

**GENERAL SYNOD  
LEGISLATIVE COMMITTEE**

**Church of England (Miscellaneous Provisions) Measure**

**Comments and explanations**

The Church of England (Miscellaneous Provisions) Measure makes provision for a range of matters concerning the Church of England that do not merit freestanding legislation. The Measure includes provisions relating to religious communities, the establishment of a national register of authorised ministers, approval for building on disused burial grounds belonging to cathedrals, the inspection of churches, the validity of certain leases and other miscellaneous matters.

**Introduction**

1. The Legislative Committee of the General Synod, to which the Measure entitled Church of England (Miscellaneous Provisions) Measure ('the Measure') has been referred, has the honour to submit the Measure to the Ecclesiastical Committee with these Comments and Explanations.

*Summary of the Measure*

2. The Measure makes provision in respect of a range of matters concerning the Church of England that do not merit freestanding legislation.
3. The Measure includes provisions relating to religious communities, the establishment of a national register of authorised ministers, approval for building on disused burial grounds belonging to cathedrals, the inspection of churches, the validity of certain leases and other miscellaneous matters.

**The provisions of the Measure**

*Section 1 Members of religious communities*

4. Section 1 makes provision about religious communities that complements provision that is to be made by Amending Canon No. 40 (which received final approval from the General Synod in July 2019 and is awaiting the Royal Assent and Licence). The Canon makes provision for the formal recognition by the House of Bishops of religious communities in the Church of England subject to their meeting conditions that are prescribed under the Canon. It also makes provision concerned with the ordination of, and the giving of authority to exercise ordained ministry to, members of religious communities.
5. Subsection (1) provides the necessary statutory basis for the provision that is to be made by the Canon permitting a bishop to ordain a person who is a member of a religious community, without that person needing to be provided with a parochial office (as is normally required).

6. Subsection (2) inserts a new section 2A in the Extra-Parochial Ministry Measure 1967 to enable the bishop of a diocese to grant a licence to an ordained member of a religious community to exercise ministry in the diocese in connection with the work of that community.
7. The provision made by the new section 2A is analogous to the existing provision in section 2 of the 1967 Measure that enables the bishop to license a clerk in holy orders to exercise ministry for the benefit of universities, colleges, schools, hospitals and other public or charitable institutions in the diocese. Accordingly, the grant of a licence under the new section 2A may not extend to solemnizing matrimony (which is a parochial duty). And, consistently with the existing provision in section 2 of the 1967 Measure, exercising ministry in accordance with a licence granted under section 2A is not subject to the consent or control of the incumbent of the parish where the ministry is exercised.
8. Subsection (3) amends the Church Representation Rules to remove the reference to a religious community's mother house. That is on the basis that not all religious communities (as they are to be defined by provision contained in Amending Canon No. 40) have a mother house.
9. Subsections (4) and (5) make amendments to other legislation that are consequential on the introduction, by provision contained in Amending Canon No. 40, of a canonical definition of "religious community".

## *Section 2 National Clergy Register*

10. One of the recommendations made in *An Abuse of Faith*, the report of the Independent Peter Ball Review led by Dame Moira Gibb, was that "the Church should ... introduce arrangements for a national register of clergy with [permission to officiate]".
11. Section 2 provides a statutory framework for the creation of a national register. The national register will consist of two parts: a register of all clergy who have authority to exercise ministry in the Church of England; and a register of specified categories of lay people authorised to exercise ministry in the Church of England (for example, readers and licensed lay workers). Regulations made by the Archbishops' Council will specify the information that is to be collected for the purposes of the national register, and what is to be published.
12. Subsection (1) empowers the Archbishops' Council to make regulations imposing a duty on the bishop of each diocese to provide the Council with specified information about each clerk in holy orders who has authority to exercise ministry in the diocese. It also empowers the Council to make regulations of a similar nature that impose duties on bishops to provide information about lay persons who hold specified forms of authority to exercise ministry. In addition to bishops, the regulations may impose duties on other holders of ecclesiastical offices; these might, for example, include the deans of peculiars in relation to the clergy who are authorised to exercise ministry there, or the Archbishops in relation to provincial permissions to preach.
13. The information provided by bishops and others in accordance with regulations made under subsection (1) will form the initial basis of the national register. Subsection (2) enables the regulations to impose continuing duties on bishops and others to provide updating information so that the information held by the Archbishops' Council is kept up to date.
14. Subsection (3) sets out types of information which regulations may specify for the purposes of subsections (1) and (2). The specified information may include names and addresses, the

form of authority to exercise ministry which a person has, the area, place or activity to which the authority relates, and any limitation of time to which the authority is subject.

