

EXPLANATORY NOTES

Church of Scotland (Lord High Commissioner) Act 2025

Chapter 9

£6.40

CHURCH OF SCOTLAND (LORD HIGH COMMISSIONER) ACT 2025
EXPLANATORY NOTES

What these notes do

These Explanatory Notes relate to the Church of Scotland (Lord High Commissioner) Act 2025 which received Royal Assent on 3 April 2025 (c. 9).

- These Explanatory Notes have been prepared by the Cabinet Office in order to assist the understanding of the Act. They do not form part of the Act and have not been endorsed by Parliament.

- These Explanatory Notes explain what each part of the Act will mean in practice; provide background information on the development of policy; and provide additional information on how the Act will affect existing legislation in this area.

- These Explanatory Notes might best be read alongside the Act. They are not, and are not intended to be, a comprehensive description of the Act.

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Overview of the Act

1 The purpose of this Act is to make provision to allow a person of the Roman Catholic faith to be appointed Lord High Commissioner to the General Assembly of the Church of Scotland.

Policy and legal background

2 The Sovereign is represented at the General Assembly of the Church of Scotland by the Lord High Commissioner, who attends the proceedings as an observer. The Lord High Commissioner's role reflects the relationship between the State and the Church, and a long-standing tradition of appointing a Lord High Commissioner originated in the latter part of the 16th Century.

3 However, historic legislation prevented the appointment of Roman Catholics to the role. The Claim of Right 1689 sets out restrictions against Roman Catholics being appointed to public offices in Scotland, including the Lord High Commissioner. Whilst the Roman Catholic Relief Act 1829 removed most aspects of religious discrimination towards Roman Catholics, it explicitly did not remove the restrictions against Catholics holding the office of the Lord High Commissioner.

4 This meant that there was an existing legislative restriction against someone of the Roman Catholic faith being appointed to this office. The restriction only applied to those professing the Roman Catholic faith and did not apply to those who were of different or of no faith or religion.

Territorial extent and application

5 The Act extends to England and Wales, Scotland and Northern Ireland.

Commentary on provisions of the Act

Section 1:

6 Section 1 makes provision to allow a person of the Roman Catholic faith to hold the office of the Lord High Commissioner to the General Assembly of the Church of Scotland.

Section 2: Extent, commencement and short title

7 Section 2 sets out the territorial extent of the Act, as per the 'Territorial Extent and Application' section above; and the commencement of the Act, as per the 'Commencement' section below.

Commencement

8 The Act commenced on Royal Assent.

Annex A - Hansard References

9 The following table sets out the dates and Hansard references for each stage of the Act's passage through Parliament.

Stage	Date	Hansard Reference
House of Commons		
Introduction	13 February 2025	Vol. 762, Col. 446
Second Reading	4 March 2025	Vol. 763 Col. 231
Committee of the Whole House	4 March 2025	Vol. 763 Col. 244
Third Reading	4 March 2025	Vol. 763, Col. 245
House of Lords		
Introduction	5 March 2025	Vol. 844, Col. 253
Second Reading	19 March 2025	Vol. 844 Col. 1247
Order of Commitment discharged	19 March 2025	Vol. 844 Col. 1453
Third Reading	24 March 2025	Vol. 844 Col. 1454
Commons Consideration of Lords Amendments	N/A	N/A
Royal Assent	3 April 2025	House of Commons: Vol. 765 Col. 443. House of Lords: Vol. 845

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