PREPARATION OF NEW ELECTORAL ROLL

and

2019 ANNUAL PAROCHIAL CHURCH MEETING

NOTES FOR
PCC SECRETARIES

(Please note these are a summary of the requirements set out in the Church Representation Rules 2017. For detailed guidance please refer to the Rules.)

Issued December 2018
Index

Church Electoral Roll 1
Meeting of Parishioners; Election of Churchwardens 2
Annual Parochial Church Meeting 3
  Business of the Meeting 3
  Election to Parochial Church Council 4
  Qualification for Election 5
  Conduct of Election 6
Synod Dates 7
Resources and Publications 7
1. **CHURCH ELECTORAL ROLL**

Before the Annual Parochial Church Meeting in 2019, the Parochial Church Council needs to prepare a **NEW ELECTORAL ROLL**.

- Notice of the preparation of a new Electoral Roll must be displayed at the principal door of all churches and buildings licensed for public worship not less than two months before the annual meeting, and remain in place for not less than fourteen days.

- At every service held on each of the two Sundays within this period of fourteen days, the person conducting the service must inform the congregation of the preparation of the new Roll.

- The PCC must take reasonable steps to inform those on the existing Roll that the new Roll is being prepared and that if they wish to be entered on it they must apply for enrolment.

- The preparation of the new Roll must be completed not less than fifteen days or more than twenty-eight days before the Annual Meeting, which must receive a report on the numbers entered on the new Electoral Roll.

- The new roll must then be published by being exhibited continuously, for not less than fourteen days before the Annual Parochial Church Meeting, on or near the principal door of the parish church and no name is to be added or removed between the time of completion of the Roll and the close of the Annual Meeting.

**Eligibility:**

Lay persons are entitled to have their names entered on the roll of a parish if they are baptised, of sixteen years or upwards, have signed an application form for enrolment and declare themselves either:-

a) To be a member of the Church of England, or of a Church in communion therewith, resident in the parish; or

b) To be such a member and, not being resident in the parish, to have habitually attended public worship in the parish during a period of six months prior to enrolment; or

c) To be a member in good standing of a Church which subscribes to the doctrine of the Holy Trinity (not being a Church in communion with the Church of England) and also prepared to declare themselves to be a member of the Church of England having habitually attended public worship in the parish during a period of six months prior to enrolment.

If otherwise qualified people reach their sixteenth birthday after the intended date for revision of the roll, but on or before the date of the Annual Parochial Church Meeting, they may complete a form of application for enrolment, which will have effect from the date of their birthday.

The electoral roll officer has the duty of keeping the roll constantly up to date and to report any additions and removals to the Parochial Church Council.

**Certification of Numbers on Church Electoral Roll:**
The chairman, vice-chairman, secretary or electoral roll officer of the PCC must inform the Diocesan Secretary as secretary of the Diocesan Synod before 1 June 2019 of the number of names on the roll as at the date of the annual meeting. This may be done by uploading the data to the My Diocese portal, or, if this is not possible, by sending a copy by e-mail to diosecpa@stalbans.anglican.org.
When the notification is sent to the secretary of the diocesan synod, a copy must be affixed at or near to the principal door of each church and each building licensed for public worship in the parish, and must remain there for at least 14 days. (There is no statutory form for this notification, but a Church Electoral Roll Certificate for your use is available.)

Elections to the House of Laity of the Deanery Synod, the Diocesan Synod and the General Synod, when they occur, relate to the total number on the roll, so your co-operation in this matter is very important.

2. **MEETING OF PARISHIONERS: ELECTION OF CHURCHWARDENS**

The meeting of parishioners, for which notice should be given, may be held any time between 1 January and 30 April. These dates are the same as those which apply to the Annual Parochial Church Meeting and, therefore, both meetings may be held on the same day, if desired. They remain, however, entirely separate meetings.

