

CHURCH REPRESENTATION RULES 2017

APPENDIX II

GENERAL PROVISIONS RELATING TO PAROCHIAL CHURCH COUNCILS

Officers of the council

1. (a) The minister of the parish shall be chairman of the parochial church council (hereinafter referred to as "the council").

(b) A lay member of the council shall be elected as vice-chairman of the council.

(c) During the vacancy of the benefice or when the chairman is incapacitated by absence or illness or any other cause or when the minister invites him to do so the vice-chairman of the council shall act as chairman and have all the powers vested in the chairman.

(d) (i) The Council may appoint one of their number to act as secretary of the Council. Failing such appointment the office of secretary shall be discharged by some other fit person who shall not thereby become a member of the council, provided that such person may be co-opted to the Council in accordance with the provisions of rule 14(1)(h);

(ii) where a person other than a member of the Council is appointed to act as secretary, that person may be paid such remuneration (if any) as the council deems appropriate provided that such person shall not be eligible to be a member of the council;

(iii) [The]§§ secretary shall have charge of all documents relating to the current business of the council except that, unless he is the electoral roll officer, he shall not have charge of the roll. He shall be responsible for keeping the minutes, shall record all resolutions passed by the council and shall keep the secretary of the diocesan synod and deanery synod informed as to his name and address.

(e) (i) The council may appoint one or more of their number to act as treasurer solely or jointly. Failing such appointment, the office of treasurer shall be discharged either -

by such of the churchwardens as are members of the council or, if there is only one such churchwarden, by that churchwarden solely; or

by some other fit person who shall not thereby become a member of the council, provided that such person may be co-opted to the council in accordance with the provisions of rule 14(1)(h).

(ii) Where a person other than a member of the Council is appointed to act as treasurer that person may be paid such remuneration (if any) as the Council deems appropriate provided that such person shall not be eligible to be a member of the Council.

(f) The council shall appoint an electoral roll officer, who may but need not be a member of the council and may be the secretary, and if he is not a member may pay to him such remuneration as it shall think fit. He shall have charge of the roll.

(g) If an independent examiner or auditor to the council is not appointed by the annual meeting or if an independent examiner or auditor appointed by the annual meeting is unable or unwilling to act, an independent examiner or auditor (who shall not be a member of the council) shall be appointed by the council for a term of office ending at the close of the next annual meeting. The remuneration (if any) of the independent examiner or auditor shall be paid by the council.

(h) For the purposes of this paragraph, where a special cure of souls in respect of a parish has been assigned to a vicar in a team ministry, or where there has been no such assignment but a special responsibility for pastoral care in respect of the parish has been assigned to a member of the team under section 20(8A) of the Pastoral Measure 1983, that vicar or that member, as the case may be, shall be deemed to be the minister unless incapacitated by absence or illness or any other cause, in which case the rector in the team ministry shall be deemed to be the minister.

Meetings of Council

2. The council shall hold not less than four meetings in each year. Meetings shall be convened by the chairman and if not more than four meetings are held they shall be at quarterly intervals so far as possible.

Power to call meetings

3. The chairman may at any time convene a meeting of the council. If he refuse or neglect to do so within seven days after a requisition for that purpose signed by not less than one-third of the members of the council has been presented to him those members may forthwith convene a meeting.

Notices relating to meetings

4. (a) Except as provided in paragraph 8 of this Appendix, at least ten clear days before any meeting of the council notice thereof specifying the time and place of the intended meeting and signed by or on behalf of the chairman of the council or the persons convening the meeting shall be posted at or near the principal door of every church, or building licensed for public worship in the parish.

(b) Not less than seven days before the meeting a notice thereof specifying the time and place of the meeting signed by or on behalf of the secretary shall be posted or delivered to every member of the council or, if the member has authorised the use of an electronic mail address, to that address. Such notice shall contain the agenda of the meeting including any motion or other business proposed by any member of the council of which notice has been received by the secretary. The notice required by this sub-paragraph shall not be required for a council meeting immediately following the annual parochial church meeting being a council meeting which has been called solely for the purpose of appointing or electing any officers of the council or the members of the standing committee thereof provided that the notice required by sub-paragraph (a) hereof has been given.

(c) If for some good and sufficient reason the chairman, vice-chairman and secretary, or any two of them, consider that a convened meeting should be postponed, notice shall be given to every member of the council specifying a reconvened time and place within fourteen days of the postponed meeting.

