

Bill No. 1**EXPLANATORY MEMORANDUM**

In the report of the Commission on Episcopal Ministry and Structures to the General Synod 2015, the Commission included as Appendix III a position paper on the election of bishops. A resolution was passed: “That General Synod welcomes the principles, analysis and approach to the election of bishops outlined in Appendix III to the report of the Commission on Episcopal Ministry and Structures, acknowledges that there is a need for change and requests the Commission to bring a Bill to the next General Synod to reform the procedure for electing Bishops along the lines proposed.”

Following further reflection and consultation with interested parties, including diocesan councils, the Commission presents this Bill, to give legislative effect to changes outlined in the position paper of 2015.

Arrangements for episcopal elections are contained in Part I of Chapter VI of the Constitution. The Bill substitutes a new Chapter VI, and, while some aspects of the process are unchanged, there is significant reform proposed. In summary, the main changes are:

- Either a member of the House of Bishops or a bishop of another Province of the Anglican Communion may be elected to the Archbishopric of Armagh and Primacy of All Ireland.
- Persons will be appointed as facilitators, to work with diocesan episcopal electors in preparing a diocesan profile and statement of needs for each diocese (including Armagh) as the election process begins.
- In addition to the President (normally the archbishop of the province where the see is vacant), Electoral Colleges shall have two members of the House of Bishops, one from each province, rather than three as at present.
- There will be two and potentially three meetings of the College; at the first meeting members will nominate persons for consideration and those names will be referred to a Shortlisting Committee; the College will give directions on how the Committee is to carry out its functions of considering the academic career, ministerial service, qualities of heart and mind and suitability for election as bishop and preparing a shortlist of 3-5 persons.
- At the second meeting of the College, members will consider the report of the Shortlisting Committee and may proceed to election.
- If the College does not elect at the second meeting, additional names may be nominated by members of the College at that meeting for reference to the Shortlisting Committee and a third meeting may be held, with a new shortlist for consideration.
- There is a change in the voting process in that if any person receives a simple majority of the votes of members of each order present and voting, that name is put to the College alone to determine whether it reaches the requisite two thirds majority in each order.

Amendment of Part I of Chapter VI means that renumbering of later sections of the Chapter is required. A cross-reference in Chapter IV of the Constitution has been amended to reflect this renumbering.

REV STEPHEN FARRELL
MR ROY TOTTEN

BILL

(At the Request of the General Synod)

**To Amend, Consolidate and Replace Chapter VI of the Constitution and to Make Minor
Consequential Amendment of Chapter IV of the Constitution**

WHEREAS it is desirable to amend the provisions relating to episcopal elections in Part I of Chapter VI of the Constitution following the recommendations of the Commission on Episcopal Ministry and Structures;

AND WHEREAS for such purposes it is necessary to replace Chapter VI of the Constitution with an amended and consolidated Chapter VI as set out in the Schedule to this Statute and to make minor consequential amendment of Chapter IV of the Constitution;

BE IT ENACTED by the Archbishops and Bishops and the Clergy and Laity of the Church of Ireland in General Synod assembled in Dún Laoghaire in the year 2016 and by the authority of the same as follows:

1. In this Statute “Chapter VI” means Chapter VI of the Constitution of the Church of Ireland.
2. For Chapter VI there shall be substituted a new Chapter VI as set out in the Schedule to this Statute.
3. This Statute shall come into effect upon enactment thereof and the provisions of Part I of Chapter VI as substituted under section 2 shall apply to episcopal elections in a see, including the See of Armagh, on or after that date: Provided that where an episcopal election process has begun but has not been concluded before that date, then that process shall continue as arranged, notwithstanding the enactment of this Statute and the substitution of a new Chapter VI.
4. In consequence of the amendments to and consolidation of Chapter VI, Chapter IV of the Constitution of the Church of Ireland shall be amended as follows:

In section 13(2), for the words “and the liability under section 35 of Chapter VI of the Constitution in future” there shall be substituted the words “and the liability under section 38 of Chapter VI of the Constitution in future”.