Under the Churchwardens Measure 2001:

i) The Churchwardens shall be elected by a meeting of the parishioners (but see v) below)

ii) The Minister must receive the nomination/consent to serve form before the meeting commences. Oral nominations at the meeting are not permitted under the Measure

iii) There shall be two Churchwardens for every parish, except where a parish has more than one parish church, in which case two Churchwardens shall be appointed for each of the parish churches and all Churchwardens shall be Churchwardens of the whole parish

iv) A Churchwarden may only serve for six successive terms of office (unless the meeting of parishioners decides by resolution this rule shall generally not apply – and until it is subsequently revoked) but may qualify again at the next annual meeting but one

v) If it appears to the minister that a nominee might give rise to serious difficulties between the minister and that person carrying out their respective functions, the minister may – before the election – make a statement that only one churchwarden is to be elected by the meeting. One Churchwarden shall then be appointed by the minister from among those nominated and the other shall be elected by the meeting

vi) Casual vacancies shall be chosen in the same manner as was the Churchwarden whose place is being filled

vii) No person shall become Churchwarden until admitted to office (at the visitation)

viii) In parishes where there is an existing custom (since 1925) to vary the number of Churchwardens, that can continue

ix) A Notice of the result of elections must be displayed on or near the church door for 14 days after the meeting

The qualifications necessary for a person to be elected churchwarden are that he or she must be baptised, be on the church electoral roll of the parish, be twenty-one years of age or over and be an actual communicant member of the Church of England.

3. **ANNUAL PAROCHIAL CHURCH MEETING**

The Annual Parochial Church Meeting may be held at any time between 1 January and 30 April. All lay persons whose names are entered on the roll of the parish shall be entitled to attend the annual meeting and to take part in its proceedings, and no other lay person shall be so entitled. Proper notice of the meeting must be given as laid down in the Rules, using a ‘Notice of Annual Parochial Church Meetings’ form.

(i) **Business of the Meeting:**

1) The annual meeting shall receive from the PCC and be free to discuss:-
   a) A report on the numbers entered on the new Electoral roll;
   b) An annual report on the proceedings of the parochial church council and the activities of the parish generally;
   c) A report stating whether or not the PCC has complied with its duty to have due regard to House of Bishops guidance on safeguarding children and vulnerable adults;
   d) The financial statements of the parochial church council for the year ending on 31 December immediately preceding the meeting, independently examined or audited as provided by paragraph (3) below;
   e) A report by the churchwardens on the fabric, goods and ornaments of the church or churches of the parish;
   f) A report on the proceedings of the deanery synod.

2) A copy of the electoral roll should be available for inspection at the meeting.

3) The financial statements should:-
   a) Be prepared and independently examined or audited in such manner as prescribed in accordance with the Church Accounting Regulations 2006;
   b) Be considered and, if thought fit, approved by the parochial church council and signed by the chairman presiding at the meeting of the council; and
   c) Be displayed for a continuous period of at least seven days before the annual meeting, including at least one Sunday when the church is used for worship, on a notice-board either inside or outside the church and displayed following the meeting.

The Rules also require that a copy of the annual reports and statements be sent to the Secretary of the Diocesan Board of Finance within twenty-eight days following the meeting.

These are the minimum requirements: Councils may, in addition, circulate copies of the accounts (or summary of them) to parishioners.

4) The annual meeting shall carry out the following elections and appointments:-
   a) Elect lay representatives to the PCC.
   b) Appoint sidesmen. The only requirement of people to be appointed a sidesman is that their names must be entered on the roll of the parish. Sidesmen may be appointed by the PCC, as the need arises, between annual meetings.
c) Appoint an independent examiner or auditor to the PCC for a term of office ending at the close of the next annual meeting. The person appointed must not be a member of the PCC. The PCC must make a recommendation to the annual meeting about this appointment so it is important to ensure that the PCC discusses it in good time.

(ii) **Election to Parochial Church Council**

Following the election of any lay representatives to fill any vacancies on the Deanery Synod, elections are held for lay members of the Parochial Church Council.

The Council consists of all clergy benefited in, or licensed to, the parish; the churchwardens; members of any Deanery Synod, the Diocesan Synod or the General Synod, whose names are on the electoral roll*; elected members; co-opted members, if the Council so decides (not exceeding in number one-fifth of the elected members); any deaconess or lay worker licensed to the parish; and any reader whose name is on the electoral roll, if the annual meeting so determines.

