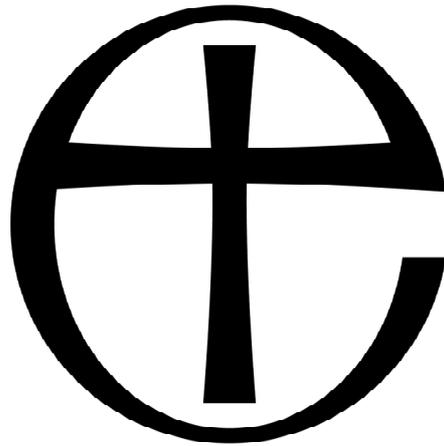


GS Misc 971

The Anglican Communion Covenant

REFERENCE

**of the Draft Act of Synod to the Diocesan Synods
2010**



DRAFT ACT OF SYNOD ADOPTING THE ANGLICAN COMMUNION COVENANT

Reference under Article 8 of the Constitution of the General Synod

INTRODUCTION

1. On 24 November the General Synod considered a motion *‘That the draft Act of Synod adopting the Anglican Communion Covenant be considered’*. This was carried after a Division by Houses by 39-0 in the House of Bishops, 145-32 in the House of Clergy and 147-25 in the House of Laity. (One abstention was recorded in the House of Bishops, 11 in the House of Clergy and 8 in the House of Laity). No amendments to the draft Act of Synod were carried.
2. The draft Act of Synod has been designated as both ‘Article 7 business’ and ‘Article 8 business’ for the purposes of the Standing Orders and the Constitution of the General Synod. That means that the Synod may not proceed to give final approval to the draft Act of Synod unless and until the requirements of Articles 7 and 8 of the Constitution have been complied with.
3. Under Article 8 *“a scheme for ... a permanent and substantial change of relationship between the Church of England and another Christian body, being a body a substantial number of whose members reside in Great Britain”* may not receive the final approval of the General Synod unless it has first been approved by the majority of the dioceses at meetings of their diocesan synods¹. It is on the basis that the Covenant has a potential impact on the relationship between the Church of England and the Church in Wales and the Scottish Episcopal Church respectively that Article 8 applies.
4. On the instructions of the Business Committee of the General Synod, we are circulating the following documents under cover of this note:
 - (a) The text of the draft Act of Synod adopting the Anglican Communion Covenant.
 - (b) A background paper from the Faith and Order Commission prepared for the General Synod in November. This includes material on the history of the Anglican Communion Covenant, a summary of its content, some answers to frequently asked questions and the full text of the Covenant.
 - (c) A copy of the response form which diocesan secretaries need to send the Clerk to the Synod recording the diocesan decision. The responses need to reach the Clerk **before 5pm on Monday 30 April 2012**.

¹ In the case of the Diocese in Europe the relevant body is the Bishop’s Council and Standing Committee of the diocese: see Article 8(1) of the General Synod’s Constitution as amended by the Diocese in Europe Measure 1980.

BACKGROUND

5. The origins of the Anglican Communion Covenant and the stages in its preparation are set out in the paper from the Faith and Order Commission. Within the Church of England the first General Synod debate was in February 2005 when the Synod welcomed a report from the House of Bishops “*accepting the principles set out in the Windsor report*” (which had proposed the drafting of a Covenant).
6. In 2007 the General Synod affirmed its “*willingness to engage positively with the unanimous recommendation of the Primates in February 2007 for a process designed to produce a Covenant ...*”. The Synod then debated submissions on successive drafts of the Anglican Communion Covenant in February 2008 and 2009.
7. These Church of England submissions were a significant contribution to the process by which the text of the Covenant developed between 2004 and its final form as agreed by the Standing Committee of the Communion in December 2009, following discussion at the Anglican Consultative Council that May.
8. The adoption of the Covenant is now a matter for the Church of England and each of the other 37 autonomous churches of the Communion to consider within the context of their own decision making processes.
9. As the background paper makes clear, a range of views exists about the Covenant. These were voiced in the General Synod debate of 24 November, the full transcript of which can be consulted at :
<http://www.cofe.anglican.org/about/gensynod/covenant/transcriptanglican covenant.pdf>
10. These alternative perspectives included suggestions that the Covenant:
 - is an unnecessary innovation given the common inheritance of faith, the instruments of communion that already exist and the autonomous nature of the member churches of the Communion;
 - is a timely further development in the history of the Anglican Communion, which, since the first Lambeth Conference in 1867, has found it necessary to give formal expression to its relational life in a variety of ways;
 - is likely over time to lead to more central authority, which could prevent or at least greatly slow up new developments in belief and practice and generate an Anglicanism that is less inclusive and more dogmatic;
 - preserves the constitutional autonomy of member churches and, while creating no new institutions, establishes a new commitment to mutual accountability, consultation and the seeking of a common mind on innovations which may have serious consequences for relationships in the Communion;
 - reflects a non-Anglican approach to discipline and the exercise of power;
 - reflects the continuing relational nature of the Communion.

