

DRAFT SCHEDULE
(as revised by the Province of the Anglican Church in South East Asia)
FRAMEWORK PROCEDURES FOR THE RESOLUTION OF
COVENANT DISAGREEMENTS

1. General Principles

- 1.1 All processes for the resolution of covenant disagreements which threaten the unity of the Communion and the effectiveness or credibility of its mission shall be characterised by the Christian virtues of charity, humility, patience and gentleness and the canonical principles of fairness, transparency, and reasoned decision-making.
- 1.2 No process shall affect the autonomy of any Church of the Communion. The term “Church” and all terms in this Schedule take their meaning from the Covenant itself.
- 1.3 No process shall exceed two years as from the date upon which a Church consults under Paragraph 3 of this Schedule. **[Note: a period of 5 years is seen as inordinately long. Covenant disagreements which threaten the unity of the Communion and the effectiveness or credibility of its mission need to be addressed and resolved as swiftly as possible.]**
- 1.4 Any matter involving relinquishment by a Church of the force and meaning of the Covenant purposes must be decided solely by that Church or by the Primates’ Meeting in accordance with Paragraph 5 of this Schedule. **[Note: It was felt that the Primates’ Meeting was the Instrument of Communion most appropriate to provide a final decision on any covenant disagreements which threaten the unity of the Communion and the effectiveness or credibility of its mission. Primates are the servants and spokespersons of the episcopates and dioceses of their respective Provinces. Therefore the Primates would have an intrinsic authority arising from the authority of their own episcopal colleges. The Anglican Consultative Council, not being a faith and order and/or synodical body, should not have the role suggested in the existing draft Framework Procedures. As a result of proposed amendments, Paragraph 8 is now re-numbered as Paragraph 5.]**
- 1.5 Each Communion body or instrument involved in the following procedures shall make its own rules, in consultation with the other Instruments of Communion, for the transaction of its business in accordance with the Covenant, the Framework Procedures and the Christian virtues and canonical principles set out in Paragraph 1.1 of this Schedule.

2. The Principle of Informal Conversation

- 2.1 If a Church (X) proposes to act or acts in any way that another Church (Y) or an Instrument of Communion (Z) claims to threaten the unity of the Communion and the effectiveness or credibility of its mission, then X Church,

Y Church and Z instrument shall engage in informal conversation, as an act of communion, to try to resolve the matter.

3. The Principle of Consultation

- 3.1 If informal conversation fails in the view of X, Y or Z, or if X Church itself considers that an action or proposed action might threaten Communion unity and mission, then X Church must consult the Archbishop of Canterbury on the matter.
- 3.2 Within one month of being consulted, the Archbishop of Canterbury must either (a) seek to resolve the matter personally through pastoral guidance or (b) refer the matter to the Covenant Commission [to be established], appointed as appropriate by the Primates' Meeting. At the same time, the Archbishop of Canterbury shall inform the Primates of the matter. **[Note: The provision for assessors is vague and would give rise to unnecessary questions as to qualifications and suitability. It would also unduly prolong and complicate the process. It was felt that the Covenant should give rise to the establishment of a permanent special commission to be called the Covenant Commission that would be responsible for giving effect to the operational provisions of the Covenant. The nature and composition of the Covenant Commission shall be decided upon by the Primates' Meeting.]**
- 3.3 If after one month of its issue, the pastoral guidance of the Archbishop is unsuccessful as determined by the Archbishop, the Archbishop shall as soon as practically possible refer the matter to the Covenant Commission who shall act in accordance with Paragraphs 3.4 and 4.
- 3.4 Having considered the matter referred to pursuant to Paragraph 3.3, the Covenant Commission shall recommend to the Archbishop, within one month of receiving the referral, one of the following routes:
 - (a) if it is clear in the opinion of the Covenant Commission that the matter involves a threat to the unity or mission of the Communion and/or is otherwise incompatible with the Covenant and that time may be of the essence, a request from the Archbishop of Canterbury; or
 - (b) if it is unclear in the opinion of the Covenant Commission whether the matter involves a threat to the unity or mission of the Communion and/or is otherwise incompatible with the Covenant, if time is not of the essence, and if the case would benefit from rigorous theological study, to undertake the said theological study.

[Note: It was felt that by minimising the possible options, any potential disagreement could be resolved as swiftly as possible. Presently there are too many levels of reference and determination so that the whole process can be cumbersome and time-consuming. For this reason, the provision for mediation have been excluded in this proposed revised Framework.]