Schedule

CHAPTER VI

ARCHBISHOPS AND BISHOPS

Part I

EPISCOPAL ELECTIONS

Election to a vacant See

1. Throughout Part I of this Chapter the word “diocese” shall signify a single diocese or united dioceses under the jurisdiction of one bishop and the word “synod” shall signify the synod of a single diocese or the joint synods of united dioceses.
2. (1) Whenever the See of Armagh shall become vacant or shall be about to become vacant under the provisions of Part IV of this Chapter, the House of Bishops shall appoint a person to assist the diocesan episcopal electors elected under the provisions of section 5(1) below (including those filling vacancies therein under the provisions of section 7(3) below) in preparing a diocesan profile and statement of needs.

(2) The diocesan profile and statement of needs so prepared shall be submitted to the House of Bishops as soon as practicable after the occurrence of the vacancy in the See of Armagh.

(3) As soon as may be convenient thereafter, the House of Bishops shall meet and shall by a majority of the votes of those present and voting elect one of its members or a bishop of another Province of the Anglican Communion to the Archbishopric of Armagh and Primacy of All Ireland. The House of Bishops shall determine the date, within a period of three months from the date of the election, upon which such translation shall take effect.
3. Whenever any see, other than the See of Armagh, shall become vacant or shall be about to become vacant under the provisions of Part IV of this Chapter, an Episcopal Electoral College shall be constituted for the purpose of the election of an Archbishop of Dublin or of a bishop, as the case may be.
4. An Episcopal Electoral College shall consist of:
 - (a) the President of the College, who shall be the archbishop of the province which includes the diocese of which the see is vacant or, if the archiepiscopal see be vacant or the archbishop thereof be unable to act, the bishop next in order of precedence in the province who may be able to act: Provided that for the purpose of the election of an Archbishop of Dublin the President of the College shall be the Archbishop of Armagh or, if that Archbishop be unable to act, a bishop nominated by the House of Bishops;
 - (b) two members of the House of Bishops nominated by that House, being one bishop from each province;
 - (c) twelve diocesan clerical and twelve diocesan lay episcopal electors from the diocese of which the see is vacant;
 - (d) (i) when the diocese of which the see is vacant is situated in the Province of Armagh, and subject to paragraph (e) below, two diocesan clerical and two diocesan lay episcopal electors from each of the other dioceses in the Province;
 - (ii) when the diocese of which the see is vacant is situated in the Province of Dublin, three diocesan clerical and three diocesan lay episcopal electors from each of the other dioceses in the Province;
 - (e) in the case of an election in either province to fill a vacancy in a see due to the archbishop or bishop thereof having been elected to the Archbishopric of Armagh, six diocesan clerical and six diocesan lay episcopal electors from the Diocese of Armagh.

