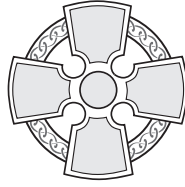


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**C H A P T E R I I  
T H E G O V E R N I N G B O D Y**

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April 2023  
(Ref 2292)

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## **Chapter II**

### **THE GOVERNING BODY**

#### **Part I: Composition**

1.

The Governing Body shall consist of three Orders, namely: the Bishops, the Clergy, and the Laity.

2.

The Order of the Bishops shall consist of the Archbishop and the other Diocesan Bishops of the Church in Wales. They shall have the right to meet for private debate and decision before voting as an Order.

3.

The Order of the Clergy shall consist of:

- (a) every Assistant Bishop appointed in a full time stipendiary capacity who shall retire with the Order of the Bishops for private debate but shall vote with the Order of the Clergy;
- (b) the Deans of three of the Cathedrals of the Church in Wales elected as provided in Part I of the Regulations relating to the Governing Body;
- (c) one Archdeacon from each Diocese nominated by the Diocesan Bishop after consultation with all the Archdeacons in the Diocese;
- (d) such of the ex-officio members, whose offices are set out in Part I of the Regulations relating to the Governing Body, as shall be clerics;
- (e) six elected clerical members for each Diocese, elected by the clerical members of the Diocesan Conference, as provided in Part I of the Regulations relating to the Governing Body; and
- (f) the clerics co-opted by the Governing Body and appointed by the Standing Committee as provided in Part I of the Regulations relating to the Governing Body.

The Order of the Laity shall consist of:

- (a) the ex-officio lay members, whose offices are set out in Part I of the Regulations relating to the Governing Body;
- (b) twelve elected lay members for each Diocese, elected by the lay members of the Diocesan Conference, as provided in Part I of the Regulations relating to the Governing Body; and
- (c) lay members co-opted by the Governing Body and appointed by the Standing Committee as provided in Part I of the Regulations relating to the Governing Body.

## **Part II: Eligibility for Membership**

### 5.

(1) Subject to subsections (2), (3) and (4), every Cleric who holds a dignity, cathedral preferment, benefice or office within the Church in Wales, or a licence from a Diocesan Bishop, shall be eligible to be a member of the Governing Body.

(2) No Cleric in the full-time salaried employment of the Representative Body, a Diocesan Board of Finance or any other such provincial or diocesan body within the Church in Wales shall be eligible to be a member of the Governing Body or its Standing Committee.

(3) No Cleric who is disqualified from acting as a trustee or senior manager of a charity under the laws of Wales shall be eligible to be a member of the Governing Body or any committee or sub-committee thereof.

(4) No Cleric who has retired or who has reached his or her seventieth birthday shall be eligible to be a member of the Governing Body.

(5) No Cleric who is arrested on suspicion of a criminal offence for which the Cleric would be liable for automatic disqualification as a trustee or senior manager of a charity under the laws of Wales as a result of a conviction for that offence (or who is charged with such an offence without being arrested) shall attend any meeting or vote in any proceedings of the Governing Body or any committee or sub-committee thereof until the conclusion of those criminal proceedings.

(6) If a Secretary of the Governing Body becomes aware that a purported member of the Order of Clergy of the Governing Body is ineligible for membership under this section or the Regulations relating to the Governing Body he or she shall give notice to the Bishop of the relevant Diocese that a casual vacancy exists.

(7) The purported exercise of a vote by any Cleric who is ineligible to vote or suspended from voting under the provisions of subsections (2)-(5) shall not invalidate any proceedings in which such vote may be given

6.

(1) Subject to subsections (2), (3), (4) and (5), every lay Confirmed Communicant who is over eighteen years of age and who either resides or has resided at any time for a period of twelve months in a parish which is in Wales or whose name appears in the electoral roll of any parish in Wales and who does not belong to any religious body which is not in communion with the Church in Wales, shall be eligible to be a member of the Governing Body.

(2) No salaried employee of the Representative Body, a Diocesan Board of Finance or any other such provincial or diocesan body within the Church in Wales shall be eligible to be a member of the Governing Body or its Standing Committee.

