

# **GENERAL SYNOD 2003**

## **BILL NO 14**

## **SCHEDULE**

**Bill to carry into effect a Resolution of the General Synod of 2002 to amend, in Chapter IX of the Constitution, Canons 5, 6, 10, 12, 13, 16, 26, 31 and 32 (hereafter referred to as “the said Canons”) of the Canons of the Church of Ireland by substituting, for the said Canons, the Canons set out in the accompanying Schedule.**

## SCHEDULE

1. In Canon 5, in section (2), for the words ‘The minister may at his discretion’ there shall be substituted the words ‘Members of the clergy may at their discretion’ and in section (4) of the said Canon for the words ‘in order that he may give such pastoral guidance, advice or directions as he may think fit’ there shall be substituted the words ‘who may give such pastoral guidance, advice or directions as is thought fit’.
2. In Canon 6, in paragraph (d), for the words ‘as the minister may consider’ there shall be substituted the words ‘as the officiating member of the clergy may consider’.
3. In Canon 10, in paragraph (b), for the words ‘a minister’ there shall be substituted the words ‘a member of the clergy’ and, in the final paragraph of the said Canon for the words, ‘The ordinary shall satisfy himself’ there shall be substituted the words ‘The ordinary shall be satisfied’.
4. In Canon 12, in section (1), for the words ‘Every archbishop and bishop at all times of his public ministration of the services of the Church shall use the customary ecclesiastical apparel of his order’ there shall be substituted the words ‘Archbishops and bishops at all times of their public ministration of the services of the Church shall use the customary ecclesiastical apparel of their order’. In section (2) of the said Canon for the words ‘Every presbyter and deacon at all times of his public ministration of the regular services of the Church’ there shall be substituted the words ‘Every member of the clergy at all times when ministering publicly the regular services of the Church’ and in paragraph (c) of the said section (2) for the words ‘and the hood pertaining to his university degree or other academic qualification’ there shall be substituted the words ‘and the hood pertaining to any university degree or other academic qualification held by that member of the clergy’. For the final two sentences of the said section (2) there shall be substituted the following:

‘Provided that any member of the clergy shall be at liberty to wear a plain black gown while preaching.

No member of the clergy shall wear any other ecclesiastical vestment or ornament.’
5. (i) In Canon 13, for section (3) there shall be substituted the following:

‘(3) Members of the clergy when celebrating the Holy Communion shall so stand that the people may conveniently hear them and observe the manual acts, and shall not stand with their backs to the people at any time when they are offering up public prayer.’

(ii) In Section (4) of the said Canon 13 for the words ‘of the minister’ there shall be substituted the words ‘of the officiating member of the clergy’.
6. (i) In Canon 16, in section (1), for the words ‘he shall warn such a person of the grave spiritual danger of communicating in such a state and shall offer his pastoral advice’ there shall be substituted the words ‘the said incumbent shall warn such a person of the grave spiritual danger of communicating in such a state and shall offer pastoral advice’.
- (ii) In section (3) of the said Canon 16 for the words ‘no clergyman’ there shall be substituted the words ‘no member of the clergy’ and for the words ‘satisfied the clergyman of his sincere repentance’ there shall be substituted the words ‘satisfied that member of the clergy of such person’s sincere repentance’.