Diocesan Episcopal Electors

5. (1) The diocesan synod of Armagh shall, in the year 2017 and triennially thereafter at the first session of each successive synod, elect from among its members, in the manner hereinafter provided, six clerical and six lay episcopal electors and such number of supplemental clerical and lay episcopal electors as it may determine.
 - (2) The synod of every other diocese shall, in the year 2017 and triennially thereafter at the first session of each successive synod, elect from among its members, in the manner hereinafter provided, twelve clerical and twelve lay episcopal electors and such number of supplemental clerical and lay episcopal electors as it may determine.
 - (3) The episcopal electors and supplemental episcopal electors so elected by each synod shall be the episcopal electors and supplemental episcopal electors of the said dioceses until the first day of the first session of the succeeding synods as elected triennially for each such diocese respectively: Provided that the episcopal electors and supplemental episcopal electors in office at the time of a see becoming vacant, or one month prior to the see becoming vacant in accordance with the provisions of Part IV of this Chapter, whichever be the earlier, shall be the episcopal electors and supplemental episcopal electors respectively for the purpose of the election of a bishop to fill the vacant see.
6. (1) Subject to the provisions of sub-section (4) of this section, the election of episcopal electors and supplemental episcopal electors in each synod shall be by the members thereof by voting papers. The voting shall be by orders, the clerical members voting for clerical episcopal electors and the lay members voting for lay episcopal electors.
 - (2) Every case of equality of votes shall be determined by lot.
 - (3) Additional supplemental episcopal electors, if required, may be elected at any meeting of the synod of a diocese.
 - (4) In any united diocese in which there shall be no joint meeting of the diocesan synods the election of clerical and lay episcopal electors may be carried out (i) in such manner as may be determined by agreement between the diocesan councils, or (ii) by a joint committee appointed by the diocesan councils over which the bishop shall preside, and in which the bishop shall in the case of equality of votes have a casting vote.
7. (1) The names of the persons elected to be clerical episcopal electors, supplemental clerical episcopal electors, lay episcopal electors and supplemental lay episcopal electors respectively for each diocese shall be placed on separate lists in order of the number of votes received by them respectively. In the event of two or more persons receiving an equality of votes, the order in which they shall be placed on lists shall be determined by lot.
 - (2) The lists of episcopal electors and supplemental episcopal electors for each diocese shall be sent immediately after each election to the archbishop of each province by the secretary or secretaries of the synod, who shall also inform them from time to time of any amendments to the lists which may be necessary.
 - (3) Whenever any episcopal elector shall die or resign or be, in the opinion of the archbishop of the province which includes the diocese for which such person is an episcopal elector, permanently unwilling or unable to act or shall cease to be a member of the synod by which such person was elected or shall permanently cease to be resident in Ireland or, being a clerical episcopal elector, shall cease to be one of the beneficed or licensed clergy of the diocese for which such person was elected, that person's place on the list shall become vacant. A vacancy shall be filled by the clerical or lay episcopal elector, if any, whose name stands next highest in order on the relevant list of episcopal electors or, where the circumstances so require, the supplemental clerical or lay episcopal elector whose name stands highest on the relevant list of supplemental episcopal electors.
 - (4) For the avoidance of doubt, the provisions of subsection (3) above apply should a person's place on the list become vacant between the first meeting of the Electoral College and any subsequent meeting of the same College. Any clerical or lay episcopal elector filling a vacancy that occurs between the first meeting of the College and any subsequent meeting of the same College shall be summoned to attend the subsequent meeting or meetings of the same College.

Procedure for Convening and Holding an Episcopal Electoral College

8. (1) Whenever any see, other than the See of Armagh, shall become vacant, or shall be about to become vacant in accordance with the provisions of Part IV of this Chapter, the President of the Electoral College shall, as soon as may be convenient:
- (a) appoint the Registrar of the Province in which the College is to meet, or other fit person, to act as secretary of the College;
 - (b) appoint a person to assist the diocesan episcopal electors elected under the provisions of section 5(2) above from the diocese of which the see is vacant or about to become vacant (including those filling vacancies therein under the provisions of section 7(3) above) to prepare a diocesan profile and statement of needs for submission to the first meeting of the College;
 - (c) notify the House of Bishops of the intention to convene and hold meetings of the College and request the House of Bishops to nominate one bishop from the same province as the President and one bishop from the other province to be episcopal electors of such College;
 - (d) appoint the place, date and time for the first meeting of the College to take place without undue delay and in any case within four months of the see becoming vacant;
 - (e) appoint the place, date and time for the second meeting of the College to take place within three months of the first meeting of the College;
 - (f) appoint the place, date and time for a third meeting of the College to take place within one month of the second meeting of the College in the event that the College requests it under the provisions of section 15(1) below;
 - (g) summon to attend the meetings of the College as episcopal electors:
 - (i) the two bishops nominated by the House of Bishops;
 - (ii) twelve diocesan clerical and twelve diocesan lay episcopal electors from the diocese of which the see is vacant;
 - (iii) when the diocese of which the see is vacant is situated in the Province of Armagh, and subject to (iv) below, the first two diocesan clerical and the first two diocesan lay episcopal electors on the respective lists of each of the other dioceses of the Province; or
 when the diocese of which the see is vacant is situated in the Province of Dublin, the first three diocesan clerical and the first three diocesan lay episcopal electors on the respective lists of each of the other dioceses of the Province;
 - (iv) in the case of an election in either province to fill a vacancy in a see due to the archbishop or bishop thereof having been elected to the Archbishopric of Armagh, six diocesan clerical and six diocesan lay episcopal electors from the Diocese of Armagh:
 Provided however that if any such diocesan episcopal elector shall, in the opinion of the President of the College, be unable or unwilling to act, the clerical or lay episcopal elector, if any, whose name stands next highest in order on the relevant list of episcopal electors or, where the circumstances so require, the supplemental clerical or lay episcopal elector whose name stands highest in order on the relevant list of supplemental episcopal electors shall be summoned in place of the diocesan episcopal elector so unable or unwilling to act.
- (2) When a see, other than the See of Armagh, is about to become vacant under the provisions of Part IV of this Chapter, the President of the College for the see may fulfil the requirements of sub-section (1) of this section before the see becomes vacant in order that the College may meet as soon as may be convenient after the vacancy occurs.
- (3) The President of the College, together with the two nominees of the House of Bishops and the diocesan episcopal electors summoned as aforesaid, shall be the members and episcopal electors of the said College.

