

Report from the Law and Polity Conference Sub-Committee

Length of Presbyteral Session

1. At the end of the Presbyteral Session the question was asked whether the reduced hours of this year's Presbyteral Session contravened Resolution 5/5 of the 2019 Conference, which directed that the total time available for the Presbyteral Session of the Conference of 2020 should be not less than eight hours. Following an assurance from the Journal Secretary that advice would be sought from the Law and Polity Conference Sub-committee on the point, the Presbyteral Session was expressly adjourned on Friday 26 June 2020 "*notwithstanding Resolution 5/5 of the Conference of 2019*". The committee's view is that this year's Presbyteral Session impliedly varied Resolution 5/5 of 2019 by agreeing shorter hours of session during its preliminary business on Thursday 25 June 2020. The committee therefore advises that no further action is needed.

Notices of Motion which propose or seek to amend resolutions

2. The committee is aware that a number of notices of motion proposing resolutions have been passed during this Conference without the substantive resolution being put to the Conference to vote on immediately afterwards.

The committee's view is that, by passing the notice of motion, it was clearly the Conference's intention similarly to pass the resolution to which the notice of motion related. Wherever this has occurred, the committee considers that the relevant resolution attaching to the notice of motion was effectively passed and has advised the Journal Secretary and the Record Secretary accordingly.

District allocations and ordinands in Full Connexion

3. Clause 14(1)(b) of the Deed of Union requires that at least one half of the members of the Conference at its opening (excluding specified classes of members) shall be lay persons. To achieve this, Standing Order 105 provides for the allocation of places for presbyteral, diaconal and lay representatives to the Districts. Following the reception of ordinands into Full Connexion on 27 June 2020, the question arises whether any ordinand in Full Connexion who might wish to be a representative to the Conference of 2021 should stand for election as a lay or ordained representative. The hope and expectation is that the ordinands will be ordained prior to the opening of that Conference and it is therefore logical, in order to ensure that there are sufficient lay representatives, for an ordinand seeking election to be treated as an ordained person. That will avoid a situation in which a representative who is a lay person at the time of the election has become ordained before the Conference opens, thereby reducing the number of lay people. District elections must take place in time for the identity of the representatives to be notified to the Secretary of the Conference by 31 October 2020: see Standing Order 417(2B). As matters stand, it seems likely that the ordinands received into Full Connexion will not have been ordained by then. Standing Order 417(1) requires district representatives to be (i) ministers who are members of the Synod, (ii) probationers who are members of the Synod, (iii) persons who are members in the District or officers appointed on behalf of the District, or (iv) certain persons who are members of other communions. It does not expressly state that the words "who are" refer to status at the time of election, but it might be thought that that is implied. The Law and Polity Conference Sub-committee has power under Standing Order 131(25) to move a resolution arising out of an earlier resolution of the Conference which seeks to make consequential provision. To avoid any uncertainty as to the eligibility of ordinands received into Full Connexion at this Conference to stand for election to the Conference of 2021 or as

to their status if elected, the Law and Polity Conference Sub-committee brings the following resolution to the Conference.

*****RESOLUTION**

SC/1. The Conference by way of consequential provision resolved that all those received into Full Connexion on 27 June 2020 but not yet ordained shall be treated as ministers for the purpose of determining in accordance with Standing Order 417(1) their eligibility for election as district representatives to the Conference of 2021. Their status for the constitutional purposes of the Conference of 2021 shall be determined at the opening of the Conference.

Methodist Ministers' Pension Scheme

4. The Law and Polity Conference Sub-committee notes that those eligible for membership of the Methodist Ministers Pension Scheme are identified in the Rules of the Scheme as "Ministers" and "Probationers", those terms having the meaning given by the Deed of Union and Standing Orders. The committee proposes that the Conference officer for legal and constitutional practice should take all necessary steps to confirm with the Trustee of the Scheme that the reception of the ordinands into Full Connexion does not affect their eligibility for membership of the Scheme. The following resolution invites the Conference to confirm that its intention is that ordinands in Full Connexion remain eligible for membership of the Scheme and directs the Conference officer for legal and constitutional practice to approach the Trustee accordingly.

*****RESOLUTION**

SC/2. The Conference recorded its intention that ordinands received into Full Connexion should remain eligible for membership of the Methodist Ministers' Pension Scheme and by way of consequential provision directs the Conference officer for legal and constitutional practice to approach the Trustee of the Scheme for the purpose of ensuring that all necessary steps are taken to achieve that intention.