(3) No lay Communicant who is disqualified from acting as a trustee or senior manager of a charity under the laws of Wales shall be eligible to be a member of the Governing Body or any committee or sub-committee thereof.

(4) No lay Communicant who has reached his or her seventy fifth birthday shall be eligible to be a member of the Governing Body.

(5) A lay Communicant may be elected a member of the Governing Body only for the diocese in which he or she either resides, holds diocesan office or has his or her name on the electoral roll of a parish in such diocese.

(6) No lay Communicant who is arrested on suspicion of a criminal offence for which the lay Communicant would be liable for automatic disqualification as a trustee or senior manager of a charity under the laws of Wales as a result of a conviction for that offence (or who is charged with such an offence without being arrested) shall attend any meeting or vote in any proceedings of the Governing Body or any committee or sub- committee thereof until the conclusion of those criminal proceedings.

(7) If a Secretary of the Governing Body becomes aware that a purported member of the Order of Laity of the Governing Body is ineligible for membership under this section or the Regulations relating to the Governing Body he or she shall give notice to the Bishop of the relevant Diocese that a casual vacancy exists.

(8) The purported exercise of a vote by any lay Communicant who is ineligible to vote or suspended from voting under the provisions of subsections (2)-(6) shall not invalidate any proceedings in which such vote may be given

7.

Every member of the Order of the Laity, before taking his or her seat, shall sign a declaration in the following form in a register to be kept for the purpose by the Secretaries of the Governing Body:

*I, J... S... of..., do hereby solemnly declare that I am a Communicant over eighteen years of age and qualified to be a member of the Governing Body of the Church in Wales, and that I do not belong to any religious body which is not in communion with the Church in Wales.*

8.

Every retiring member shall be eligible for membership if otherwise duly qualified.

### **Part III: Meetings**

9.

The Archbishop shall be the President of the Governing Body and is hereinafter referred to as the President. If at any time there be no Archbishop, or in case of the Archbishop's incapacity or absence from the British Isles, or refusal to act, the senior Diocesan Bishop, willing to act and capable of acting and not then absent from the British Isles, shall become and be the President of the Governing Body.

10.

No meeting shall be invalidated by any accidental omission to observe any of the Regulations relating to the summoning or holding of such meetings, nor shall the absence or neglect of any of the Secretaries of the Governing Body invalidate any act of the other Secretary or Secretaries or of any meeting herein authorised; and at such meeting in the absence of all the Secretaries of the Governing Body, such meeting shall appoint a deputy secretary for that meeting, who shall render a full and faithful report to the Secretaries.

### **Part IV: Powers**

#### *The Constitution*

11.

- (1) Subject to subsections (2) and (3), the Governing Body shall have power:
  - (a) to add to, alter, amend, or abrogate any of the provisions of the Constitution;
  - (b) to make new articles, doctrinal statements, rites, ceremonies and formularies and to alter those from time to time existing; and
  - (c) to make provision for matters of faith and discipline and to alter those from time to time existing.
- (2) No such action as is described in subsections (1)(b) and (c) shall be taken except by the procedure relating to bills set out in Part V, backed and introduced in the Governing Body by a majority of the Order of the Bishops.
- (3) Subject to subsection (2), subsections (1)(b) and (c), (2) and (3) and the provisions of section 33 shall only be added to, altered, amended or abrogated by the procedure relating to bills set out in Part V.

*General powers*

12.

The Governing Body shall have power to make general regulations for the election of the Body, and for the qualification of the electors, and constitutions and regulations for the general management and good government of the Church, and the property and affairs thereof, whether as a whole or according to dioceses, including regulations as to how and by whom appointments to diocesan bishoprics and to Benefices shall be made, and the manner and method in which such constitutions and regulations shall be created and carried out.

13.

(1) Subject to the provisions of the Welsh Church Act 1914 the Governing Body shall have power to remove any member of the Governing Body or of the Representative Body for sufficient reason.

(2) The Governing Body shall be the final judge of what constitutes a sufficient reason within the meaning of this section.