Episcopal Electoral College Meetings and Procedure

9. On each day appointed for the meetings of the Electoral College, members shall assemble in a cathedral or church, as determined by the President, for a celebration of the Holy Communion. On the first such occasion, at the place of the sermon the President, or a bishop or priest appointed by the President, shall give a charge to the College declaring the office and work of a bishop in the Church of God and the qualities of heart and mind required in those who are called to that sacred office.
10. (1) No person may be present at a meeting of the Electoral College except the members of the College, the secretary of the College, and a legal assessor nominated by the President.
- (2) Before any member of a College shall do any act therein such member shall sign a declaration in the words following: I, A.B., bearing in mind how important it is that the sacred office of a bishop should not be conferred unworthily, do solemnly declare that I shall record my votes at this election for such person or persons only as I, in my conscience, believe to be of such learning and soundness in the faith, and of such virtuous and godly character, as to be fitted and qualified for the holy office of bishop. I solemnly declare that I shall not act herein through favour or affection, but in singleness of heart, for the glory of God, the good of his Church, and the welfare of his people; and I further solemnly declare that I shall not disclose to any person whatsoever any information regarding the election other than that which may be agreed upon by the Electoral College.
- (3) No information regarding proceedings of the College (including any voting therein) shall be given to the press, radio, television or social media or disclosed to any person save to the House of Bishops, except such information as may be agreed upon by the College.
11. At the first meeting of the Electoral College, the College shall:
- (a) consider the diocesan profile and statement of needs submitted by the episcopal electors from the vacant see;
- (b) nominate bishops or priests of not less than thirty years of age to be considered by a Shortlisting Committee;
- (c) elect from its members a Shortlisting Committee of eight members, consisting of equal numbers of clergy and laity and equal numbers from the vacant see and from outside the vacant see together with such reserve members as it may deem necessary; Provided however that no person nominated for consideration shall be a member of the Shortlisting Committee unless he or she rejects their own nomination;
- (d) With the assent of the President, agree directions on the procedure to be followed by the Shortlisting Committee.
12. Between the first and second meetings of the Electoral College, the Shortlisting Committee shall consider the academic career, ministerial service, qualities of heart and mind and suitability for election as bishop by this College of persons nominated by the College and produce a shortlist of at least three and not more than five persons for the College to consider at its second meeting.
13. At the second meeting the Electoral College shall consider a written report of the Shortlisting Committee and vote on the names of those shortlisted: Provided that any member of the College who is shortlisted shall withdraw from the meeting.
14. (1) All voting at the Electoral College shall be by orders, the bishops if they wish to vote voting as members of the clerical order. The President shall be entitled to vote in the same way as other members of the College. The voting shall be conducted in such manner as the President may determine, and may be repeated once or more often. Informal discussion may likewise precede the taking of any repeated vote. The President's decision regarding any dispute as to the voting shall be final. The President may adjourn the meeting from time to time.
- (2) If, on the taking of any vote, any person shall receive two-thirds of the votes of the members of each order present and voting, that person shall thereupon be declared elected.