15. Subsection (4) imposes a duty of the Archbishops' Council to compile and maintain a register of the information provided to it under the regulations.
16. Subsection (5) imposes a duty on the Archbishops' Council to publish information contained in the register and to make it available free of charge. It will be for the Council to decide the form in which the information is to be published, which may be electronic form. The information that must be published will be prescribed in the regulations. The published information cannot include a person's home address or other personal contact information.
17. Subsection (6) allows a register of clergy to be compiled and published before a register of lay persons with specified forms of authority is compiled and published. It is likely that the compilation of a register of lay persons with authority to exercise ministry will take longer to compile than the register of clergy (given the nature of information that is currently held centrally). Subsection (6) ensures that establishing a national register of authorised clergy is not delayed while work is carried out to establish a lay register.
18. Subsection (7) enables regulations to make different provision for different cases.
19. Subsections (8) to (12) set out the procedure for making regulations. The Archbishops' Council must lay a draft of the regulations before the General Synod for approval. The Synod may amend the draft regulations. If the Synod does not approve the draft, the regulations cannot be made. If the Synod approves the draft without amendment, the Archbishops' Council may proceed to make the regulations. If the Synod approves the draft regulations with amendment, the Archbishops' Council may either make the regulations in that form, or may withdraw the draft for further consideration. Once made, regulations take the form a statutory instrument which is subject to annulment by either House of Parliament (the negative procedure).

### *Section 3 Funerals: conduct by lay person*

20. Section 3 amends section 4 of the Church of England (Miscellaneous Provisions) Measure 2018. Section 4 of the 2018 Measure made it lawful for any clerk in holy orders who is authorised to officiate in the Church of England to conduct any funeral service in a crematorium or cemetery if requested to do so by the persons concerned with arranging the funeral. A clerk who intends to conduct a funeral service on that basis does not need the consent of the minister of the parish in which the service takes place but must, so far as practicable, inform the minister of the parish where the deceased resided or was on the church electoral roll (if known) and seek his or her goodwill.
21. The amendments made by section 3 put deaconesses, readers and lay workers who have been authorised under the Canons to bury the dead in the same position as clerks in holy orders in relation to crematorium and cemetery funerals. The only additional requirement is that they obtain the consent of the minister of the parish where they are licensed to serve. As with, clerks in holy orders, the amendments relating to deaconesses, readers and lay workers are not concerned with the conduct of funerals in churches and churchyards, where funerals may be conducted by visiting clergy or deaconesses, readers or lay workers at the invitation of the minister of the parish.

#### *Section 4 Fees: exemption, reduction or remission*

22. Section 4 inserts new subsections (3A) and (4A) in section 86 of the Ecclesiastical Jurisdiction and Care of Churches Measure 2018 (fees orders).
23. Section 86 provides for the making of orders specifying the fees payable in relation to duties carried out by ecclesiastical judges and legal officers. As matters stand, there is currently no power for an ecclesiastical court to grant a party to proceedings an exemption from or reduction in court fees or to remit fees. That means, for example, that a person of limited means might be prevented from bringing a matter before the court. In the temporal courts there are statutory provisions which provide exemptions from, or reductions in, court fees for persons of limited means, or for courts to remit fees. That ensures that access to the courts is not dependent on an individual's financial circumstances.
24. New subsection (3A) removes the lacuna in the ecclesiastical fees legislation by enabling the Fees Advisory Commission to include in a fees order made under section 86 provision as to exemptions from and reduction in fees and for the remission of court fees.
25. New subsection (4A) provides that where provision is made in a fees order for exemption, reduction or remission, the order must also make provision requiring the diocesan board of finance to pay the amounts which would otherwise be payable by the party who was granted the exemption from, or reduction or remission of, of court fees.