- (iii) In section (4) of the said Canon for the words ‘the minister that he earnestly repents of his sin, and intends to lead a new life following the commandments of God, the minister shall’ there shall be substituted the words ‘the incumbent that such person earnestly repents, and intends to lead a new life following the commandments of God, the incumbent shall’.
7. (i) In Canon 26, in section (1), for the words ‘the minister’ there shall be substituted the words ‘the officiating member of the clergy.’
- (ii) In section (2) of the said Canon 26 for the words ‘the minister’ where they first occur there shall be substituted the words ‘the officiating member of the clergy’ and for the words ‘the minister’ where they next occur there shall be substituted the words ‘that member of the clergy’. In the said section (2) of the said Canon for the words ‘such directions as he shall think fit’ there shall be substituted the words ‘such directions as the bishop shall think fit.’
  - (iii) In section (3) of the said Canon for the words ‘The minister shall instruct the parents or guardians of a child’ there shall be substituted the words ‘Clergy shall instruct the parents or guardians of children’.
8. (i) In Canon 31, in section (2), for the words ‘No clergyman’ there shall be substituted the words ‘No member of the clergy’.
- (ii) In paragraph (a) of section (3) of the said Canon 31 for the words ‘When any clergyman is approached’ there shall be substituted the words ‘Any member of the clergy who is approached’ and in the third line of the said paragraph the words ‘he’ and ‘he is’ shall be deleted.
  - (iii) In paragraph (b) of section (3) of the said Canon for the words ‘No clergyman’ there shall be substituted the words ‘No member of the clergy’ and in the second and third lines thereof for the words ‘unless he has first sought from the bishop his opinion’ there shall be substituted the words ‘unless such member of the clergy has first sought the bishop’s opinion’.
  - (iv) In paragraph (c) of section (3) of the said Canon for the words ‘The clergyman’ there shall be substituted the words ‘The member of the clergy concerned’ and for the words ‘vested in him by law, as to whether or not he should solemnize’ there shall be substituted the words ‘vested in members of the clergy by law, as to whether or not to solemnize’.
  - (v) In section (4) of the said Canon for the words ‘the clergyman’ there shall be substituted the words ‘the member of the clergy’ and for the words ‘in so far as he shall obtain it, which the bishop shall require to enable him to form an opinion’ there shall be substituted the words ‘in so far as the member of the clergy shall obtain it, which the bishop shall require in order to form an opinion’.
  - (vi) In section (5) of the said Canon for the word ‘he’ where it twice occurs there shall be substituted the words ‘the bishop’.
  - (vii) For section (6) of the said Canon there shall be substituted the following:

‘6. The opinion of the bishop shall as soon as practicable be communicated by the bishop to the member of the clergy concerned. In cases where a decree of nullity has been granted on grounds acceptable to the Church of Ireland, the bishop shall declare that the applicant is *ipso facto* free to marry in church. In other cases, in which the bishop shall give a favourable judgement, the bishop shall prescribe that the member of the clergy concerned conduct a private service of preparation for remarriage in church with the parties involved (in such a form as may be provided by regulation) before the solemnization of matrimony may take place.’

9. (i) In Canon 32 for section (1) there shall be substituted the following:

‘(1) Subject to the provisions of this Canon no member of the clergy shall, where reasonable notice has been given to that member of the clergy, refuse to read the burial service in the prescribed form at

- (a) the burial within the cure in which that member of the clergy officiates of any person who may have died within that cure,
- (b) the burial of any person whose family may possess a burial place within the church or churchyard of the parish in which that member of the clergy officiates, and whose remains have been brought there for interment,
- (c) the burial within a reasonable distance outside the cure in which that member of the clergy officiates of a person who died within that cure and is believed by that member of the clergy to have been at the time of death a member of the Church, or
- (d) the burial within the cure in which that member of the clergy officiates of a deceased person who died outside that cure but whose remains have been brought there for interment and who is believed by that member of the clergy to have been at the time of death a member of the Church.’

(ii) In section (2) of the said Canon 32 for the words ‘A minister may however in his own discretion refuse to read’ there shall be substituted the words ‘A member of the clergy may however exercise discretion in refusing to read’.

(iii) (a) In section (3) of the said Canon for the words ‘If the minister refuses’ there shall be substituted the words ‘Any member of the clergy who refuses’ and the word ‘he’ where it thrice occurs shall be deleted.

(b) In the said section (3) for the words ‘as to him’ there shall be substituted the words ‘as to such member of the clergy’ and for the final sentence of the said section (3) there shall be substituted the following:

‘Save where the burial is of an unbaptised infant such member of the clergy shall also, where it is reasonably practicable to do so, consult with the ordinary before the burial; and where this is not reasonably practicable such member of the clergy shall report the matter to the ordinary thereafter.’