

BILL NO 5**Explanatory Memorandum**

In a resolution passed at the General Synod 2008, the House of Bishops and the Commission on Ministry were requested to consider the possibility of draft legislation being brought to the General Synod of 2009 to extend the provisions of Chapter IX, section 34 (Canon 34) of the Constitution to certain members of the clergy serving in the auxiliary ministry as non-stipendiary ministers.

As reported in the report of the Commission on Ministry to this Synod (see page X) the Commission appointed a sub-group to address this issue and a survey of the Diocesan Secretaries was conducted to examine the number, deployment and reimbursement of non-stipendiary ministers currently within the Church of Ireland. It was also noted that this will be a finite population as the new Ministry Formation does not differentiate between stipendiary and non-stipendiary training.

The Commission on Ministry received the recommendations from the sub-group and agreed on a proposal which was then sent to the House of Bishops. The House of Bishops stated they were satisfied with the proposal that draft legislation be brought to General Synod 2009.

Canon 20(c), in Chapter IX of the Constitution enables a bishop to admit into holy orders “any person, for general assistance in that bishop’s diocese, who will continue to earn a living in a lay occupation or who will have some other source of income sufficient for such person’s needs, pursuant to any rules in that behalf made by the House of Bishops and approved by the General Synod”.

A number of members of the clergy so admitted under Canon 20(c) are currently serving in the auxiliary ministry as non-stipendiary ministers.

Accordingly, clause 2 of this Bill seeks to amend Canon 34 in Chapter IX of the Constitution to provide that a member of the clergy who has been admitted into holy orders under the provisions of Canon 20(c) and who has served for not less than three years in the auxiliary ministry may apply to the bishop for remuneration for duties performed at the bishop’s request and for expenses incurred in the performance of such duties.

As indicated in draft paragraph 5(a) of Canon 34, the detailed provision regulating any such remuneration and expenses and other related matters would be set out in Rules to be made by the Representative Church Body and approved by the Standing Committee of the General Synod; much detailed work will be required in the formulation of such Rules. Draft Canon 34(5)(b) provides that no entitlement to membership of nor participation in the Church of Ireland Clergy Pensions Fund shall be conferred by any payment or reimbursement of expenses made under the provisions of Canon 34(5).

MR WF BAKER
THE BISHOP OF DERRY AND RAPHOE

BILL

(at the request of the General Synod)

To amend Chapter IX of the Constitution

WHEREAS it is desirable, in certain circumstances, to permit the making of payments to persons serving in the auxiliary ministry;

AND WHEREAS for such purposes it is necessary to amend Chapter IX of the Constitution of the Church of Ireland;

BE IT ENACTED by the Archbishops and Bishops and the Clergy and Laity of the Church of Ireland in General Synod assembled in Armagh in the year 2009, and by the authority of the same as follows:-

1. In this Statute “Chapter IX” shall mean Chapter IX of the Constitution of the Church of Ireland 2003 and “the Canons” shall mean the Canons contained in the said Chapter IX.
2. Canon 34 of the Canons shall be amended by the insertion after paragraph (4) of the following paragraph:-
 - (5) Notwithstanding the provisions of Canon 20, a person who has been admitted to holy orders for general assistance in a diocese on the basis that such a person will continue to earn a living in a lay occupation or will have some other source of income sufficient for such person’s needs, and who has served in the auxiliary ministry for a period of not less than three years, may apply to the bishop, to be paid for duties performed at the bishop’s request and to be reimbursed for expenses incurred in the performance of such duties; provided that no such payment and no such reimbursement of expenses shall -
 - a) be at a rate in excess of those prescribed in such rules in this regard as shall, from time to time, be made by the Representative Church Body and approved by the Standing Committee of the General Synod; or
 - b) confer any entitlement to membership of or participation in the Church of Ireland Clergy Pensions Fund.