



BYELAWS, ORDERS, REGULATIONS
and INJUNCTIONS

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CONTENTS

	Page
Part I — Administration	3
Part II — Financial	6
Part III — Doctrine, Worship, Etc.	8
Part IV — Pastoral	13

BYELAWS, ORDERS, REGULATIONS and INJUNCTIONS

(2011 Edition)

Part I — Administration

- I. 1. The printed Rules of Order, and Order of Business, shall be adopted for the conduct of business of Convocation.
(1927, 1981)
- I. 3. That it be obligatory on the part of Trustees (or Wardens on their behalf) to insure all Church, School, or Parsonage property of the Denomination against the risk due to Fire, Employers Liability and Third Party.
(1935, 1981)
- I. 4. In future a Faculty should be applied for through the General Secretary authorising any alterations or additions to Church property and that such applications should be considered and allowed or disallowed by Council.
- I. 5. Where vacancies occur amongst the personnel of Trustees, and where the terms of the Deed permit, the Free Church of England Central Trust be appointed a Trustee.
(1948)
- I. 6. Convocation shall appoint a Publications Committee consisting of ex-officio members and three other members with power to engage an editorial adviser.
(1947, 2009)
- I. 7. Whereas, on the 14 day of June 1927, The Free Church of England and The Reformed Episcopal Church did unite as one Body, and was enrolled in Chancery on November 11th, 1927, and

Whereas the Executive Resolution, Clause 13, Section 5, declares and defines the membership of the United Church, now legally declared to be The Free Church of England, otherwise called The Reformed Episcopal Church”, and

Whereas Clause 15 of the Executive Resolution declares and provides that the several properties then held in Trust “shall be administered by the provisions of the said Trusts, by the Central Board, or Committee, or Committees named therein”.

It is Hereby Agreed and Declared that a duly convened meeting of Convocation of The Free Church of England, otherwise called The Reformed Episcopal Church, and a duly convened meeting of the Council of The Free Church of England, otherwise called The Reformed Episcopal Church shall be deemed THE COMPETENT AUTHORITY to deal with all questions as to policy and procedure as provided in the Canons, as also to deal with all matters with reference to Trust properties held for The Free Church of England and The Reformed Episcopal Church respectively, except those held under the Central Trust of the hereinbefore mentioned United Church.

(1932, 1961, 1981)

I. 8. (1) A Banking Account shall be opened for a Fund to be known as the “Free Church of England Home Mission Fund”.

(2) The Fund shall be used for:

- (a) The augmentation of Clerical Stipends
- (b) The assistance of needy churches
- (c) The extension of church property
- (d) The general assistance and development of the Home Church
- (e) The financial assistance of candidates for the ministry

(3) The Fund shall be administered by Convocation and/or Council in the following ways:

- (a) Any sums contributed during any financial year and earmarked by the donors for any specific purpose shall be disbursed and applied for the purpose named.
- (b) Sums contributed during any financial year, and not earmarked for any specific purpose, shall be at the disposal of Convocation for any of the purposes named in Clause (2), and may be disbursed as Convocation, or Council, by resolution, shall decide.

(1935, 1939, 1976, 1981)

I. 9. The Northern Diocese of this Church is composed of all the Congregations, Churches and missions situated north of the River Trent. The Southern Diocese of this Church is composed of all the Congregations, Churches and missions situated south of the River Trent.

(1942, 1981)

(d) The wearing of canonical robes at all services is the accepted practice in the FCE. Normally speaking, this means cassock, surplice, hood (optional), preaching bands (optional) and scarf (optional for readers), but a plain black gown worn over a cassock may be worn for preaching.

¶ *The intent here is to clarify the position of The Free Church of England with respect to the proper vesture and deportment of her clergy at all ministrations of public worship.*

4. The following variations to the BCP are added to the list of those which are already permitted by canon:

(a) The use of ASB canticles in traditional language may be used in conjunction with or in place of those in Morning or Evening Prayer.

¶ *This is intended to encourage seasonal and other variations in Morning and Evening Prayer by the allowance of traditional language canticles provided in the analogous services in the ASB.*

(b) Metrical Psalms may be sung in place of the Psalter in Morning or Evening Prayer.

¶ *This is intended to encourage the practice of singing the Psalter in situations where it might not be desirable to chant the Psalms from the Book of Common Prayer.*

5. This Measure does not apply to the following services: All non-sacramental weekday services; special Sunday afternoon or evening services (e.g. youth rallies/services, special needs services); and special seasonal services (e.g. Harvest Festival, Carol services).