*Matters relating to the Governing Body*

14.

(1) Subject to the provisions of the Welsh Church Act 1914 and the Constitution, the Governing Body shall have power to make regulations in respect of the Governing Body for:

- (a) its composition;
- (b) the qualification of its electors;
- (c) its elections;
- (d) the duration of membership of the Governing Body;
- (e) the removal of members;
- (f) the business and proceedings of the Governing Body including the procedure for making general regulations under this section;
- (g) the composition, powers and procedures of any committee of the Governing Body;
- (h) its management and government;
- (i) its property and affairs; and
- (j) any payment of expenses incurred by members in attendance at meetings of the Governing Body and its committees.

(2) The Governing Body shall have such other supplementary and consequential powers as appear to it necessary or expedient for the purposes of carrying out its functions.



15.

The Governing Body shall have power to provide such houses, offices, and other buildings or accommodation as shall be necessary for the purposes:

- (a) of its meetings;
- (b) of providing a residence for its officers and servants; and
- (c) of providing a muniment room or other safe place of custody for its books and documents, and to pay rent, insurance, and all other expenses caused by its providing such houses or offices.

16.

(1) The Governing Body shall have power to appoint and pay Secretaries and to incur any expenses reasonably necessary and incidental to any of the above purposes.

(2) Any Clerical Secretary of the Governing Body shall be a Cleric in the Church in Wales, and any Lay Secretary of the Governing Body shall be a Communicant of the Church in Wales or of any Church in communion with it.

17.

The Governing Body shall have power to make such standing orders for the regulation of its procedure as it shall think fit, provided that the same are not inconsistent with anything herein enacted, and may from time to time rescind, suspend or vary the same.

18.

(1) The Governing Body shall appoint a Standing Committee of its members and shall have power to appoint such other committees or sub-committees of its members or of its members and others as it considers necessary.

(2) Membership of committees and sub-committees (with the exception of the Standing Committee) may include persons who are salaried employees of the Representative Body or a Diocesan Board of Finance provided that such persons do not comprise more than 25% of the total membership of that committee or sub-committee and the appointment of each such employee shall be specifically approved in each instance by the Standing Committee.

19.

The Governing Body shall have power at any time to change its name and title.

*Matters relating to the Representative Body*

20.

The Governing Body shall have power to make alterations in the number of members of the Representative Body and to make regulations in respect of the Representative Body for:

- (a) the numbers of its members;
- (b) their qualification, election, removal or retirement;
- (c) its powers and duties; and
- (d) its procedures;

provided that such regulations do not conflict with the statutory authority, powers and duties of the Representative Body.

*Matters relating to Diocesan Conferences*

21.

The Governing Body shall have the power:

- (a) to review any act of a Diocesan Conference;
- (b) to control, alter, repeal or supersede any regulation made by a Diocesan Conference so far as may be necessary (of which the Governing Body shall be the final judge) to provide against the admission of any principle inexpedient for the common interest of the Church in Wales. The procedure by bill shall not apply to this subsection;
- (c) upon a petition signed by not less than one-third of the members of a Diocesan Conference to alter, repeal, or add to any of the rules and regulations relating to a Diocesan Conference; and
- (d) to issue any order or direction to a Diocesan Conference.

22.

(1) The Governing Body may refer any question to a Diocesan Conference, or the Diocesan Conferences, for their discussion and report.

(2) A Diocesan Conference may, by resolution, request that a motion be put before the Governing Body, which shall be proposed and seconded by two Governing Body members from that Diocese.

23.

The Governing Body may make Regulations to make provision for Diocesan Conferences for:

- (a) the clerical membership;
- (b) the convening of meetings; and
- (c) the business and proceedings.

*Miscellaneous Powers*

24.