Chairman at meetings

5. Subject to the provisions of rule 23 the chair at a meeting of the council shall be taken -

(a) by the chairman of the council if he is present;

(b) if the chairman is not present, by a clerk in Holy Orders, licensed to or with permission to officiate in the parish duly authorised by the bishop with the clerk's agreement, following a joint application by the minister of the parish and the council or, if the benefice is vacant, by the council for the purposes of this sub-paragraph;

(c) if neither the chairman of the council nor the clerk mentioned in sub-paragraph (b) above is present, by the vice-chairman of the council:

Provided that at any such meeting the chairman presiding shall, if he thinks it expedient to do so or the meeting so resolves, vacate the chair either generally or for the purposes of any business in which he has a personal interest or for any other particular business.

Should none of the persons mentioned above be available to take the chair for any meeting or for any particular item on the agenda during a meeting then a chairman shall be chosen by those members present from among their number and the person so chosen shall preside for that meeting or for that particular item.

Quorum and agenda

6. No business shall be transacted at any meeting of the council unless at least one-third of the members are present thereat and no business which is not specified in the agenda shall be transacted at any meeting except by the consent of three-quarters of the members present at the meeting.

Order of business

7. The business of a meeting of the council shall be transacted in the order set forth in the agenda unless the council by resolution otherwise determine.

Short Notice for emergency meetings

8. In the case of sudden emergency or other special circumstances requiring immediate action by the council a meeting may be convened by the chairman of the council at not less than three clear days' notice in writing to the members of the council but the quorum for the transaction of any business at such meetings shall be a majority of the then existing members of the council and no business shall be transacted at such meeting except as is specified in the notice convening the meeting.

Place of meetings

9. The meeting of the council shall be held at such place as the council may direct or in the absence of such direction as the chairman may direct.

Vote of majority to decide

10. The business of the council shall be decided by a majority of the members present and voting thereon.

Casting vote

11. In the case of an equal division of votes the chairman of the meeting shall have a second or casting vote.

Minutes

12. (a) The names of the members present at any meeting of the council shall be recorded in the minutes.

(b) If one-fifth of the members present and voting on any resolution so require, the minutes shall record the names of the members voting for and against that resolution.

(c) Any member of the council shall be entitled to require that the minutes shall contain a record of the manner in which his vote was cast on any resolution.

(d) Minutes of meetings of the council shall be available to all members of the Council. The members shall also have access to past minutes which the Chairman and Vice-Chairman jointly determine to be relevant to current Council business.

(e) The independent examiner or auditor of the Council's financial statements, the bishop, the archdeacon and any person authorised by one of them in writing shall have access to the approved minutes of council meetings without the authority of the Council.

(f) Other persons whose names are on the church electoral roll may have access to the approved minutes of Council meetings held after the annual parochial church meeting in 1995 except any minutes deemed by the Council to be confidential.

(g) Other persons may have access to the minutes of Council meetings only in accordance with a specific authorization of the Council provided that, where minutes have been deposited in the diocesan record office pursuant to the Parochial Registers and Records Measure 1978, the authorization of the council may be dispensed with.

Adjournments

13. Any meeting of the council may adjourn its proceedings to such time and place as may be determined at such meeting.

Standing committee

14. (a) The council shall have a standing committee consisting of not less than five persons. The minister and such of the churchwardens as are members of the council shall be ex-officio members of the standing committee, and the council shall by resolution appoint at least two other members of the standing committee from among its own members and may remove any person so appointed. Unless removed from office, the appointed members shall hold office from the date of their appointment until the conclusion of the next annual meeting of the parish.

(b) The standing committee shall have power to transact the business of the council between the meetings thereof subject to any directions given by the council.

Other committees

15. The council may appoint other committees for the purpose of the various branches of church work in the parish and may include therein persons who are not members of the council. The minister shall be a member of all committees ex-officio.

[Independent examiner or auditor]‡

16. An independent examiner or auditor of the Council's financial statements shall -

(a) have a right of access with respect to books, documents or other records (however kept) which relate to the said financial statements;

(b) have a right to require information and explanations from past or present treasurers or members of the council and, in case of default, the independent examiner or auditor may apply to the Charity Commissioners for an order for directions pursuant to section 44(2) of the Charities Act 1993¹ or any statutory modification thereof for the time being in force.

Validity of proceedings

17. No proceedings of the council shall be invalidated by any vacancy in the membership of the council or by any defect in the qualification or election of any member thereof.

Interpretation

18. Any question arising on the interpretation of this Appendix shall be referred to the bishop of the diocese and any decision given by him or by any person appointed by him on his behalf shall be final.

Notes

‡ The reference should be to Rule 15.

‡‡ The text should be 'the'.

‡ This side note does not appear in the statutory text.