

Extracts from the Churchwardens Measure 2001

Qualifications of Churchwardens

1. (3) The churchwardens of every parish shall be chosen from persons who have been baptised and:
 - (a) whose names are on the church electoral roll of the parish;
 - (b) who are actual communicants;
 - (c) who are twenty-one years of age or upwards; and
 - (d) who are not disqualified under section 2 or 3 below.

General Disqualifications

2. (1) A person shall be disqualified from being chosen for the office of churchwarden if he is disqualified from being a charity trustee under section 72(1) of the Charities Act 1993 (c. 10) and the disqualification is not for the time being subject to a general waiver by the Charity Commissioners under subsection (4) of that section or to a waiver by them under that subsection in respect of all ecclesiastical charities established for purposes relating to the parish concerned.

In this subsection "ecclesiastical charity" has the same meaning as that assigned to that expression in the Local Government Act 1894 (c. 73).

- (2) (a) A person shall be disqualified from being chosen for the office of churchwarden if he has been convicted of any offence mentioned in Schedule 1 to the Children and Young Persons Act 1933 (c. 12).
(b) In paragraph (a) above the reference to any offence mentioned in Schedule 1 to the Children and Young Persons Act 1933 shall include an offence which, by virtue of any enactment, is to be treated as being included in any such reference in all or any of the provisions of that Act.
- (3) A person shall be disqualified from being chosen for the office of churchwarden if he is disqualified from holding that office under section 10(6) of the Incumbents (Vacation of Benefices) Measure 1977 (No. 1).
- (4) All rules of law whereby certain persons are disqualified from being chosen for the office of churchwarden shall cease to have effect.

Disqualification after six periods of office [*Note: this section will first apply in 2008*]

3. Without prejudice to section 2 above, a person shall be disqualified from being chosen for the office of churchwarden when that person has served as a churchwarden of the same parish for six successive periods of office until the annual meeting of the parishioners to elect churchwardens in the next year but one following the date on which that person vacated office at the end of the last such period:

Provided that a meeting of the parishioners may by resolution decide that this section shall not apply in relation to the parish concerned.

Any such resolution may be revoked by a subsequent meeting of the parishioners.

Voting for Churchwardens:

At the Meeting of Parishioners to choose Churchwardens for the coming year, all clergy entitled by residence to be present, except the Minister, as well as lay people, have a vote in the election of Churchwardens. If there are not more candidates nominated than places to be filled (usually 2), those nominated are declared elected without need for a vote.

[For further details see the Churchwardens Measure 2001, also Church Representation Rules 11 and 13.]