#### *Section 5 Cathedrals: power to vary or revoke approvals*

26. The Care of Cathedrals Measure 2011 establishes a statutory regime for the approval of proposals involving works affecting cathedrals. Approvals are granted by either the Cathedrals Fabric Commission for England or a cathedral's own fabric advisory committee, depending on the nature of the proposals.
27. The 2011 Measure currently contains no provision that enables either of those bodies to vary or revoke an approval it has granted. That means that if a cathedral Chapter wishes to make alterations to proposals that have been approved, the statutory approval process must be repeated in its entirety. Where alterations do not result in proposals that are substantially different from what has already been approved, restarting the statutory process is disproportionate. A similar issue arises in relation to conditions that have been attached to an approval. It sometimes becomes apparent that a condition is not capable of being met, at least in the terms in which the condition was originally imposed. But in the absence of any power to vary or revoke, neither of the approval bodies is able to amend or remove a condition once the approval to which it is attached has been issued.
28. The absence of a power of revocation could potentially have unfortunate consequences in the unlikely event that an approval under the Measure had been granted on an erroneous basis, for example because incorrect information had been provided to the approval body or because the statutory consultation process had not been properly carried out. In those unusual circumstances, it should be possible for the approval body to revoke an approval it has granted.
29. The provisions inserted into the Care of Cathedrals Measure 2011 by subsections (1) and (2) enable an approval body to vary or revoke an approval it has granted, and to vary or revoke a condition which it has attached to an approval. See the new sections 8(4) and 9(7A).

30. A safeguard is provided by new sections 8(5) and 9(7B) which prevent the power to vary or revoke being used in a way that would result in the approval of a proposal that is substantially different from the proposal that was originally given approval. Where a substantially different proposal is brought forward, the statutory process will need to be restarted so that the necessary consultations can be carried out before the proposal is determined.
31. Subsections (3) to (8) make amendments to other provisions of the Care of Cathedrals Measure that are consequential on the amendments made by subsections (1) and (2).

*Clause 6 (and the Schedule) Disused burial grounds: approval for building, etc.*

32. The Disused Burial Grounds Act 1884 makes it unlawful to erect any building (whether permanent or temporary) on a burial ground which is no longer used for interments except for the purpose of enlarging a church, chapel, meeting house, or other place of worship. The 1884 Act applies to cathedral burial grounds as it applies to any other burial ground. It is therefore unlawful for any free-standing building to be built on a disused cathedral burial ground and such building cannot be approved under the Care of Cathedrals Measure 2011.
33. This has resulted in some cathedrals being unable to use land in their precincts in a way that best furthers the cathedral's mission.
34. The effect of the 1884 Act was modified in relation to parochial burial grounds by section 4 of the Care of Churches and Ecclesiastical Jurisdiction Measure 2015 which provides for the granting of a faculty to authorise building that would otherwise be prohibited by the Act provided certain conditions are met. But cathedrals – even those which are parish churches – are not subject to the faculty jurisdiction and a faculty cannot be granted to authorise building in a cathedral precinct.
35. The prohibition contained in the 1884 Act can also be overcome by certain types of pastoral scheme (by virtue of section 44(4) of the Mission and Pastoral Measure 2011). But, in the case of cathedrals, a pastoral scheme is available only if the cathedral in question is a parish church (which most cathedrals are not).
36. Section 6 inserts new provision in the Care of Cathedrals Measure 2011 which empowers the Cathedrals Fabric Commission for England (but not fabric advisory committees) to approve proposals for the erection of free-standing buildings on disused cathedral burial grounds.
37. The main provision is made by subsection (5) which inserts new subsections in section 9 of the Care of Cathedrals Measure 2011. New subsection (3A) enables the Cathedrals Fabric Commission to give approval to a proposal for the erection of a building on a disused burial ground in spite of the prohibition on building in the 1884 Act.
38. The exercise of the power to grant such an approval is subject to one of two alternative conditions being met. The conditions are set out in new subsections (3B) and (3C) and are essentially the same as those which already apply to parochial burial grounds. They are either:
  - a. that no interments have taken place in the land on which the building is to stand within the past 50 years, or
  - b. if there have been any interments within the past 50 years, that no personal representative or relative of any person who has been buried in the land during that period has objected, or any such objection has been withdrawn.

39. Section 6 also makes consequential amendments to the Care of Cathedrals Measure 2011 and the Care of Cathedrals Rules 2006 to take account of the new power of approval in relation to disused burial grounds. It also inserts a definition of “relative” for the purposes of the new power and for equivalent purposes in other legislation concerned with parochial burial grounds. The definition is to the same effect as the definition which exists for this purpose in the Disused Burial Grounds (Amendment) Act 1981 – which makes equivalent provision to section 6 in the case of non-Church of England burial grounds.

