

LICHFIELD DIOCESAN REGISTRY
GUIDANCE NOTE
CHURCH REPRESENTATION RULES 2020
(3) GOVERNANCE OF PCCs

1. This note is one of a group of documents to be produced by the Registry to explore the changes which will come into force on 1 January 2020 when the existing Church Representation Rules are replaced by a completely new set of rules. We will refer to the provisions as 'NewCRR' or 'OldCRR'. The NewCRR are available on the Church of England website, for information. The NewCRR are the Schedule to the Church Representation and Ministers Measure 2019, and are substituted by that Measure for the OldCRR which had their statutory force in the Synodical Government Measure 1969 as amended from time to time.
2. The NewCRR adopts a much more straightforward drafting style, and in many ways will not require much explanation. Steps have been taken to use inclusive pronouns; also to set out requirements in clear numbered or lettered paragraphs rather than in narrative text. However the problem of reading a new set of rules is knowing whether anything has changed, and that can only be achieved by a comparison of the two sets of rules. The purpose of these note is mainly to try to assist those who have responsibilities for different aspects of the CRR to understand what is *different*. We are not, therefore, setting out in detail what the new rules provide.
3. The NewCRR provides a set of Model Rules for parish governance. These are effectively a schedule to the main CRR. Part 2 of the NewCRR provides that the Model Rules in NewCRR Part 9 will apply to all parishes; but it also allows the parish to adopt its own rules through a scheme made by its Annual Meeting, and then approved by the Bishop's Council under NewCRR12. (These schemes will no doubt become known as Rule 12 Schemes! They are to be covered in the note on parish governance; certain of the Model Rules are immutable, including Special and Extraordinary Parochial Meetings; but Annual Meetings are technically capable of being subject to a Rule 12 Scheme). We will refer to the Model Rules simply as M1 etc.
4. The rules as to PCC Governance are now set out in NewCRR Part 9.
5. Changes and notes:
 - a. Membership (M15): remains the same;
 - b. The procedures for the PCC which used to be in the OldCRR appendix II are now in the main body of the NewCRR M19 *et seq.*
 - c. The requirement is now to hold 'a sufficient number of meetings to enable the efficient transaction of its business' NewCRRM23;
 - d. A provision is included to confirm that the only persons entitled to attend PCC meetings are as specified, but that the PCC may 'invite' others to attend (NewCRR24);
 - e. Provision is now included to ensure that lay membership will always be a majority of the PCC;
 - f. Quorum: the rules remain the same (M27) but with the proviso that no meeting is quorate unless the majority of persons present are lay people;
 - g. Correspondence: a new provision is included (M29) to allow the chair to decide that business can be conducted by correspondence. NewRule76 defines email as being a permissible form of correspondence;
 - h. Examiner: the PCC's appointed auditor or examiner is now entitled to *require* information and explanations from PCC treasures and members, past and present; failing compliance directions may be sought from the Charity Commissioners (M30). This was probably implicit previously, but it is now express;
 - i. Standing Committee: this is normally at least 5 persons as specified in M31, but it can now be 3 person if there are no more than 50 names on the roll.
 - i. There is an interesting provision M31(6) that '*the standing committee may not discharge a duty of the PCC and may not exercise a power of the PCC which is subject to the passing of a resolution by the PCC or compliance*

- by the PCC with some other requirement*'. The first part of this is clear and sensible, but the effect of the second part is very wide indeed; for example it would appear to prevent the standing committee passing a resolution to support a Faculty application (given that a Petition is normally made subject to the passing of a resolution by the PCC, as required by the model Form). M31(7) may have been intended to operate here in that it says that *'If the PCC gives the standing committee any directions as to the exercise of its power under paragraph 6 the committee must exercise the power in accordance with those directions.'* This wording does not sit well with M31(6) itself. It may have been intended that the words *which is subject to the passing of a resolution by the PCC* reflect a resolution of the PCC giving direction to its standing committee, but our present view is that actually the words are much wider than that. If a PCC wishes to facilitate resolutions by the standing committee for such purposes, it would be sensible to give a specific direction under M31(7) in advance for such purposes to avoid losing the benefit of the standing committee being able to meet quickly and simply when required.
- ii. The other curious point about this provision is that the PCC can appoint other committees (M32) – and those committees are not subject to any comparable restrictions!

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