- 3.5. In the case of Section 3.4(a), the Archbishop of Canterbury, shall within one month of its receipt of the opinion of the Covenant Commission, issue a request to any Church involved.

4. Evaluation by the Covenant Commission

- 4.1 When the Archbishop of Canterbury refers the matter to the Covenant Commission and the Covenant Commission decides that the case would benefit from rigorous theological study, the Covenant Commission shall engage in study of the issues involved in the matter, bringing in expertise as needed, and shall evaluate the compatibility with the Covenant of the act or proposed act of any Church involved. **[Note: As with paragraph 3.4(a) and (b), we believe that compatibility with the Covenant should be the determining factor, and not whether an act or proposed act is acceptable, which renders the determination to be subjective.]**
- 4.2 Within six months of the referral, the Covenant Commission shall submit its evaluation to the Archbishop of Canterbury. Having considered the evaluation, the Archbishop of Canterbury shall then consider whether or not to issue a request to any Church involved. Should he consider it unnecessary to issue a request to any Church involved, the matter shall be considered closed subject to Articles 3.2.1, 3.2.4 and 3.2.5b of the Covenant unless any Church involved appeals against the decision of the Archbishop of Canterbury not to issue a request to any Church involved within six months from the date of such decision.
- 4.3 When the Archbishop of Canterbury makes a request to a Church, that Church must within six months of receiving it (a) accept the request or (b) reject the request. The absence of a response will be considered as a rejection.
- 4.4. If a Church accepts the request, the Archbishop of Canterbury to whom the evaluation is submitted shall certify as soon as is convenient that the matter is closed subject to Articles 3.2.1, 3.2.4 and 3.2.5b of the Covenant.
- 4.5 If a Church rejects the request, that Church may within the same period of six months referred to in Paragraph 4.3 appeal against it to the Primates' Meeting. **[Note: It was felt that the reason for appeal given in the old text is limited and would be inconsistent with the reasons for any rejection of the appeal provided in the old Paragraph 8.2. For this reason, the reasons for any appeal should be left open.]**
- 4.6 If a Church explicitly rejects the request or is deemed to have rejected the request by virtue of its non-response, the Archbishop of Canterbury shall send the request and rejection of the request; or in the event of a Church appealing under Paragraphs 4.2 or 4.5, the Archbishop of Canterbury shall give information of the events leading to the appeal; within three months to the Primates' Meeting which shall process the matter in accordance with Paragraph 5.

5. Appeal against or Rejection of a Request from the Archbishop of Canterbury

- 5.1 Within three months of the receipt of the request and rejection of the request under Paragraph 4.6 or an appeal by any Church involved, the Primates' Meeting shall decide whether:
- 5.1.1 in the case where the Archbishop of Canterbury had decided not to issue any request to any Church, whether the Archbishop of Canterbury was correct in so doing; or
 - 5.1.2 in the case of a request and a rejection of the request, whether the rejection of the request involves a threat to the unity and mission of the Communion and/or is otherwise incompatible with the Covenant.
- 5.2. If the Primates' Meeting decides that the decision by the Archbishop of Canterbury not to issue any request to any Church was correct, or that the rejection of the request does not involve a threat to the unity and mission of the Communion and/or is not incompatible with the Covenant, the matter is closed subject to Articles 3.2.1, 3.2.4 and 3.2.5b of the Covenant.
- 5.3 If, pursuant to Paragraph 5.1.1, the Primates' Meeting decides that the decision by the Archbishop of Canterbury not to issue any request to any Church was incorrect, it shall advise the Archbishop of Canterbury to issue a request at his earliest possible opportunity but not exceeding a period of three months. Any response or non-response to such a request shall be dealt with in accordance with Paragraph 4.3.
- 5.4 If, pursuant to paragraph 5.1.2, the Primates' Meeting decides that the rejection of the request involves a threat to the unity and mission of the Communion and/or is incompatible with the Covenant, then during the course of that meeting of the Primates' Meeting either (a) the Church involved may declare voluntarily that it relinquishes the force and meaning of the purposes of the Covenant, or (b) the Primates' Meeting shall determine that the Church involved may be understood to have relinquished the force and meaning of the purposes of the Covenant.
- 5.5 If a declaration or determination of relinquishment is issued, the Anglican Consultative Council shall give effect to the relinquishment.
- 5.6 The Primates' Meeting shall thereafter as soon as is reasonably practicable initiate a process of restoration with the Church involved in consultation with all the Churches of the Communion and the other Instruments of Communion.

Submitted by:
Most Rev Dr John Chew
Primate of South East Asia
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