issues in the provision of Episcopal Ministry in the Church of Ireland. The Working Group reported to Standing Committee with recommendations at its meeting in March 2012, proposing the establishment of a Commission to consider the issues identified by the Working Group and any related matters. The Standing Committee supported the creation of a Commission in such a way that it is not bound by pre-conceived ideas about numbers, costs or geography, but rather a determination to provide effective and appropriate Episcopal leadership to the Church that will enable it to keep mission and outreach at the top of its agenda.

REV ANDREW FORSTER
MR ANDREW MCNEILE

BILL

(At the request of the Standing Committee)

To review episcopal ministry and structures and provide for the future episcopal needs of the Church of Ireland and other matters connected therewith.

WHEREAS it is desirable that proposals should be prepared for submission to the General Synod to provide episcopal ministry and structures adequate for the needs, and compatible with the resources, of the Church of Ireland;

AND WHEREAS for this purpose it is expedient to create a Commission on Episcopal Ministry and Structures;

BE IT ENACTED by the Archbishops and Bishops and the clergy and laity of the Church of Ireland, in General Synod assembled in Dublin in the year 2012, and by the authority of the same, as follows:-

1. There shall be a Commission on Episcopal Ministry and Structures (hereinafter referred to as 'the Commission').
2. The General Synod shall, by resolution, appoint the members of the Commission. Such resolution may provide for the appointment of up to two non-voting members representing other Christian churches. The members of the Commission shall hold office until the termination of the ordinary meeting of the General Synod which shall be held in the year 2014, and the General Synod at such meeting may re-appoint, reconstitute or dissolve the Commission as it shall think fit. The Commission shall have the power to co-opt up to two additional members. Casual vacancies shall be filled by election by the Standing Committee.
3. The Commission shall be convened by the Honorary Secretaries of the General Synod within two months of the passing of this Statute in accordance with the Terms of Reference contained in the Schedule to this Statute.
4. Notwithstanding the desire that the Commission shall draw up proposals for the most appropriate provision of episcopal ministry in the Church of Ireland, the Commission shall also give due consideration to the funding requirements of the said proposals and shall include these matters in its report to the General Synod.
5. For the purposes of the final scheme presented to the General Synod, as provided by this Statute, there shall be vested in the General Synod as regards all dioceses affected by the scheme, all the powers and functions of the respective diocesan synods concerned under section 31 of Chapter I of the Constitution.
6. The Commission shall have power to consult with others in and outside the Church of Ireland in order to assist it in its work.

SCHEDULE

Terms of Reference for the Commission on Episcopal Ministry and Structures

“To consider the issues identified by the Review of Episcopal Ministry and Structures Working Group and any other associated matters that may be brought forward, and report to General Synod not later than May 2014, with conclusions and recommendations on appropriate future arrangements for episcopal ministry and structures in the Church of Ireland.

The Commission shall articulate a theology of episcopacy and examine the missiology and ecclesiology of the Church of Ireland, reflecting on the scriptures, building upon our heritage and bringing fresh perspectives to the episcopal needs of the Church of Ireland. The mission of the Church shall be the focus of its work.

The Commission shall consider how episcopacy has evolved in the Church of Ireland and review different models of episcopal ministry and structures in the Anglican Communion and other churches.

The Commission shall examine the Constitution of the Church of Ireland and identify any necessary or desirable amendments to facilitate implementation of its recommendations.

The Commission shall consider practical and administrative questions relating to episcopal needs and structures facing the Church of Ireland, in particular:

- 1. The key functions and roles of bishops;*
- 2. Models of episcopacy;*
- 3. Desirable skills of bishops and appropriate training;*
- 4. Selection of bishops, including the role of electoral colleges;*
- 5. Resources needed to support episcopacy and episcopal families;*
- 6. Funding of episcopal ministry;*
- 7. Diocesan structures and geographical boundaries;*
- 8. Provincial structures and roles of Archbishops of Armagh and of Dublin.*

The Commission shall give early attention to the following matters;

- 1. Models of episcopacy allowing bishops to carry out other ecclesiastical roles;*
- 2. Electoral Colleges;*
- 3. Provincial structures and the roles of archbishops.*

The Commission shall seek relevant information from dioceses and other sources, including statistical data, to provide a satisfactory evidential basis for its recommendations.