¶ *Article V applies to the whole Measure, the interpretation and application of which is subject to the judgement of the diocesan bishop.*

(1998)

Part IV – Pastoral

IV. 1. That no one who has been convicted of an offence which has rendered such a person liable for registration on the Sex Offenders’ Register shall serve in any canonically specified office in a parish or as a Sunday School teacher or youth worker in a parish or undertake such work as might be undertaken by such a Sunday School teacher or youth worker.

(2004)

submitted to him by a parish under his oversight. Consequently, if the bishop is not satisfied that a parish is conforming to the conditions of this Measure he has the right to rescind or revoke any prior approval of any given alternative service scheme being employed under his oversight. Also, at the bishop's discretion, any AAL or proposed AAL may be subject to examination and evaluation by the Doctrine and Worship Committee or any member(s) appointed to the same.

3. Ministers are also required to ensure that the following practices and customs are observed where they apply:

(a) The use of Holy Communion at least once in a calendar month at a main service.

¶ *The intent of the above is to ensure that the Lord's Supper is celebrated and made available to every communicant member of The Free Church of England on a regular basis. It is recognised that there may be extraordinary cases when a parish may not be able to provide Holy Communion to its members on at least a monthly basis (e.g. a parish without a minister). However, this only applies to those parishes that are reasonably able to meet this condition.*

(b) The use of proper grape vine at all services of Holy Communion. A fine vintage is preferred, but sacramental non-alcoholic wine (available at any ecclesiastical supplier) is acceptable. However, the use of wine substitutes (including grape juice) is prohibited.

¶ *The intent of the above condition is to ensure that our Lord's institution is being reasonably and appropriately met through the use of the divinely appointed elements in the Lord's supper. It is no more appropriate to use substitutes elements (e.g. biscuits, fruit juices, soft-drinks, cordials, etc.) in the Sacrament of Holy Communion than it is to use anything other than pure water in the Sacrament of Holy Baptism, especially when proper and canonical elements can be easily and readily obtained.*

(c) The use of a common cup for the administration of consecrated wine to the people is the accepted practice in the FCE.

¶ *The above is intended to clarify the usual, customary and preferred practice of the FCE with regard to the administration of consecrated wine. In no way is this condition designed to preclude the practice of 'dipping' of the intinction of the consecrated bread, or, in extraordinary cases (e.g. acute alcoholism) the practice of communing in one kind.*

- I. 10. The Central Board of Examiners of candidates for the ministry of this Church shall be nominated jointly by the Diocesan Bishops and the names of their nominees shall be notified annually to Convocation.
(1962, 1981)
- I. 11. All Notices of motion intended to be included in the Agenda at Convocation must be submitted to the General Secretary at least one calendar month before the date of Convocation. Notices of motion received less than one calendar month before the date of Convocation shall be treated as having been received by the Convocation Secretary in the first day of business under Rule 7 of the Rules of Order.
(1978, 1982)
- I. 12. Convocation reaffirmed the role of Council in accordance with Canon 12 and its right to make decisions and act upon them and to inform Convocation of its actions for the purposes of information and not for authority.
(1976, 1982, 2005)
- I. 13. (a) The Form of Agreement governing the Pastoral Relations of Presbyters as Incumbents or Rectors produced to Convocation 1982 shall be adopted in substitution for the form approved by Convocation 1936.

(b) Such Form of Agreement shall be used in all future appointments with such variations appropriate to local circumstances as are in conformity with the Byelaws, Canons and Constitution as may be necessary or desirable. The Agreement shall in each case be settled by the Denominational Solicitors whose fees shall be borne by the Congregation concerned.
(1982)
- I. 14. Letters from private individuals or church Councils circulated to congregations should not be recognised as having Denominational authority unless received through the proper channels, either from a Bishop or the General Secretary.
(1971, 1982, 2009)
- I. 17. Alternate Delegate
For the purpose of clarification of Canon 81 only one Alternate Delegate may be elected who may serve in the place of an absent Lay Delegate or of an absent Church Warden.
(2003)

- I. 18. Notwithstanding the general rule that the election of officers and members of committees shall take office from the conclusion of the annual Convocation at which they are elected, the members of any committee which shall meet at the Convocation venue within 24 hours of the conclusion of an annual Convocation shall remain in office until the conclusion of that meeting.
(2011)

