YR EGLWYS YNG NGHYMRU THE CHURCH IN WALES

THE CONSTITUTION OF THE CHURCH IN WALES VOLUME I

CHAPTER I
GENERAL AND DEFINITIONS AND INTERPRETATION

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Chapter I

GENERAL AND DEFINITIONS AND INTERPRETATION

Part I: General

1.

(1) The Constitution of the Church in Wales, which is written in the English and Welsh languages, is set out in this and the following Chapters; and

(a) any further Chapter or amendment made in any Chapter by the Governing Body;

(b) all canons of the Church in Wales; and

(c) all rules and regulations made from time to time by or under the authority or with the consent of the Governing Body and certified as such by the Governing Body.

(2) The English and Welsh versions of the Constitution shall have equal validity.

(3) For the purpose of interpretation and for the resolution of any ambiguity, the English version shall be the definitive text.

2.

The Constitution shall be binding on all Members of the Church in Wales, as defined in Part II of this Chapter.

3.

The Constitution (except canons amending either the Book of Common Prayer or any chapter of the Constitution) shall be published on the Church in Wales website under the direction of the Standing Committee.

4.

A copy of any part of the Constitution which purports to be certified by the Secretaries of the Governing Body to be a true copy of that part of the Constitution shall be prima facie evidence of such part of the Constitution and as such be received in evidence in all courts and the Tribunal of the Church in Wales.

5.

The ecclesiastical law as existing in England on 30th March 1920, with the exception of:

(a) The Clergy Ordination Act, 1804;

(b) The Church Discipline Act, 1840;

(c) The Ecclesiastical Commissioners Act, 1840;

(d) The Clerical Subscription Act, 1865;

(e) The Clerical Disabilities Act, 1870;

(f) The Colonial Clergy Act, 1874;

(g) The Public Worship Regulation Act, 1874;

(h) The Sales of Glebe Lands Act, 1888;

(i) The Clergy Discipline Act, 1892;

(j) The Benefices Act, 1898;

(k) The Pluralities Acts;

(l) The Incumbents' Resignation Acts;

shall be binding on the Members (including any body of Members) of the Church in Wales, and shall be applied to the determination of any question or dispute between them as such Members, in so far as it does not conflict with anything contained in the Constitution or in any special contract as to glebe between the Representative Body and an Incumbent, provided that the Courts of the Church in Wales shall not be bound by any decision of the English Courts in relation to matters of faith, discipline or ceremonial.

6.

(1) Unless otherwise directed in the Constitution, any citation or notice directed to be sent or given may be sent or given through the post. Proof of posting shall be prima facie evidence that such citation or notice has been duly sent or given.

(2) Whenever in the Constitution a document is required to be sent by recorded delivery post or as a recorded delivery letter, it shall suffice if such document or letter be handed personally to the addressee and a receipt therefore obtained from him or her.

Part II: Definitions and Interpretation

7.

In this Constitution including the Regulations, except where otherwise expressly provided, the following words and phrases shall have the following meanings:

“Archbishop”	means the Archbishop of Wales for the time being.
“Archdeacon”	means an Archdeacon of an Archdeaconry of the Church in Wales and, in relation to a Parish, the Archdeacon of the archdeaconry in which the Parish is situate.
“Assistant Bishop”	means a bishop appointed to assist the Archbishop or a Diocesan Bishop pursuant to Chapter V section 15.
“Bench of Bishops”	means the Archbishop and the other Diocesan Bishops.
“Benefice”	means a Parish or Grouped Parishes to which a cleric may be instituted as an Incumbent.
“Bishop” and “Diocesan Bishop”	means a Diocesan Bishop of the Church in Wales.
“Chancellor”	means (except in the case of a Cathedral Scheme) the Chancellor of a diocese appointed by the Bishop in accordance with Chapter IX section 24.
“Cleric”	means a clerk in Holy Orders.
“Communicant”	means a person who has lawfully Received Holy Communion in the Church in Wales or some Church in communion with it and is entitled to receive Holy Communion in the Church in Wales.
“Confirmed Communicant”	means a Communicant who has received the sacramental rite of confirmation.
“Congregational Meeting”	means a meeting held pursuant to Regulation 6 of Part II of the Governing Body Regulations relating to Parochial Administration.
“Constitution”	means the Constitution of the Church in Wales as defined in section 1.
“Deanery”	means an area of an Archdeaconry which is under the general oversight of an Area Dean.
“Diocesan Board of Finance”	means a Diocesan Board of Finance appointed by a Diocesan Conference pursuant to Chapter IV A section 24.
“Diocesan Conference”	means the Diocesan Conference of a diocese constituted as provided in Chapter IV A.
“Diocesan Nomination Board”	means the Nomination Board constituted in accordance with Regulation 1 of the Governing Body Regulations relating to Appointments and Nominations.
“Diocesan Registrar”	means the Registrar of a diocese appointed by the Diocesan Bishop in accordance with Chapter IX section 27.