The individual recommendations of the Commission shall be addressed independently so that lack of progress on any one does not impede the whole.”

BILL No 3**Explanatory Memorandum**

In February 2011, the Honorary Secretaries, at the request of the Standing Committee, initiated a review of the operation of Provincial Mediation Panels and the Severance Fund, which were introduced as a result of legislation approved by the General Synod in 2001 and subsequent regulation. A survey was carried out and the Standing Committee considered the feedback to the survey at its meeting of January 2012. The Standing Committee affirmed the recommendations in the report and requested the Honorary Secretaries to bring proposals to its next meeting.

The Honorary Secretaries considered the matter further and, in addition, consulted the Legislation Committee regarding the repeal of aspects of the existing legislation. The Legislation Committee recommended considering what would replace the existing legislation and drawing up an appropriate schedule to act as a basis for proceeding. Since the legislation came into effect in 2002, Provincial Mediation Panels have not been called upon to act and are not widely regarded as contributing to the resolution of disputes within dioceses. Moreover, Chapter VIII, Part IV s19 of the Constitution of the Church of Ireland empowers and encourages bishops to initiate “an enquiry, a process of conciliation or mediation or such other process of reconciliation or resolution as the bishop shall think appropriate.” It is therefore proposed that the Provincial Mediation Panels be dissolved by repealing Sections 1-5 of the Statute of the General Synod Chapter VI of 2001.

REV GEORGE DAVISON
THE BISHOP OF LIMERICK AND KILLALOE

BILL

(At the request of the Standing Committee)

To repeal certain provisions of the Statute of the General Synod, Chapter VI of 2001

WHEREAS Chapter VI of 2001 provided for the creation of Provincial Mediation Panels formed by trained volunteers drawn from the membership of the Church of Ireland to assist in the mediation and resolution of conflict within dioceses;

AND WHEREAS the Provincial Mediation Panels have not been used in the manner foreseen in that Statute, nor have the provisions for mediation relating to the Provincial Mediation Panels been used to resolve conflict;

BE IT ENACTED by the Archbishops and Bishops and the clergy and laity of the Church of Ireland, in General Synod assembled in Dublin in the year 2012, and by the authority of the same, as follows:-

1. Sections 1-5 of Chapter VI of 2001 are hereby repealed.

BILL No 4

Explanatory Memorandum

The Representative Body has submitted a motion to the General Synod 2012 seeking to appoint The Church of Ireland Clergy Pensions Trustee Limited to act as trustee of the Church of Ireland Voluntary Contributions Scheme (“the Scheme”) and to administer the Scheme, in place of the Representative Body and the Church of Ireland Pensions Board respectively.

Section 50 of Chapter XIV of the Constitution of the Church of Ireland sets out that the Church of Ireland Pensions Board shall administer the Scheme in relation to Northern Ireland. This section was incorporated due to legislative requirements in Northern Ireland.

This Bill seeks to amend Section 50 to reflect the proposed change in the administration of the Scheme from the Board to the Trustee.

MR ROBERT NEILL
THE BISHOP OF CLOGHER

BILL

(At the request of the Representative Church Body)

To amend Chapter XIV of the Constitution

WHEREAS it is necessary to amend the provisions of Chapter XIV of the Constitution in order to reflect the change in the administration of the Church of Ireland Voluntary Contributions Scheme from the Church of Ireland Pensions Board to The Church of Ireland Clergy Pensions Trustee Limited;

BE IT ENACTED by the Archbishops and Bishops and the clergy and laity of the Church of Ireland in General Synod assembled in Dublin in the year 2012, and by the authority of the same, as follows:-

1. In this Statute “Chapter XIV” means Chapter XIV of the Constitution of the Church of Ireland.
2. In section 50 of Chapter XIV for “The Board” there shall be substituted “The Trustee”.

Bill No 5**Explanatory Memorandum**

An anomaly has come to the notice of the Honorary Secretaries of the General Synod relating to clergy discipline and tenure.