### *Section 7 Inspection of Churches*

40. Section 7 makes amendments to provisions in Part 3 of the Ecclesiastical Jurisdiction and Care of Churches Measure 2018 that are concerned with the regular inspection of church buildings.
41. Subsections (1) to (6) amend section 45 of the 2018 Measure (scheme for inspections). Instead of the diocesan synod being required to make provision by scheme for the appointment of persons approved by the diocesan advisory committee to inspect churches in the diocese, the diocesan scheme is to provide for the parochial church council (PCC) of each parish to appoint a person to inspect its church(es) and to make a report. See the new section 45(2A) inserted by subsection (2). The amendments have been brought forward as part of a process of simplification aimed at removing unnecessary controls and allowing decisions to be taken at the most local level, so far as appropriate. They are consistent with the position that the contract for the inspection of a church is between the inspector and the PCC.
42. Before making the appointment of an inspector, the PCC must obtain and have regard to advice from the Diocesan Advisory Committee (DAC) and must be satisfied that the person to be appointed has the necessary qualifications and experience. This replaces existing provision under which a PCC may only appoint an inspector who has been approved by the DAC, usually by making the selection from an ‘approved list’ and will therefore remove constraints on competition between professionals who are qualified to undertake the work.
43. A copy of the inspection report must be sent to the archdeacon, the PCC, the incumbent and the DAC secretary.
44. Equivalent provision is made in relation to non-parochial buildings that have been opted-in to the faculty jurisdiction.
45. In exercising their functions under the diocesan inspection scheme, PCCs, managers of opted-in buildings and DACs must have regard to any guidance issued by the Church Buildings Council. That guidance is expected to include advice about the qualifications and experience a person needs to carry out inspections (which will vary according to the church in question) and how to identify a suitable inspector. Existing statutory provisions relating to the qualifications of inspectors are accordingly omitted.

### *Section 8 Parochial registers*

46. Section 8 amends the Parochial Registers and Records Measure 1978 so that it will be consistent with the amendments that are to be made to Canon F12 (Of the register book of services) by Amending Canon No. 41 (which received final approval from the General Synod in July 2019 and is awaiting the Royal Assent and Licence). Those changes will permit, but not require, a service register to be maintained in electronic form, or any other form, that is approved by General Synod.

47. Subsection (1) inserts additional interpretive provisions in section 25 of the 1978 Measure so that references to a register book of services includes (where the context allows) a reference to a register book kept in an electronic or other form approved by the General Synod.
48. Subsection (2) makes provision so that the National Church Institutions and others can access the data contained in electronic register books of services where an online facility is provided to enable those bodies to have such access.
49. Subsection (3) make amendments relating to the making of electronic register books of services available for exhibition or research.
50. Subsection (4) amends section 24 of the 1978 Measure to enable notices and other documents required by the Measure to be sent by electronic means.

### *Section 9 Parochial records*

51. Section 9 makes amendments to the definition of “records” and “records in parochial custody” in the Parochial Registers and Records Measure 1978. The existing definition of “records” in section 25 of the Measure has led to misunderstanding, with some diocesan record offices considering that framed photographs displayed in a church came within the definition of “records” and had to be taken down deposited in the record office if they were more than 100 years old.
52. The definition of “records” is amended so that it expressly does not include anything which is or has been fixed to the fabric of, or displayed in, a church, vestry or church hall; for example, a board displaying the names of incumbents, or a photograph or picture.

### *Section 10 Cathedrals Fabric Commission: delegation to officers*

53. Section 10 amends the Care of Cathedrals Measure 2011 to enable the Cathedrals Fabric Commission for England to delegate functions to its officers.

### *Section 11 Diocesan Advisory Committee: limit on successive terms of office*

54. Clause 10 amends Schedule 2 to the Ecclesiastical Jurisdiction and Care of Churches Measure 2018 to limit to two the number of successive terms of office that may be held by the chair or member of a diocesan advisory committee. (Filling a casual vacancy is not counted for this purpose.)
55. The chair and other members hold office for terms of office of six years. The new provisions inserted in Schedule 2 to the 2018 Measure will therefore prevent a person holding office continuously for more than 12 years.
56. The diocesan synod will have the power in a particular case to authorise the re-appointment of a person who has held two successive terms of office and who would otherwise not be eligible for re-appointment. The person making the appointment (i.e. the bishop or the bishop’s council) must obtain, and the diocesan synod must be provided with, advice from the Church Buildings Council on a proposed re-appointment before the diocesan synod may authorise it.
57. A person who has held two successive terms of office becomes eligible for re-appointment after not having held office for one complete term of six years.