ACTION BY DIOCESAN SYNODS

11. In considering the draft Act of Synod diocesan synods will, no doubt, wish to consider both the issues of principle that lie behind what is proposed and the way in which those principles are given effect in the specific provisions of the Anglican Communion Covenant. The issue for each diocese is whether it is willing to give its approval to the draft Act of Synod in the form in which it has been referred to it by the General Synod.
12. For the purposes of Article 8, the General Synod needs, therefore, to have from each diocese a clear decision, taken at a meeting of the diocesan synod, on whether that synod approves the draft Act of Synod. Each diocesan synod is, therefore, asked to consider a motion in the following terms:

‘That this Synod approve the draft Act of Synod adopting the Anglican Communion Covenant.’

13. Passing the motion will constitute approval by the diocese of the draft Act of Synod for the purposes of Article 8. It is essential that each diocesan synod should have before it a motion exactly in the terms set out in the previous paragraph and that it should be voted upon – for or against – in that form, *without amendment, and as a single motion*. This is necessary to enable the General Synod to make an exact comparison between the voting in the different dioceses. Diocesan synods are asked to vote by houses.
14. The number of those voting for and against the motion in each house and the number of declared abstentions, if any, should be recorded. Attention is drawn to Rule 34(1)(h) of the Church Representation Rules which provides that if the votes of the houses of clergy and laity are in favour of a matter referred under Article 8, then that matter shall be deemed to have been approved for the purposes of that Article².
15. The effect of the Standing Orders of the General Synod is to require every diocesan synod to include in its reply the numbers of those voting for and against the proposition or recording an abstention in each house of the diocesan synod (bishops, clergy and laity) and, if recorded, the distinct opinion of the diocesan bishop (that is to say, any explanatory statement that he has asked to be minuted).
16. It is open to a diocesan synod, in addition to its consideration of the business now being referred, to consider further motions (proposed by members of the diocesan synod in accordance with its standing orders) relating to the draft Act of Synod. Any such motions must be debated and voted on separately from the motion in paragraph 12, which constitutes the diocesan response to the Article 8 reference.

² In the case of the Diocese in Europe, if the votes of the houses of clergy and laity of the bishop’s council and standing committee of the diocese are in favour of any matter referred under Article 8 then that matter is deemed to have been approved for the purposes of that article: see s.3(2) Diocese in Europe Measure 1980.

17. Where any further motions are passed diocesan secretaries are asked to send the full text of them to the Clerk to the Synod so that they can be reported to the General Synod. Rule 34(1)(h) of the Church Representation Rules applies only to the motion in paragraph 12 above. Accordingly, any further motions will be subject to the normal rules concerning voting in diocesan synods.
18. The Legal Office stands ready to provide any further clarification on process, whether in relation to the Article 8 reference generally or to further motions. The Chief Legal Adviser can be contacted on 020 7898 1366 or at stephen.slack@c-of-e.org.uk.

CONSIDERATION BY DEANERY SYNODS

19. The Standing Orders of the General Synod state that in relation to Article 8 references “*a diocesan synod shall not be required or forbidden to consult any other body in the diocese before voting on any matter referred.*” It is, therefore, for each diocese to come to its own view about wider consultation before the diocesan synod takes its decision. The Business Committee encourages dioceses to consult the deanery synods. Any votes taken by deanery synods are not formally part of the reference process.

DISCUSSION MATERIAL

20. The Business Committee suggests that diocesan synod members should be given copies, electronically or in hard copy, of this note, the draft Act of Synod and the background note from the Faith and Order Commission (which includes the text of the Covenant). Further resource material can be obtained from the Archbishop of Canterbury’s Secretary for Anglican Communion Affairs (joanna.udal@c-of-e.org.uk). It is for each diocese to consider how to arrange the discussion in the diocesan synod, subject to the synod’s standing orders and the requirements set out above.

FUTURE PROCESS

21. If a majority of dioceses approve the draft Act of Synod, it will return to the General Synod for consideration in accordance with the requirements of Article 7 of the Constitution (involving a reference to the House of Bishops and, if required by any of them, references to the Convocations and the House of Laity). Subject to the outcome of the Article 7 procedure, the Synod would then be invited finally to approve the draft Act of Synod.
22. Because of the different synodical processes of the churches of the Anglican Communion there is no fixed timetable for their consideration and adoption of the Anglican Communion Covenant. However, they have been asked to report to the next meeting of the Anglican Consultative Council, scheduled for November 2012, “*on the progress made in the processes of response to, and adoption of, the Covenant.*”

+Trevor, Acting Chair Business Committee
December 2010

William Fittall, Secretary General