*If such members are on the electoral roll of more than one parish they must choose one parish only for the purpose of this qualification, although they may still put themselves up for election in the other parish or parishes on whose roll they are.

**Number of lay representatives**

The Church Representation Rules provide for the number of representatives of the laity to be elected as follows:

- 6 representatives where there are not more than 50 names on the electoral roll
- 9 representatives where there are not more than 100 names on the electoral roll, and
- a further 3 representatives for every 100 (or part thereof) up to a maximum of 15, or
- such other number agreed by resolution at the APCM, such resolution taking effect at the annual meeting after it is passed.

**Term of office**

Members will hold office for three years, with one-third retiring and being elected each year. However, the APCM can resolve that lay members be elected annually, any such resolution being subject to review at least once every six years.

The annual meeting may decide that those elected as set above should serve for no more than a specified number of years.

Those who are members by virtue of their election as lay members of the Deanery Synod shall hold office from the date of their election until 31 May following the election of their successors.
(iii) **Qualification for Election**

To be elected as a representative of the laity to the Parochial Church Council, the Deanery Synod and to other synods, the candidate’s name must have been on the roll of the parish for at least the preceding six months (unless they are under 18 at the date of the election) and be an ‘actual communicant’ as defined in rule 54(1) of the Church Representation Rules.

An ‘actual communicant’ is a person whose name is on the roll of the parish and who has received communion according to the use of the Church of England (or of a Church in communion with it) at least three times in the twelve months preceding election.

This includes members of other Churches who are baptised (but need not be episcopally confirmed) and who are receiving communion in accordance with the provisions of Canon B15a, paragraph 1(b).

However, it is no longer possible for members of other Churches who are not willing to declare themselves also to be members of the Church of England to be elected to represent the laity on a Parochial Church Council or deanery synod.

The minimum age requirement for membership of the Parochial Church Council is sixteen.

**Eligibility to act as a charity trustee**

PCC members are charity trustees and therefore need to be eligible to serve as such. By section 178 of the Charities Act 2011, a person is disqualified from acting as a charitable trustee if he or she:

- has an unspent conviction for a dishonesty or deception offence;
- has an unspent conviction for a terrorism offence to which Part 4 Counter-Terrorism Act 2008 applies, or under ss. 13 or 19 Terrorism Act 2000;
- has an unspent conviction for a money laundering offence within the meaning of s. 415 Proceeds of Crime Act 2002;
- has an unspent conviction for a bribery offence under ss. 1, 2, 6 or 7 Bribery Act 2010;
- has an unspent conviction for an offence of contravening a Commission Order or Direction under s. 77 Charities Act 2011;
- has an unspent conviction for an offence of misconduct in public office, perjury or perverting the course of justice;
- has an unspent conviction in relation to the above offences, an offence of: attempt, conspiracy, or incitement to commit the offence; aiding, or abetting, counselling or procuring the commission of the offence; or, under Part 2 of the Serious Crime Act 2007 (encouraging or assisting) in relation to the offence.
- are subject to notification requirements under sexual offences legislation (commonly referred to as being on the sex offenders register) even if your conviction is spent;
- are currently declared bankrupt or are subject to bankruptcy restrictions or an interim order, including an individual voluntary arrangement (IVA) - limited exceptions apply;
- are subject to a debt relief order under the Insolvency Act 1986, a debt relief restrictions order, an interim order under that Act, or a failure to pay under a County Court Administration Order;
- are disqualified from being a company director - limited exceptions apply;
- have previously been removed as a trustee, officer, agent or employee of a charity by the Charity Commission, the High Court or the Scottish charity regulator due to misconduct or mismanagement;
- have been found guilty of disobedience to an order or direction of the Charity Commission under s.336(1) Charities Act 2011;
- have been found to be in contempt of court for making, or causing to be made, a false statement, including in a document verified by a statement of truth;
- are a designated person for the purposes of Part 1 of the Terrorist Asset-Freezing etc. Act 2010, or the Al Qaida (Asset Freezing) Regulations 2011.
This is mirrored in the church’s own legislation: rule 46A of the Church Representation Rules provides that a person is disqualified from election or from serving as a churchwarden or a member of a PCC, a DCC or a Synod if he or she is disqualified from being a charity trustee (subject to the possibility of a waiver by the Charity Commission in relation to ecclesiastical charities).