- (3) If, on the taking of any vote, any person shall receive a simple majority of the votes of the members of each order present and voting, the name of that person shall be put to the College alone, to determine whether it reaches the requisite two thirds majority of each order present and voting and if it does so, that person shall thereupon be declared elected.
- 15.** (1) If after the taking of several votes no person has received the requisite majority, the Electoral College may by a simple majority pass a resolution that a third meeting of the College should take place on the date appointed by the President.
- (2) The President shall invite members of the College to nominate additional bishops or priests of not less than thirty years of age for the consideration of the Shortlisting Committee.
- (3) Between the second and third meetings of the College the Shortlisting Committee shall produce a new shortlist of at least two and not more than five persons for consideration by the College at the third meeting along with the persons shortlisted for the second meeting.
- (4) Alternatively, the College may by a simple majority pass a resolution that no further vote be taken, and the appointment shall pass to the House of Bishops.
- 16.** (1) On the date appointed for a third meeting of the Electoral College, the College shall consider the written report of the Shortlisting Committee and vote on the names of those shortlisted: Provided that any member of the College who is shortlisted shall withdraw from the meeting.
- (2) If at a third meeting after several votes have been taken no person has received the requisite majority, the College may by a simple majority pass a resolution that no further vote be taken, and the appointment shall pass to the House of Bishops.
- 17.** (1) The bishop or priest elected as aforesaid by the Electoral College shall immediately thereafter be notified of the fact by the President or secretary of the College, and upon such person's acceptance that person's name shall be transmitted to the House of Bishops which, if satisfied of that person's fitness to be duly ordained and consecrated, shall confirm the election and shall take the necessary steps to give effect to such election, including in the case of a translation the determination of a date, within a period of three months from the date of election by the College, upon which such translation shall take effect.
- (2) If the bishop or priest elected as aforesaid shall decline, the President shall again fulfil the requirements of the procedure for convening and holding an Episcopal Electoral College under section 8 of this Chapter: Provided that section 8(1)(b) (appointment of a person to assist and preparation of a diocesan profile and statement of needs) shall not apply and Provided also that the time limits specified in section 8(1)(d), (e) and (f) shall not apply and the President shall set dates for meetings to take place as soon as may be practicable.
- (3) The first meeting of the College convened and held under subsection (2) of this section shall be considered the first meeting of the College for the purposes of this Chapter.
- 18.** Failure to summon any episcopal elector to a meeting or the absence of any episcopal elector so summoned as aforesaid shall not preclude the Electoral College from proceeding to election, but, if more than one diocese in the province in which the see is vacant be entirely unrepresented at the meeting, the meeting shall be adjourned to such date and time as the President shall decide, of which written notice shall be sent to each episcopal elector, and such adjourned meeting shall proceed to an election.
- 19.** A grant towards the expenses of each episcopal elector who shall have attended a meeting of the Electoral College shall be paid out of the General Purposes Fund of the General Synod in accordance with a scale to be fixed by the Standing Committee.
- 20.** The Archbishops of Armagh and Dublin may jointly from time to time make, rescind and vary regulations for such matters relating to the convening, holding and procedure of Electoral Colleges as are not provided for herein.

Election by House of Bishops

- 21.** Whenever the appointment of an Archbishop of Dublin or a bishop shall have passed to the House of Bishops under the foregoing provisions, the House of Bishops shall, as soon as conveniently may be, by a majority of the votes of the archbishops and bishops present and voting at a meeting duly convened for the purpose, elect such person, being a bishop or priest of not less than thirty years of age, as it may think fit, to the vacant see. In the case of a translation, the House of Bishops shall determine the date, within a period of three months from the date of the election, upon which such translation shall take effect. At such meeting there shall be laid before the House of Bishops a record of the proceedings of the Electoral College.