Chapter IV of the Constitution, section 31 (1) now reads as follows:

- 31. (1)** A person duly admitted to a cure shall be deemed incumbent thereof, and shall not be removable except in accordance with
- (a) a resolution of the diocesan synod, approved by the bishop, that there is no longer sufficient work in the cure to justify its continued existence as a separate benefice, or
 - (b) a judgment of the Court of General Synod under section 34 of this Chapter or an order made by a Disciplinary Tribunal under section 32 (d) (v) or (vi) of Chapter VIII or an order made by an Appeal Tribunal under section 35 of Chapter VIII, or
 - (c) the provisions of section 36 of this Chapter.

In section 31 (1) (b) above, the references to section 32 (d) (v) or (vi) of Chapter VIII and to section 35 of Chapter VIII are incorrect. The provision should refer to section 33 (d) (v) or (vi) of Chapter VIII and section 36 of Chapter VIII respectively.

Accordingly, the full provision should read as follows:

- (b) a judgment of the Court of General Synod under section 34 of this Chapter or an order made by a Disciplinary Tribunal under section 33 (d) (v) or (vi) of Chapter VIII or an order made by an Appeal Tribunal under section 36 of Chapter VIII, or

This Bill seeks to correct the anomaly.

LADY BRENDA SHEIL
MR SAMUEL HARPER

BILL

To amend Chapter IV of the Constitution

WHEREAS it is necessary to amend the provisions of Chapter IV of the Constitution in order to correct an anomaly;

BE IT ENACTED by the Archbishops and Bishops and the clergy and laity of the Church of Ireland in General Synod assembled in Dublin in the year 2012, and by the authority of the same, as follows:-

1. In this Statute “Chapter IV” means Chapter IV of the Constitution of the Church of Ireland.
2. For section 31 (1) (b) of Chapter IV there shall be substituted:
 - (b) a judgment of the Court of General Synod under section 34 of this Chapter or an order made by a Disciplinary Tribunal under section 33 (d) (v) or (vi) of Chapter VIII or an order made by an Appeal Tribunal under section 36 of Chapter VIII, or

Bill No 6

Explanatory Memorandum

An anomaly has come to the notice of the Honorary Secretaries of the General Synod concerning Chapter VI of 2011.

Paragraph 7 (iii) of Schedule I to Chapter VI of 2011 provides that the appointment of an Ecumenical Canon to the Chapter of the Cathedral Church of St. Patrick, Armagh shall not be effective unless and until that person makes and subscribes, before the Archbishop of Armagh, the Declaration contained in Schedule II to Chapter VI of 2011.

Paragraph 2 of the said Declaration contains the following wording:

"I agree to be bound by the provisions of Part II of Chapter VII of the Constitution of the Church of Ireland and, to that extent only, I submit myself to the authority of the Church of Ireland, and to the laws and tribunals thereof."

The reference to Part II of Chapter VII of the Constitution of the Church of Ireland is incorrect as this part of the Constitution deals exclusively with St. Patrick's Cathedral Dublin. The wording should instead refer to Schedule I to Chapter VI of 2011.

Accordingly, paragraph 2 of the Declaration contained in Schedule II to Chapter VI of 2011 should read as follows:

"I agree to be bound by the provisions of Schedule I to the Statute of the General Synod, Chapter VI of 2011 and, to that extent only, I submit myself to the authority of the Church of Ireland and to the laws and tribunals thereof."

This Bill seeks to correct the anomaly.

LADY BRENDA SHEIL
REV CANON TERENCE SCOTT

BILL

To amend Chapter VI of 2011

WHEREAS it is necessary to amend the provisions of Chapter VI of 2011 in order to correct an anomaly;

BE IT ENACTED by the Archbishops and Bishops and the clergy and laity of the Church of Ireland in General Synod assembled in Dublin in the year 2012, and by the authority of the same, as follows:-

1. In this Statute, "Chapter VI of 2011" means the Statute of the General Synod, Chapter VI of 2011.
2. In paragraph 2 of the Declaration contained in Schedule II to Chapter VI of 2011, for the words

"Part II of Chapter VII of the Constitution of the Church of Ireland"

there shall be substituted:-

"Schedule I to the Statute of the General Synod, Chapter VI of 2011".