The Charity Commission guidance is that it is good practice for a person to be asked to declare in writing that he or she is eligible to act as a charity trustee before taking up office. The Diocesan Registrar therefore recommends that all PCC members should be asked to sign a Trustee Eligibility Declaration and an HMRC Fit and Proper Persons Declaration each year. A form is enclosed for your use, and is also available on the Diocesan website. These forms should be retained by the PCC and not sent to the Diocesan Office or Charity Commission.

PCC members also need to be aware of their responsibilities as charity trustees and further information is available from [https://www.gov.uk/guidance/charity-trustee-whats-involved](https://www.gov.uk/guidance/charity-trustee-whats-involved) and [http://www.parishresources.org.uk/pccs/](http://www.parishresources.org.uk/pccs/).

(iv) **Conduct of Elections**

Candidates must be nominated and seconded by persons whose names are on the electoral roll. A candidate may be nominated at the meeting or before the meeting by notice in writing to the Secretary of the Council.

It is not essential for the candidate’s consent to be given in writing or verbally, but the meeting must be satisfied that there is sufficient evidence of willingness to serve.

If the number of candidates nominated is not more than the numbers of seats to be filled, they are declared elected. Otherwise an election must be held and this takes place at the meeting.

**Voting**

Voting may be by show of hands or, if one or more persons object, either (i) on voting papers which must be signed by the voter on the reverse side, or (ii) if at least 1/10 of the persons present and voting at the meeting so request, by numbered voting papers.

Each person entitled to vote has as many votes as there are seats to be filled, but may not give more than one vote to any one candidate. In a case of equality of votes, a decision must be taken by lot.

The Church Representation Rules now provide options allowing for individual postal voting in elections to the parochial church council or the deanery synod and for the method of the single transferable vote to be used if the meeting wishes.

The Annual Parochial Church Meeting would need to pass a resolution to provide for this, if it so wished, but the resolution must be approved by at least two-thirds of the persons present and voting at the annual meeting. However, it would not become operative until the next ensuing annual meeting.

**Election Results**

The Results of the elections and appointments are to be announced as soon as practicable, and a notice of them is to be affixed on or near the principal door of the parish church and of every other building licensed for public worship in the parish, and remain there for not less than fourteen days.
4. SYNOD DATES

Diocesan Synod

Meetings of the Diocesan Synod will take place in 2019, on:-

- 9 March
- 15 June
- 19 October

at the All Saints Academy, Dunstable LU5 5AB

General Synod

The General Synod will meet during the following periods in 2019:-

- 4-8 February London
- 5-9 July York
- 18-20 November London (contingency)

5. RESOURCES AND PUBLICATIONS

Annual Meeting Pack
All the forms necessary for the Annual Church meetings can be downloaded free in both Word and pdf format from the Parish Resources website: http://www.parishresources.org.uk/pccs/apcms/

Church Representation Rules (2017 edition)
This booklet summarises the main provisions of the Church Representation Rules and it is recommended that parishes refer to the latest edition for more detailed guidance. They are available online at: https://www.churchofengland.org/more/policy-and-thinking/church-representation-rules/church-representation-rules-online or can be ordered from Church House Publishing at: https://www.chpublishing.co.uk/books/9780715111062/church-representation-rules-2017

The Charities Act 2011 and the PCC 5th edition
This useful guide for PCC Treasurers is published by Church House. Additional information for PCC Treasurers is also available on http://www.parishresources.org.uk/resources-for-treasurers/accounting-and-reporting/.

Diocesan website
Additional information for Parish Officers, including PCC Secretaries and Administrators, is available at http://www.stalbans.anglican.org/diocese/parish-officers/.