Part II

GUARDIANSHIP OF THE SPIRITUALITIES OF A SEE DURING A VACANCY

- 22.** If and so often as a vacancy shall occur in the Archbishopric of Armagh the guardianship of the spiritualities of the Diocese of Armagh shall, so far as no other provision has been made therefor by the Constitution, devolve upon the Dean and Chapter of the cathedral church of St Patrick, Armagh, who shall forthwith proceed to elect an official administrator to carry out and execute the duties of the office.
- 23.** If and so often as a vacancy shall occur in the Archbishopric of Dublin, the guardianship of the spiritualities of the United Dioceses of Dublin and Glendalough shall, so far as no other provision has been made therefor by the Constitution, devolve upon the Dean and Chapter of the cathedral of the Holy Trinity (commonly called Christ Church), Dublin, who shall forthwith proceed to elect an official administrator to carry out and execute the duties of the office.
- 24.** (1) The guardianship of the spiritualities of a vacant see shall devolve on the archbishop of the province in which the said see is situated.
- (2) During a vacancy in the Archbishopric of a province, the guardianship of the spiritualities of a vacant diocese in the province shall devolve on the Chapter of such diocese or, in the case of a united diocese, on the Chapters of the several dioceses of which it is composed; and the Chapter or Chapters jointly shall elect an official administrator to carry out and execute the duties of the office.
- 25.** Each of the said official administrators shall have power to direct the summoning of Boards of Nomination to fill any cures which may be or may become vacant, to accept returns from Boards of Nomination, to receive the nomination of a member of the clergy to any vacant cure, to institute or decline to institute any nominated member of the clergy, to appoint curates in charge for any vacant cures, to grant licences to curates assistant, and generally to exercise the powers of the bishop in regard to the provisions of Chapter IV, save and except that no such official administrator shall exercise any right of patronage or appointment to any dignity or office in any cathedral or to any cure of souls which may accrue to the see by lapse or otherwise. The official administrator shall have power to suspend any member of the clergy who may have been convicted of any criminal offence by any of the temporal courts of the state, and also such powers of granting dispensations, licences, certificates for superannuation, and similar matters as may lawfully be exercised by any person not in episcopal orders.

Part III

TEMPORARY DISCHARGE BY ANOTHER BISHOP OF DUTIES OF A BISHOP OR ARCHBISHOP

- 26.** It shall be lawful for an archbishop or bishop, with the consent, in the case of a bishop, of the archbishop of the province, to arrange with another bishop of the Church of Ireland to discharge the duties of the see for a period not exceeding twelve months, and such bishop shall, for that time, have the authority and jurisdiction of the bishop of the see.

Part IV

RESIGNATION OF ARCHBISHOP OR BISHOP

- 27.** In this Part “normal retirement age” and “episcopal service” shall have the meanings given to them by section 1 of Chapter XIV.
- 28.** (1) An archbishop or bishop who has reached the age of 65 years may resign.
- (2) Notice of resignation shall be given in the case of an archbishop to the House of Bishops or in the case of a bishop to the archbishop of the Province, and such notice shall specify the date on which it is to take effect which date shall not be less than two, nor more than four, months after the date of such notice.
- (3) Notice of resignation may be given before reaching the age of 65 years, to take effect upon reaching it.
- 29.** (1) An archbishop or bishop who has not reached the normal retirement age, but who desires to resign by reason of ill health and to receive an ill health early retirement pension, shall send a letter of request in the case of an archbishop to the House of Bishops or in the case of a bishop to the archbishop of the province, who shall communicate it to the House of Bishops.
- (2) Every such letter of request shall be accompanied by a certificate from the Medical Panel, appointed in accordance with section 32 of Chapter XIV, that the applicant is permanently disabled by infirmity from the efficient discharge of episcopal duties.
- (3) The House of Bishops, having considered the letter of request and the certificate from the Medical Panel, shall determine whether the resignation should be accepted and, if so, shall appoint a date on which it shall take effect.
- 30.** (1) An archbishop or bishop who has reached the age of 60 years but has not reached the normal retirement age, and who desires to resign for reasons other than ill health and to receive a pension, shall send a letter of request in the case of an archbishop to the House of Bishops or in the case of a bishop to the archbishop of the province.
- (2) The House of Bishops or the archbishop (as the case may be) shall determine whether the resignation should be accepted and, if so, shall appoint a date on which it shall take effect.
- 31.** (1) An archbishop or bishop who has not reached the normal retirement age, but who desires to resign without receiving a pension, shall send a letter of request in the case of an archbishop to the House of Bishops or in the case of a bishop to the archbishop of the province.
- (2) The House of Bishops or the archbishop (as the case may be) shall determine whether the resignation should be accepted and, if so, shall appoint a date on which it shall take effect.
- 32.** The House of Bishops or the archbishop (as the case may be) shall
- (a) notify the applicant of the determination reached under section 29(3), section 30(2) or section 31(2);
- (b) notify the Representative Body and the Church of Ireland Pensions Board of the receipt of a notice of resignation under section 28(2) and of a determination to accept a resignation under section 29(3), section 30(2) or section 31(2).
- 33.** Each archbishop and bishop shall be deemed to have resigned on the day on which such archbishop or bishop would have been deemed to have resigned if the provisions of section 36 of Chapter IV had applied, and such resignation shall be deemed to have been accepted forthwith: Provided always that section 36(3) of Chapter IV shall apply *mutatis mutandis* in the case of any such archbishop or bishop.