Subject to the provisions of the Welsh Church Act 1914 and of the Constitution, the Governing Body shall have power to make Regulations for the following purposes:

- (a) the appointment to an office in the Church in Wales for which no specific provision is made in or under the Constitution;
- (b) to make provisions in respect of Deanery Conferences;
- (c) to make provisions for Parochial Administration in respect of Annual and other Vestry Meetings for:
  - (i) membership;
  - (ii) the duration of membership;
  - (iii) the removal of members;
  - (iv) business and procedure;
  - (v) meetings; and
  - (vi) powers;
- (d) to make provisions for Parochial Administration in respect of the Electoral Roll for:
  - (i) preparation, maintenance and management of the Roll; and
  - (ii) publication and inspection;
- (e) to make provision for Parochial Administration in respect of Parochial Church Councils and Churchwardens for matters relating to the Parochial Church Councils, churchwardens, sub-wardens and sidespersons;
- (f) to make provision for general parochial matters relating to the administration of a Parish and Grouped Parishes;
- (g) to make provisions relating to appointments and nominations for the right to collate or nominate for institution to vacant cures;
- (h) to make provisions relating to the election of the Diocesan Bishop for:
  - (i) the appointment of Episcopal Electors;
  - (ii) the Bishops' Electoral College; and
  - (iii) the appointment of Bishops;
- (i) to make provisions relating to the election of the Archbishop of Wales for:

- (i) the Archbishop's Electoral College;
- (ii) the appointment of the Archbishop; and
- (j) provisions relating to Parsonages.

25.

The Governing Body shall have power to make an order to transfer any part of a diocese to, and unite it with, any other diocese, now existing or hereafter to be created, provided that such an order shall not be valid unless and until it is assented to by the Conference or Conferences of the diocese or dioceses thereby affected, and shall not be carried out during the episcopate of the Bishop or Bishops of such diocese or dioceses at the time the order was made, without his or their consent.

26.

(1) The Governing Body shall have power to divide a diocese provided that no such division shall be made without the consent of the Diocesan Conference of that diocese and the consent of the Bishop of that diocese.

(2) In the event of the division of a diocese during his episcopate, the Bishop shall be entitled to choose of which of the sees he shall be Bishop.

## **Part V: Bill Procedure**

### *Introduction of a Bill*

27.

(1) Except in the cases provided for in section 11(2), a bill may be introduced by any two or more members of the Governing Body or by a Diocesan Conference.

(2) Those desirous of introducing a bill ("the Backers") may obtain the advice and assistance of the Drafting Sub-committee of the Standing Committee in preparing the bill prior to forwarding it to the Standing Committee in accordance with subsection (3).

(3) A copy of the proposed bill, in English and Welsh, with the names of the Backers, shall be forwarded to the Secretaries of the Governing Body not later than two weeks before the meeting of the Standing Committee at which the Backers intend the proposed bill to be considered.

(4) The Standing Committee shall consider at its next meeting every proposed bill forwarded to it in accordance with subsection (3).

(5) The Standing Committee if it is satisfied that the proposed bill is in order shall so inform the Backers and forthwith publish the bill by circulating a printed copy of it, in English and Welsh, with the names of the Backers printed on it, to all members of the Governing Body, together with a memorandum explaining the reason for the bill.

(6) If the Standing Committee is not satisfied that the proposed bill is in order it shall so inform the Backers, and may, with their consent or the consent of a majority of them, refer the proposed bill to the Drafting Sub-Committee for further advice and assistance.

*Publication and consideration of a bill*

28.

(1) Upon the publication of a bill, a Select Committee of members of the Governing Body shall be appointed by the Standing Committee for the purpose of considering and collating any amendments which members of the Governing Body may wish to move to the bill.

(2) The Standing Committee may, upon publication of a bill, decide to consult the dioceses regarding it in whatever manner it deems appropriate.

(3) Any member of the Governing Body may move an amendment to the bill, provided that written notice of every such amendment shall be given by the member to the Secretaries of the Governing Body within the six weeks immediately following the publication of the bill (or such longer period as may be prescribed by the Standing Committee).

(4) The Select Committee may itself propose amendments to the bill.

(5) The Select Committee shall submit a report to the Standing Committee within four months of the publication of the bill, provided that the Standing Committee may extend the time within which the Select Committee is to report if it decides to consult the dioceses in accordance with subsection (2) or extend the period for moving amendments in accordance with subsection (3).

