

## RECENT LEGISLATIVE DEVELOPMENTS

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The Group of Sessions of the General Synod in July 1990 was the final meeting before the elections to the 1990-1995 Synod. Consequently there was much legislative activity in order to clear the decks before the dissolution.

The Bishop of Chichester moved Final Approval of *the Care of Churches and Ecclesiastical Jurisdiction Measure* which was approved by large majorities (Bishops 21:0; Clergy 146:2; Laity 146:4). The Measure is primarily concerned with the care and conservation of churches and land and articles appertaining to churches within the context of the role of such buildings as local centres of worship and mission. The Measure amends existing legislation in three broad areas: (a) care, inspection, advice and accountability in relation to churches (Part II of the Measure); (b) the faculty jurisdiction (Part III of the Measure), e.g. strengthened and extended enforcement provisions and a greater role for archdeacons in the jurisdiction; and (c) the ecclesiastical courts (Part III of the Measure) where, in future, cases before the appellate courts, the Arches Court of Canterbury and the Chancery Court of York, are to be heard by at least three judges. This is the second Measure to receive Final Approval from the Synod implementing recommendations made by the Faculty Jurisdiction Commission of 1980-83. The first, *the Care of Cathedrals Measure* received the Royal Assent in July 1990 and most sections of the Measure come into force on 1st March 1991 (sections 13 and 16-21 came into force on 1st October 1990).

As reported in the July 1990 Journal, *the Church of England (Service Chaplaincies and Miscellaneous Provisions) Measure* had started its Revision Stage in February. This was completed at the July Group of Sessions together with Final Drafting. As a result of the defeat in February of clause 1 dealing with service chaplaincies, the words "Service Chaplaincies and" were dropped from the title of the Measure. The Synod agreed to a new clause moved by the Archdeacon of Bedford which would make it lawful for a person in deacon's orders who has been ordained for at least six years to be appointed to the office of residentiary canon of a cathedral church. The clause provides that such a person should not thereby be authorised to celebrate the Holy Communion or pronounce the Absolution. Following this, the Synod also accepted a clause making it clear that deacons may be appointed as non-residentiary canons of cathedral churches.

The Measure was considered for Final Approval at the November Group of Sessions and was approved (Bishops 23:3; Clergy 157:64; Laity 144:77).

*Draft Amending Canon No 15*, which contains miscellaneous amendments to the Canon Law, many of them linked with provisions in the Miscellaneous Provisions Measure, was also approved by the Synod.

The following subordinate legislation was approved or approved on the deeming procedure in July – *the Single Transferable Vote Regulations 1990*, *the Parochial Fees Order 1990*, *the Legal Officers (Annual Fees) Order 1990*, *the Ecclesiastical Judges and Legal Officers (Fees) Order 1990* and *the Church of England (Legal Aid) Rules 1990*. In November, *the Care of Cathedrals Rules 1990* were approved on the deeming procedure.