58. A term of office which began before the new provision comes into force will not count towards the two-term limit.

### *Section 12 Validity of lease*

59. Section 12 enables leases granted by a Diocesan Board of Finance (DBF) to a Parochial Church Council (PCC) to be treated for all purposes as valid, with the result that they can be registered by the Land Registry.
60. The issue arises because, as a result of section 6 of the Parochial Church Councils (Powers) Measure 1956, PCCs are not entitled to hold any interests in land in their own right (other than short leases – i.e. leases for not more than seven years). Instead, such property interests must, generally speaking, be held by the relevant diocesan authority on the PCC's behalf. The diocesan authority is either the DBF or another body appointed by the DBF for that purpose. The PCC retains the power of management, administration and disposition of the property (subject to the requirement for certain consents) but the legal title to the property is in the diocesan authority.
61. As a result, where a DBF grants a lease (other than a short lease) to a PCC, of glebe or other diocesan property to be used, for example, as a church hall, the leasehold interest that is granted to the PCC has to be vested in the DBF. As a result, where a DBF grants a lease to a PCC, and the PCC's leasehold interest is vested in the DBF, the DBF appears to be granting a lease to itself.
62. At common law, a person cannot grant a lease to himself and any such grant does not create a valid lease (*Rye v Rye* [1962] AC 496). This rule has resulted in the Land Registry taking the view that they must, in the absence of any specific statutory provision enabling them to do so, refuse to register leases granted by DBFs to PCCs.
63. Section 12 provides the necessary statutory provision. It also covers the case where the diocesan authority is a body other than the DBF.
64. The Land Registry have been consulted on the provision and is content with it.

### *Section 13 Pensions: minor amendments*

65. Section 13 inserts a provision in section 11 of the Church of England Pensions Measure 2018. The inserted provision does not make a substantive change to the 2018 Measure but clarifies the relationship between section 11 and section 10 of that Measure.
66. Section 11 of the Church of England Pensions Measure 2018 restates provision that was originally contained in the Pensions Measure 1997. That provision ended the Church Commissioners' responsibility to meet the cost of pensions payable to clergy in respect of service carried out after 1997. The 1997 Measure established the Church of England Funded Pension Scheme ('the funded scheme') to cover service carried out from 1998 onwards. The funded scheme is funded through the payment of contributions for members of the scheme by "the responsible body". In the case of parochial clergy, the diocesan board of finance is the responsible body. The Church Commissioners are the responsible body for bishops, deans, some residentiary canons, and for clergy employed by certain mission agencies. The Commissioners are therefore required to pay contributions into the funded scheme for scheme members within those categories. But, unlike the pre-1998 arrangements, the Commissioners are not liable for the payment of members' pensions under the funded scheme. The payment

of pensions of members of the funded scheme is the responsibility of the Church of England Pensions Board (“the Board”), with payments being made out of the funded scheme.

67. In recent correspondence with the Board, the Pensions Regulator has suggested that section 11 of the 2018 Measure – which provides that the Church Commissioners are not liable to meet the cost of pensions – appears to contradict section 10 which makes the Commissioners a responsible body for paying contributions into the funded scheme. Although the Church’s legal advisers do not consider that there is in fact a contradiction between these provisions (as they are concerned with different types of liability), the Board, with the agreement of the Commissioners, have asked for the interrelationship of the two sections to be clarified.
68. Section 13 therefore amends section 11 of the 2018 Measure to make it clear that although the Commissioners are not responsible for paying pensions in respect of service carried out after 1997, they are liable to make contributions into the fund out of which the Board must pay pensions in respect of such service.
69. Section 13 also revokes the Pensions (Pre-consolidation) Order 2018. The provision it made is now consolidated in the Church of England Pensions Measure 2018 and the Order should accordingly be repealed.

#### *Section 14 The Constitution of the General Synod: replacement of outdated terms*

70. Section 14 amends the Constitution of the General Synod so that the Chair and Vice-Chair of the House of Laity are no longer officially styled “Prolocutor and Pro-Prolocutor” and so that throughout the Constitution the term “chair” is substituted for “chairman”.

#### *Section 15 Mission and Pastoral Measure 2011: correction of cross-reference*

71. Section 15 corrects a cross-reference in section 109 of the Mission and Pastoral Measure 2011.

#### *Section 16 Short title, commencement and extent*

72. Section 16 provides for the short title of the Measure, for its commencement and for its extent.

### **Proceedings in the General Synod**

#### *First Consideration*

73. The Measure was introduced into the Synod for First Consideration in July 2018. A number of points about particular aspects of that Measure were raised but it was generally favourably received and was committed to a Revision Committee.