- 34.** If at any time it appears to the House of Bishops, upon such evidence as it may deem sufficient, that any archbishop or bishop is incapacitated by permanent mental infirmity from the due performance of archiepiscopal or episcopal duties, and also from tendering a valid resignation, the House of Bishops may certify the same to the authority empowered to convene the Court of the General Synod, and the said Court shall thereupon be convened in manner prescribed by the Constitution; and if upon due enquiry and such evidence as the Court may deem sufficient and upon such notice to the archbishop or bishop aforesaid as the Court may deem just the Court shall by judgment pronounce such archbishop or bishop to be incapacitated as aforesaid, the judgment of the Court so pronounced shall have the same effect, and the same proceedings may be taken thereon, for the purpose of vacating the see and for the purpose of providing a pension for such archbishop or bishop as if such archbishop or bishop had given notice of resignation under section 28(2) or sent a letter of request under section 29(1).

Part V

FINANCING OF THE EPISCOPACY

- 35.** From 1st January 1984 each diocese shall contribute towards the cost of the episcopacy of the Church of Ireland at a rate to be determined by the Representative Body not later than 30th November in 1983 and each year thereafter: Provided that a rate determined for any one year being more than twenty five *per centum* in excess of the rate for the year immediately preceding shall become operative only on the passing of an affirmative resolution of the General Synod.
- 36.** (1) The contributions from each diocese shall be the sum of the number of cures, including vacant cures, in such diocese at the preceding 30th June (as agreed between the Representative Body and the diocesan council) multiplied by the minimum approved stipend of an incumbent as fixed from time to time by the General Synod in accordance with section 51(1) of Chapter IV and operative on 1st January of the year to which the contribution relates multiplied by a rate *per centum* determined by the Representative Body in accordance with section 35 of this Chapter.
- (2) In the case of a diocese, part of which is situated in the Republic of Ireland and part of which is situated in Northern Ireland, account shall be taken of the differing figures for minimum approved stipend fixed in respect of incumbents resident in each jurisdiction, and the contributions shall be sub-divided accordingly.
- (3) In the event of disagreement between the Representative Body and the diocesan council as to the number of cures in any diocese, such shall be determined by the decision of the archbishop of the province in which such diocese is situated.
- 37.** Contributions shall be payable quarterly in arrears by each diocesan council on 31st March, 30th June, 30th September and 31st December each year or in such other manner as the Representative Body may approve.
- 38.** Each diocesan council shall be at liberty to recover in whole or in part the contribution so charged by direct assessment on the individual parishes, unions or groups of parishes, or churches, within its jurisdiction in whatever manner it deems appropriate.
- 39.** For the purposes of this Part the term “cure” shall have the same general meaning as contained in Chapter IV, and shall include:
- (a) A parish, union or group of parishes under the care of an incumbent appointed under Part III of Chapter IV;
- (b) A parish, union or group of parishes under the care of a bishop’s curate appointed under section 42 of Chapter IV;
- (c) A parish, union or group of parishes assigned to the immediate care of a vicar appointed under Part X of Chapter IV;

- (d) A parish, union or group of parishes in respect of which a certificate has been issued by the Representative Body under section 52 of Chapter IV;
 - (e) A “light-duty parish” as defined by section 62 of Chapter IV;
 - (f) A cathedral which is non-parochial.
- 40.** The Representative Body shall at the ordinary session of the General Synod in 2003 and quinquennially thereafter, and may at any other session, present a report on the implementation of this Part, specifying any amendment which may appear to be necessary or expedient.

Part VI

GENERAL PROVISIONS

- 41.** During a vacancy in any see the expenses properly incurred in carrying out any duties normally performed by the bishop of the diocese may be paid by the Representative Body out of the income of the Episcopal Endowment Fund accruing during the vacancy.
- 42.** Rules for carrying the provisions of this Chapter into effect may be framed from time to time in manner provided by Chapter VIII, section 11.