“Governing Body”	means the Governing Body of the Church in Wales constituted as provided in Chapter II.
“Grouped Parishes”	means two or more Parishes which continue as separate entities under one incumbent pursuant to Chapter IV D.
“Incumbent”	means a cleric instituted or collated to the cure of souls of a Benefice.
“Meeting”	(unless qualified by the term “physical meeting”) means any of the following: (a) a physical meeting; (b) a video conference, an internet video facility or similar electronic method allowing simultaneous visual and audio participation; (c) a telephone conferencing or similar electronic method allowing simultaneous audio participation; (d) a combination of the above provided that each attendee is able to speak to and be heard by each of the other attendees.
“Member of the Church in Wales”	means: (a) any office holder in the Church in Wales; (b) any Cleric in receipt of a pension from the Representative Body; (c) any person whose name is entered on the electoral roll of a Parish; and (d) any member of the Governing Body and the Representative Body and any committees of them.
“Ministry Area/Mission Area”	Area means a parish or group of parishes formed for the effective proclamation of the Gospel in a particular area with a common administration as defined by any Diocesan Decree.
“Online Meeting”	means a meeting other than a physical meeting and the place of an online meeting shall be deemed to be the physical location where the largest number of members are present or (if fewer than 5 members are present in the same physical location): (a) the registered office of the Representative Body in the case of any online meeting governed by Chapter II or Chapter III; (b) the registered office of the relevant Diocesan Board of Finance in the case of any online meeting governed by Chapter IV A, Chapter IV B or Chapter VI; and (c) the address of the chair of the meeting in the case of any other meeting governed by this Constitution.

“Parish”	means any of the following ecclesiastical areas in Wales: (a) any parish, whether ancient or new; (b) a rectorial benefice; (c) each parish in a group of parishes; (d) a united parish; (e) a parish into which another parish (or part or parts of a parish or former parish) has been merged.
“Parochial Church Council”	means the body constituted as provided in Chapter IV C.
“Physical Meeting”	means a meeting where all attendees are in the same physical location.
“Provincial Nomination Board”	means the Nomination Board constituted in accordance with Regulation 8 of the Governing Body Regulations relating to Appointments and Nominations.
“Provincial Safeguarding Panel”	means the panel appointed by the Standing Committee to review and advise upon casework relating to the safeguarding of children and adults at risk within the Church in Wales
“Qualified Elector”	means a person whose name is entered on the electoral roll of a Parish in Wales.
“Rectorial Benefice”	means a Benefice established in accordance with Chapter IV D sections 3(j) and 4(3).
“Representative Body”	means the body incorporated by Royal Charter on the 24th day of April 1919 (as amended) and referred to in the Welsh Church Act 1914 and Chapter III.
“Standing Committee”	means the Standing Committee of the Governing Body.
“Tribunal”	means the Disciplinary Tribunal of the Church in Wales established in accordance with Chapter IX Part III.
“Wales”	means the Province of the Church in Wales

8.

Any references in the Constitution:

(a) to a Chapter number, means that Chapter of the Constitution;

(b) within a Chapter to a numbered section or subsection or to a Part means that numbered section or subsection or Part of that Chapter; and

(c) to a Regulation or paragraph number, means that numbered Regulation or paragraph of the Regulation concerned.

9.

For the purposes of the Marriage Act 1949 (and any subsequent or replacement legislation for the purposes of the solemnisation of marriages) a Clerk in Holy Orders of the Church in Wales means a person in deacons', priests' or bishops' orders holding:

(a) an ecclesiastical office in the Church in Wales; or

(b) an ecclesiastical licence granted by a Bishop; or

(c) permission to officiate granted by a Bishop.