Part II — Financial

- II. 1. Convocation orders that in addition to the Cash Statement now required by Canon 59, a properly constituted and independently audited Balance Sheet shall be provided, and also a Capital Account, and copies shall be sent to the Bishop of the Diocese and the General Secretary.
(1933)
- II. 2. The Incumbent of each congregation shall send a copy of the Annual Return (being Form A of the canonical forms) to the Bishop of the Diocese and to the General Secretary.
(1978, 1981)
- II. 3. Convocation Hospitality
(a) As from the year 1983 all churches shall pay as their Convocation Hospitality Contribution the sum payable for one person's hospitality at the Conference Centre. This would cover two persons. Additional persons attending as Ministers, Delegates or Churchwardens will be charged one half of the charge per person.
(1982)
- II. 4. (a) With effect from September 1st 2000 the minimum stipend for Clergy in full time incumbency shall be £4,000 per annum exclusive of:
(1) Payments for Council Tax, water and sewerage charges or other rates and maintenance of any house provided for his occupation.
(2) National Insurance contributions.
(3) Any sum receivable by him by virtue of any scheme of or for the supplementation of Clergy Stipends.

(b) A parish with two or more Sunday services may use an AAL subject to the following conditions:

- (1) A minimum of 50% of all services in any Sunday must be BCP.
- (2) The BCP service must be held at a main service time, morning or evening, subject to the alterations specifically stated in the Canons or in the BCP.
- (3) In general, AALs are not to be used on the same morning, or between midday and midnight when a BCP service is in use. However, the bishop may at his discretion allow exceptions to this condition (e.g. an early morning Holy Communion service), provided he is satisfied that the BCP is not being displaced.

¶ *In accordance with the above, subject to the bishop's approval, a parish with two or more Sunday services may use an AAL in no more than half of its services on any given Sunday. The bishop must be satisfied that the BCP is being used at a main service, either morning or evening. Number (3) is intended to close a loophole in the event that a parish tries to schedule a 'token' BCP service before a service using an AAL in the attempt to fulfil the 'letter of the law', while not maintaining the 'spirit of the law'. The condition assumes, however, that the bishop will use his discretion and judgement in any implementation scheme.*

(c) Only canonically permitted variations to the BCP service may be used when a BCP service is held upon a Sunday when an AAL is in use.

¶ *The above condition is intended to ensure that the BCP is being used properly on any given Sunday the AALs are being employed*

(d) Parishes that desire to employ AALs must provide the diocesan bishop with a schedule and description of their regular weekly services.

¶ *The above ensures that the bishop will be fully informed of the regular scheduled Sunday worship services of any parish in his diocese which is given approval for the use of AALs. Any significant departure from the schedule and description of the services disclosed to the bishop will constitute a grave infringement of this Measure.*

(e) Final approval and authorisation is the prerogative of the bishop of the diocese. However, all AALs may be subject to examination and evaluation by the Doctrine and Worship Committee at the bishop's discretion.

¶ *Ultimately, the prerogative and responsibility of implementing AALs in any parish falls on the bishop of the diocese in which the parish belongs. It is the diocesan bishop's right to approve or disapprove of any alternative service*

pally approved and authorised alternative forms and services of worship within certain restrictions and conditions.

1. The Book of Common Prayer (BCP) according to The Free Church of England shall remain the standard form of worship, and shall be used invariably at all official diocesan and/or denomination- wide events and services, as well as all parochial sacramental services. The King James Bible (commonly called the Authorised Version) shall remain the denominational standard for all lectionary readings and Scripture lessons.

¶ *Article 1 maintains the canonical status of the BCP and the KJV Bible as the denominational standards of The Free Church of England. These standards are to be used at all official diocesan and denominational gathering and events, including ordinations, inductions, installations, confirmations, and synod and convocation services, it further prohibits the use of any liturgy other than the BCP for services of Holy Communion and Baptism in FCE parishes.*

2. Any parish that desires to use an alternative form of worship during a main Sunday service must obtain prior authorisation from the bishop of the diocese. Such authorisation shall apply to each parish on an individual basis, and shall be subject to the conditions, restrictions and regulations of this measure.

In particular:

¶ *Article 2 introduces the conditions under which a parish may implement alternative forms of worship for Sunday worship. The overriding condition is that no alternative form may be used that has not been approved by the bishop of the diocese in which a parish belongs. Before authorisation can be given, the bishop of the diocese must be satisfied that (1) any alternative liturgy or form of worship does not conflict with the doctrine, worship or practices of the FCE; (2) that all the conditions of the Alternative Services Measure are being met; (3) that the BCP is not being displaced or neglected by any parish that wishes to use alternative forms; and (4) that both the minister and a significant majority of the parish are united in their desire to employ alternative forms.*

(a) A parish with only one Sunday service may use an approved alternative liturgy (AAL) no more than once a month or twice a month where there are five Sundays in the said month.