(6) In its report, the Select Committee shall make a recommendation on each amendment proposed, and shall also recommend to the Standing Committee whether or not the bill should be deemed non-controversial. The report shall indicate any significant difference of opinion within the Select Committee regarding its recommendations.

29.

(1) Upon receiving the report of the Select Committee, the Standing Committee shall forthwith cause the report to be published to all members of the Governing Body and the bill shall be set down for consideration in committee at the next meeting of the Governing Body.

(2) Where the Standing Committee has accepted a recommendation of the Select Committee that a bill should be deemed non-controversial, it shall forthwith so report to the members of the Governing Body before the commencement of the meeting at which the committee stage of the bill is to be taken.

(3) In the case of a bill which has been deemed non-controversial by the Select Committee and the Standing Committee, the bill shall nevertheless proceed to the committee stage if one Diocesan Bishop or any ten members of the Governing Body so request by rising in their places. If no such request is made, the motion that the bill be passed shall be voted on forthwith in accordance with section 32, without any further consideration or debate.

30.

- (1) For the purpose of procedure under the committee stage of the bill, a member shall be appointed by the Governing Body to act as Chair of the Committee.
- (2) At the committee stage only those amendments received by the Select Committee shall be moved, provided nevertheless that:
  - (a) amendments proposed by the Select Committee;
  - (b) amendments arising out of other amendments made during the same session; and
  - (c) such other amendments as may be allowed with special leave of the Chair of the Committee;
  - (d) may be moved at the committee stage of the bill.
- (3) After such consideration in committee, the bill shall be reported to the Governing Body and the motion that the bill be passed set down for immediate debate, provided that, if the Chair of the Governing Body so decides, the bill shall be set down for debate either on the next day or at the next meeting of the Governing Body.
- (4) Where the motion that the bill be passed is not set down for immediate debate, it shall be permissible to refer the bill for further consideration by the Select Committee and for further consideration in committee at the Governing Body, provided that only amendments within the terms of subsections (2)(a), (b) and (c) may thereafter be moved.
- (5) A bill the committee stage of which is not completed within three years of its publication shall be deemed to have lapsed.

31.

On the motion that the bill be passed no amendment shall be allowed, and the votes of each order shall be taken thereon separately, provided always that the Order of the Bishops shall not vote until after the declaration of the votes of the other two Orders. Upon such declaration of votes the Order of the Bishops may, if they think fit, retire for private debate, and announce the result of their voting at such later time during that meeting of the Governing Body as they shall think fit.

32.

- (1) If the bill is passed by a two-thirds majority of the members present and voting of each of the three Orders, the President shall promulgate it as a canon of the Church in Wales, and it shall thenceforth be a law of the Church in Wales and binding on all its Members.
- (2) If a bill be rejected by two out of the three Orders, it shall not be introduced again for a period of three years.

## Part VI: Motions

### *Provisions relating to motions (other than those relating to bills)*

#### 33.

(1) All motions before the Governing Body (except such as require to be introduced and enacted by bill procedure to become effective) must be passed by a majority of its members, present and voting.

(2) Such majority may be ascertained by a show of hands of such members, but a division may be required before or after the show of hands by one Diocesan Bishop or any ten members rising in their places, and in that case the motion shall not be deemed to be passed unless it receives the assent of a majority of each of the Orders of the Bishops, the Clergy and the Laity.

(3) If such motion obtains a majority of two of the three Orders, it may be introduced and moved at the next ordinary meeting of the Governing Body, and if it then obtains the assent of all the members of the Order of the Bishops present and voting, and of a two-thirds majority of either the Order of the Clergy or the Order of the Laity present and voting, it shall be deemed to be duly passed by the Governing Body.

#### 34.

(1) When a motion which will necessitate amendment of the Constitution is passed by the Governing Body, such motion, in the absence of other direction, shall be deemed to include an instruction to the Drafting Sub-Committee of the Standing Committee to prepare the appropriate amendment or amendments to the Constitution.