#### *Revision*

74. Eight members of the General Synod submitted proposals for amendment of the draft Measure within the time allowed by the Standing Orders. A submission was also received from the Lichfield Diocesan Secretary. The Revision Committee considered those proposals along with other possible amendments the need for which was raised with the Committee by officials.

75. The Revision Committee amended what is now section 2 (national ministry register) so that regulations made under it must cover lay persons authorised to exercise ministry but in such a way that the compilation and publication of the register of authorised clergy should not be held up as a result.
76. The Revision Committee amended what is now section 6 (Disused burial grounds: approval for building, etc.) to provide a definition of “relative” for the purposes of approvals given under the Care of Cathedrals Measure 2011 for building on a disused burial ground, and for the purposes of equivalent ecclesiastical legislation concerned with parochial burial grounds. The definition of “relative” is to the same effect as that contained in the equivalent secular legislation, the Disused Burial Grounds (Amendment) Act 1981.
77. The Revision Committee amended what is now section 7 (inspection of churches etc.: appointment of inspector) so that a parochial church council is required to obtain and have regard to the advice of the Diocesan Advisory Committee before appointing an inspector. The Committee rejected a proposed amendment which would have retained an existing statutory requirement that an inspector must be either a registered architect or a chartered building surveyor. The Committee was advised that the Church Buildings Council considered that there was now a wider range of professional qualifications which could equip an individual to carry out quinquennial inspections of churches. Guidance issued by the Council under new subsection (4A) (inserted into section 45 of the Ecclesiastical Jurisdiction Measure 2018) would address the question of suitable professional qualifications along with questions of necessary experience.
78. The Revision Committee rejected proposals to amend what is now section 11 (Diocesan Advisory Committee: limit on successive terms of office) so that the power to authorise more than two successive terms of office was given to the bishop, instead of to the Church Buildings Council (as originally provided for in the draft Measure). But the Committee agreed an amendment that the power should instead be given to the diocesan synod, subject to the person making the appointment obtaining, and the diocesan synod having been provided with, advice from the Church Buildings Council on any such proposed re-appointment.
79. The Revision Committee amended the draft Measure to insert two new clauses. One is now section 3 (funerals: conduct by lay person). The other is now section 12 (validity of lease).
80. The Revision Committee reported the Measure to the General Synod in February 2019. Only minor amendments of a technical nature were made by the Synod on the Revision Stage (which followed immediately after the consideration by the Synod of the Revision Committee’s report).

### *Final drafting*

81. Two drafting amendments (i.e. amendments to clarify remaining uncertainties of meaning or to improve the drafting) were made to the Measure at the Final Drafting stage which was taken at the July 2019 group of sessions of the Synod.
82. Two sets of special amendments (i.e. amendments, other than drafting amendments, considered necessary or desirable) were made.
83. The first special amendment provided that the definition of “spouse” in the definition of “relative” in section 6 (disused burial grounds: approval for building, etc.) included a person married to a spouse of the same sex, with the result that a deceased’s same sex spouse would have the same right to object to burial over a grave as a deceased’s opposite sex spouse. In response to concerns raised by some members during the debate on the amendment, the Synod was assured that the proposed definition of “spouse” applied only for the particular

purposes of section 6 did not have any implications for the Church’s doctrine of marriage. The amendment was carried by a majority on a show of hands.

84. The second special amendment inserted what is now section 13 (pensions: minor amendments).

### *Final approval*

85. Because section 1 (members of religious communities) and section 3 (funerals: conduct by lay person) make provision “touching ... the services and ceremonies of the Church of England or the administration of the Sacraments or sacred rites thereof” the Measure was referred to the House of Bishops under article 7 of the Constitution of the General Synod. The House of Bishops resolved to return the Measure for final approval without making any further amendments to it. Neither of the Convocations nor the House of Laity required a reference under article 7 of the Synod’s Constitution.
86. The Final Approval Stage took place at the July 2019 group of sessions of the Synod. The Measure received the approval of all three Houses.
87. The voting on the motion for the final approval of the Measure was as follows—

	In favour	Against
Bishops	20	0
Clergy	91	0
Laity	110	0

### *Conclusion*

88. The Legislative Committee invites the Ecclesiastical Committee to issue a favourable report on the Measure. Should the Ecclesiastical Committee require any further information or explanation, the Legislative Committee stands ready to provide it.

On behalf of the Legislative Committee

*Geoffrey Tattersall*

Deputy Chair

September 2019