

## RECENT LEGISLATIVE DEVELOPMENTS

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**The Church of England (Legal Aid and Miscellaneous Provisions) Measure** received the Royal Assent on 9 February 1988 and is being brought into force by the Archbishops (sec.15) in two stages. Parts II and III of the Measure came into force on 1 May 1988 and Part I will come into force on 1 August 1988.

Part I dealing with ecclesiastical legal aid consolidates with amendment and modification the legal aid provisions at present found in the Ecclesiastical Jurisdiction Measure 1963, the Incumbents (Vacation of Benefices) Measure 1977 and the Pastoral Measure 1983. The Standing Committee of the General Synod is empowered by the Measure to make Rules relating to Legal Aid and these are to be laid before the General Synod at the July Group of Sessions.

Part II of the Measure contains a number of miscellaneous items. Section 5 amends the Extra-Parochial Ministry Measure 1967 for the solemnization of marriages of housebound and detained persons and section 6 makes provision for the name of a diocesan or suffragan see to be changed. Revocation of licences of ministers, deaconesses, layworkers and readers and appeals against such revocation are dealt with in section 7 and the appointment and dismissal of organists and choirmasters is contained in section 8.

Sections 9 to 12 make some minor amendments to the law needed by the Church Commissioners and the Pensions Board.

Section 13 amends the Parochial Church Councils (Powers) Measure 1956 so that money given at the Holy Communion may be disposed of by the Parochial Church Council rather than at the direction of the incumbent and churchwardens as required by the rubric in the 1662 Holy Communion service.

A number of these matters also require a change in the Canon Law and it is hoped to promulge the necessary Canons at the July Group of Sessions.

**The Church Commissioners (Assistance for Priority Areas) Measure** received the Royal Assent on 3 May 1988 and came into force on 4 May 1988. The Measure is part of the response of the General Synod and the Church Commissioners to 'Faith in the City', the report of the Archbishop of Canterbury's Commission on Urban Priority Areas. It has two main purposes. First, it extends the power of the Church Commissioners to make grants or loans for the provision, in certain areas which lack them, of sufficient suitable churches or other church buildings. Secondly, it enables the Commissioners to make grants or loans to the Church Urban Fund.

Three other Measures which have been given final approval by the General Synod are at present with Parliament. **The Church of England (Ecumenical Relations) Measure** is designed to regulate matters of worship between the Church of England and other Churches which subscribe to the doctrine of the Holy Trinity and which administer the Sacraments of Baptism and Holy Communion. The Sharing of Church Buildings Act 1969 must also apply to the Church.

The second Measure with Parliament is **the Church of England (Pensions) Measure** which would make a number of amendments to the Pensions legislation. The third Measure is **the Clergy (Ordination) Measure** which would empower the General Synod by Canon to make provision for persons to be ordained who, under current Canon law, are barred from ordination because they are divorced and remarried with a former spouse still living or because they are married to a person who has been divorced whose former spouse is still living.

At the July Group of Sessions, the General Synod will have before it the Women Priests legislation for general approval. This will consist of **the Priests (Ordination of Women) Measure**, draft Canon C 4B (Of Women Priests), draft Amending Canon No. 13 and **the Ordination of Women (Financial Provisions) Measure**. The first Measure deals with the matter of principle and contains safeguards for bishops and parishes and the second Measure deals with financial provision for those who are unable to remain in the Church of England following the promulgation of Canon C 4B permitting the ordination of women to the priesthood.

The timetable for the legislation is likely to be lengthy. The Revision Committee stage is expected to take 12 months and, after revision in full Synod (possibly July 1989), the legislation must be referred to the dioceses. Referral will take two years and so it is estimated that the earliest date on which the legislation could be enacted would be 1992.