(2) When a motion passed by the Governing Body is stated to be made in pursuance of this subsection, the terms of the motion, without awaiting any amendment of the Constitution which otherwise would be necessary, shall take effect forthwith, but at most only until the next ordinary meeting of the Governing Body.

(3) When a motion which necessitates amendment of the Constitution is passed by the Governing Body and is stated to be made in pursuance of this subsection, such motion shall be deemed to include an instruction to the Standing Committee to give effect to the appropriate amendment or amendments to the Constitution once they have been prepared by the Drafting Sub-Committee unless that Sub-Committee recommends or the Standing Committee determines otherwise.

## Part VII: Procedure for the making and bringing into force of Regulations

35.

- (1) Subject to the provisions of this section, the Standing Committee of the Governing Body is authorized to make and bring into operation all regulations which the Governing Body has the power to make under the Constitution and this Chapter.
- (2) The powers of the Standing Committee to make regulations include powers to alter, amend, add to, or make new provision in the place of, existing Regulations.
- (3) The Representative Body, or any two or more members of the Governing Body, (hereinafter referred to as “the proposer”) may propose draft Regulations to the Standing Committee.
- (4) The proposer shall sign and deliver the draft regulations to the Secretary of the Standing Committee together with an explanatory note setting out the reasons for the proposal not less than four weeks before the meeting of the Standing Committee at which the proposer intends the draft regulations to be considered.
- (5) The proposer may obtain the advice and assistance of the Drafting Sub- Committee in preparing the draft regulations prior to their delivery in accordance with subsection (4).
- (6) If the draft regulations are delivered in accordance with subsection (4), the Standing Committee at its meeting shall consider the draft Regulations and if the principle of the draft is accepted, with or without amendments, shall instruct the Drafting Sub-Committee to prepare the regulations.
- (7) The Drafting Sub-Committee shall submit the regulations to the Standing Committee who may:
  - (a) remit them to the Drafting Sub-Committee for further drafting;
  - (b) decide to recommend to the Governing Body at its next meeting that the regulations be made; or
  - (c) make the regulations, in which case the Standing Committee shall decide the date of the coming into operation of all or any of the provisions of the regulations and subsections (8), (9) and (10) shall apply.
- (8) In their next report to the Governing Body the Standing Committee shall include a copy of all regulations made by them under subsection (7)(c) together with an explanatory memorandum of the reasons for and the effect of the regulations. No amendment or annulment shall be moved to such regulations at that stage.
- (9) Not less than three months before the next meeting of the Governing Body following the meeting at which the report of the making of the regulations under subsection (7)(c) by the Standing Committee was given, written notice of a motion to amend or annul such regulations may be signed by at least one Diocesan Bishop or at least ten members of the Governing Body. Such notice shall be delivered to the Secretaries of the Governing Body. Any such motion shall be set down for debate at the next meeting of the Governing Body.



(10)

- (a) If notice is given in accordance with subsection (9), such Regulations, if they are already in force, shall continue in force until the conclusion of the debate on the motion to amend or to annul.
- (b) If, in accordance with section 33, the motion is passed, such regulations shall be amended or annulled as the case may be, and:
  - (i) in the case of annulment the regulations shall be deemed to have no effect from the date of their annulment, but this shall be without prejudice to the validity of anything which has been carried out in accordance with the regulations prior to their annulment;
  - (ii) in the case of amendment, the amendment shall be deemed to have taken effect from the date of such amendment of the regulations and shall be without prejudice to the validity of anything which has been carried out in accordance with the regulations prior to their amendment.

### **Part VIII: General**

#### *Saving of powers of the Archbishop and Diocesan Bishops*

36.

Nothing herein shall affect the rights at present existing in a Diocesan Bishop in respect of institution to any Benefice or ecclesiastical office, or any right of the Archbishop and Bishops assembled in Synod in reference to the confirmation of, or any right of the Archbishop in reference to the consecration of a Bishop-Elect.

37.

Subject to the Constitution, no proceeding of the Governing Body shall interfere with the exercise by the Archbishop of the powers and functions inherent in the Office of Metropolitan, nor with the exercise by the Diocesan Bishops of the powers and functions inherent in the Episcopal Office.