¶ *The above condition applies to those parishes which have but one main service on a Sunday. With the bishop's approval AALs may only be used once a month in a four Sunday month and twice a month in a five Sunday month.*

(b) No Incumbent shall be installed or instituted to any Living unless his Diocesan Bishop is first satisfied that the terms of the Deed of Appointment under Canon 54 comply with this Byelaw.
(1990, 2000)

II. 5. Churches which receive the part time services of a Minister under the licence of the Diocesan Bishop for the oversight of such Church who is unremunerated shall pay towards the expenses of such Minister a sum at a rate not being less than £1,000 per annum unless the Diocesan Bishop shall otherwise direct.
(1980, 2009)

II. 6. For the purpose of the preparation of the accounts of the Denomination and of all committees and funds the financial year shall commence on 1st January.
(1978, 1981)

II. 7. The General Fund Quota for the year shall be fixed annually by Convocation.
(2008, 2009)

II. 9. For purposes of clarification the travelling expenses authorised for those attending Convocation apply only to the annual Convocation, and not to any special meetings of Convocation.
(2004)

II. 10. When any officer of Convocation is intending to incur a liability in excess of £500 the matter should be referred to the Diocesan Bishops, the Primus, the General Secretary and the General Treasurer for approval.
(2004)

N. B. For the Rules and Contributions for the 'New' Clergy Benevolent Fund see the separate publication.

Part III — Doctrine, Worship, Etc.

- III. 1. That the Presbyterian's Hood submitted be adopted as the official Hood of the Church, and that authority be given to those at present in Presbyterian's Orders for the wearing of the same, which may be obtained on application to the Bishop Primus.
(1927)
- III. 2. The Declaration and Covenant' for use by Ordinands shall be adopted for future use.
(1927)
- III. 4. In the event of any Minister of this Church accepting a Call to the Charge of any Church or parish not within the Constitutions of this Free Church of England, otherwise called The Reformed Episcopal Church, without having first obtained the consent of the Bishop under whom he is licensed to serve, such acceptance shall be deemed to be his resignation from the ministry of this Church, and his name shall be removed from the list of Clergy of this Church and his action shall be reported to the next succeeding meeting of the Council or Convocation of this Church.
- In all cases where the above consent has been obtained, and acted upon, such Ministers shall be under the supervision and jurisdiction of the Diocesan Bishop and the permission thus obtained shall be renewed annually.
- All Ministers serving under these regulations shall retain their Canonical rights, privileges and responsibilities, saving only election to the Episcopate.
(1940, 2009)
- III. 5. In the case of a candidate having been previously ordained in any other Church, he shall not be received, unless the Bishops are unanimous as to his reasons for transfer, and also, that he is suitable for the ministry of this Church; and further, a resolution of Council, or Convocation, shall be necessary before he is received or ordained to the ministry of this Church.
(1940)
- III. 6. In the 7th petition in the Litany the following alternative wording be permitted. "That it may please Thee to endue the High Court of Parliament, and all

the Ministers of the Crown, with grace, wisdom and understanding."
(1958, 1981)

- III. 7. In the 16th petition in the Litany the use of the additional word "air" be authorised, and that the amended phrase shall read, "That it may please Thee to preserve all that travel by land, by air or by water".
(1958, 1981)
- III. 8. The Revised Standard Version or the New King James Version of the Bible may alternatively be used in the reading of lessons in our churches. In addition, and with the permission of the diocesan bishop, the New International Version may also be used.
(1965, 2003)
- III. 9. Before a Bishop shall ordain for general assistance in his Diocese or for missionary purposes as provided for in Canon 39 he shall first of all ensure that the Ordinand complies with the requirements laid down in Canons 38 and 40.
(1969)
- III. 10. Readers shall wear cassock, surplice and, at the discretion of the Minister of the Church, either the Readers collar and badge adopted by Convocation or a scarf of saxe blue colour 7.5 inches wide.
(1971, 1981, 1982, 2009)
- III. 11. Candidates for the Ministry
1. Candidates must be appointed as Readers in approved parishes as students during their training.
 2. Candidates must be recommended by the Board of Examiners of this Church.
 3. Candidates in training may apply to the HMF for assistance.
- (1945, 1978, 1981, 2009)
- III. 12. The 1998 Alternative Services Measure (Annotated)
(N.B. The annotations do not form part of the Byelaw)

¶ *Synopsis: The ASM is designed or intended to provide an alternative standard of worship or a parallel liturgy to the Book of Common Prayer, but rather to support and promote Prayer Book services in all FCE parishes. At the same time the measure affords the flexibility to develop a parochial ministry around perceived needs and cultural settings by accommodating episco-*