

GENERAL SYNOD

**DRAFT BISHOPS AND PRIESTS (CONSECRATION AND ORDINATION OF
WOMEN) MEASURE
DRAFT AMENDING CANON NO. 33**

Explanatory Memorandum

OVERVIEW OF THE DRAFT LEGISLATION

The draft legislation comprises two elements.

The draft Bishops and Priests (Consecration and Ordination of Women) Measure:

- makes it lawful for the General Synod to make provision by Canon allowing women to be consecrated as bishops;
- repeals the Priests (Ordination of Women) Measure 1993 ('the 1993 Measure') and goes on to make a number of consequential repeals; and
- makes a clarificatory amendment to the Equality Act 2010.

Draft Amending Canon No. 33:

- makes the provision authorised by the draft Measure to allow women to be consecrated as bishops;
- incorporates in Canon C 4 material currently included in Canons C 4A and 4B in relation to the ordination of women as deacons and priests; and
- places a duty on the House of Bishops to make regulations prescribing a procedure for the resolution of disputes arising from the arrangements made under the House of Bishops' declaration on the Ministry of Bishops and Priests.

**THE DRAFT BISHOPS AND PRIESTS (CONSECRATION AND ORDINATION
OF WOMEN) MEASURE**

Clause 1

Sub-clause (1) makes it lawful for the General Synod to make provision by Canon to enable women to be consecrated as bishops.

Sub-clause (2) continues the existing position with regard to the making of provision by Canon for the ordination of women to the priesthood.

Sub-clause (3) repeals the 1993 Measure in its entirety.

Clause 2

Clause 2 amends the Equality Act 2010 by providing that the office of diocesan or suffragan bishop is not a ‘public office’ for the purposes of sections 50 and 51 of that Act. (For further information on the background to, and effect of, this amendment, see paragraphs 121 – 129 of *Women in the Episcopate – New Legislative Proposals: Report from the House of Bishops* (GS 1886), paragraphs 20– 23 of the Report of the Steering Committee (GS 1924) and *Note by the Legal Advisers on clause 2 of the draft Bishops and Priests (Consecration and Ordination of Women) Measure* (GS Misc 1068). All three documents are available on the General Synod website.)

Clause 3 and the Schedule

Clause 3 and the Schedule contain a number of legislative repeals which are consequential upon the repeal of the 1993 Measure.

Clause 4

This deals with citation, commencement and extent.

DRAFT AMENDING CANON NO. 33

Paragraph 1

This paragraph amends Canon C 2 so as to confer canonical authority (as authorised by clause 1(1) of the Measure) for the consecration of women as bishops if they otherwise satisfy the requirements of Canon C 2.

It also contains a consequential provision in relation to the interpretation of the forms of service contained in *The Book of Common Prayer* or the Ordinal.

Paragraphs 2 and 3

At present the provision for the ordination of women as deacons and priests is contained in different Canons (Canons C 4A and 4B) from that in which provision is made for the ordination of men as deacons and priests (Canon C 4). These paragraphs replace that provision with provision in a single Canon (in the form of a revised Canon C 4) which is equally applicable to both men and women.

Paragraph 2 amends Canon C 4 so that, rather than applying only to the ordination of men as deacons or priests, it will also apply to the ordination of women. The only difference in its effect as between men and women is that paragraph 2(c) of the revised Canon will incorporate the provision for the ordination of deaconesses currently contained in Canon C 4A (subject to an amendment concerning the prayers that can be used at the ordination).

Paragraph 3 repeals Canons C 4A and C 4B, which will no longer be required as a result of the provision made by the revised Canon C 4.

Paragraphs 4 and 5

These paragraphs make changes to the Canons consequential upon the repeal of the 1993 Measure 1993.

Paragraph 6

This paragraph adds an entirely new Canon, as Canon C 29.

Paragraph (1) of the new Canon imposes a duty on the House of Bishops to make Regulations prescribing a procedure for the resolution of disputes arising from arrangements for which provision is made under the House of Bishops' Declaration on the Ministry of Bishops and Priests. Under paragraph (3), the first such Regulations must be laid before the General Synod, but will not require its approval.

However, paragraph (2) provides that the House may amend any such Regulations by making further Regulations; and paragraph (4) provides that any such subsequent amending Regulations will require the approval of a two-thirds majority of those present and voting in each of the three Houses of the General Synod.

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