YR EGLWYS YNG NGHYMRU THE CHURCH IN WALES

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CHAPTER VI
REGULATIONS RELATING TO APPOINTMENTS AND NOMINATIONS

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Chapter IV

GOVERNING BODY REGULATIONS RELATING TO APPOINTMENTS AND NOMINATIONS

In exercise of its powers under Chapter II of the Constitution of the Church in Wales, the Governing Body hereby makes the following regulations entitled “Governing Body Regulations relating to Appointments and Nominations” which are set out as follows:

Part I: Boards of Nomination

The Diocesan Nomination Board

1.1 In the case of a vacancy in an incumbency comprising a single Parish, the Diocesan Nomination Board shall consist of:

1.1.1 the Diocesan Bishop;

1.1.2 the Archdeacon of the archdeaconry in which the cure is vacant;

1.1.3 two Clerics, being members of the Diocesan Conference, elected triennially by Clerical members of the Conference;

1.1.4 three lay persons, being members of the Diocesan Conference, elected triennially by the lay members of the Conference; and

1.1.5 two lay persons, representatives of the Parish in which the cure is vacant, elected by the Parochial Church Council of that Parish in accordance with paragraph 1.4.

1.2 In the case of a vacancy in an incumbency comprising two or more Grouped Parishes, the Diocesan Nomination Board shall consist of:

1.2.1 the Diocesan Bishop;

1.2.2 the Archdeacon of the archdeaconry in which the cure is vacant;

1.2.3 one Cleric in respect of each Parish in the group, such Clerics, being members of the Diocesan Conference, elected triennially by the Clerical members of the Conference;

1.2.4 three lay persons, being members of the Diocesan Conference, elected triennially by the lay members of the Conference; and

1.2.5 one lay person, a representative of each Parish in which the cure is vacant, elected by the Parochial Church Council of each such Parish in accordance with Regulation 1.4.

1.3 Every Archdeacon of the diocese shall be summoned to attend the meeting of the Diocesan Nomination Board, to advise and assist the Board, but no Archdeacon, unless he or she be a member of the Board at that meeting, shall be entitled to a vote, except for the purpose of electing the lay representative and supplemental representatives to the Provincial Nomination Board in accordance with Regulation 8.

1.4 The persons or person referred to in Regulations 1.1.5 and 1.2.5 shall be elected by the

Parochial Church Council from among its lay members within 28 days of notification to the Parochial Church Council by the Secretary of the Diocesan Nomination Board of the vacancy to which such regulations relate.

1.5 Within 28 days of notification to the Parochial Church Council by the Secretary of the occurrence of any of the following events namely:

1.5.1 a vacancy in the incumbency to which Regulation 9 applies;

1.5.2 a proposal by the Bishop to proceed to remove the Incumbent pursuant to Chapter VI section 17;

1.5.3 the Bishop or Bishops as the case may be consenting to an exchange of Benefices pursuant to Regulation 18; or

1.5.4 the Bishop deciding to proceed pursuant to Chapter VI section 8 to appoint a Vicar in a Rectorial Benefice;

the Parochial Church Council shall elect two of its lay members to be the representatives of the Parish on the Diocesan Nomination Board.

1.6 If the Parochial Church Council fails to elect representatives pursuant to this Regulation, the event which has given rise to the need for an election may be dealt with in accordance with the relevant provisions of the Constitution without the participation of such parochial representatives.

1.7 The Parochial Church Council representatives shall be elected in accordance with this Regulation for the event which has given rise to the election and not further but shall be eligible for re-election on a subsequent occasion.

2.1 At the first meeting of a newly elected Diocesan Conference, the Clerical members of the Conference shall elect twelve Clerics being members of the Conference, and the lay members shall elect nine lay persons being members of the Conference, and in each case their names shall be placed on a list in the order in which it is desired they shall act on the Diocesan Nomination Board.

2.2 The two or more persons whose names appear at the head of the Clerical list and the three persons whose names appear at the head of the lay list shall be members of the Board for the time being. In the event of the death of any member of the Board his or her place shall be taken by the person next on the Clerical or lay list as the case may be.

2.3 In the event of any member of the Board being unable or unwilling to attend, it shall be his or her duty to notify the same forthwith to the Secretary of the Board, who shall thereupon summon the person next on the list who is able and willing to attend, who shall for that meeting be a member of the Board.

3.1 The Bishop, or his Commissary appointed in writing, shall preside at the Diocesan Nomination Board and have a casting vote. In the event of the absence of the Bishop and his Commissary, the Board shall elect a chairman from among its members, who shall have a casting vote.

3.2 If the Diocesan Nomination Board meets during the vacancy of the See, the senior

Archdeacon shall preside and have a casting vote.

4. The Bishop may from time to time summon a meeting of the Archdeacons, and the Clerical and lay members of the Diocesan Nomination Board elected by the Diocesan Conference to confer with him on the general policy of nomination in the diocese.

5.1 No consideration of a vacancy or prospective vacancy shall be entertained, and no nomination to a vacant cure shall be made, unless fourteen clear days' notice of the time and place of meeting and of the vacancy or vacancies to be filled and of the intention to nominate thereto shall have been given to all members of the Board as constituted in Regulation 1 hereof.

5.2 Subject as aforesaid and to Regulations 5.3 and 5.4, the Board shall meet four times a year, during the first fortnight of January, April, July and October.

5.3 If, one week before the quarterly meeting of the Board, there is no vacancy to be filled, the Secretary, unless the Bishop directs to the contrary, shall give notice to the members that the meeting is cancelled.

5.4 Intermediate meetings may be convened by the Bishop, and shall be convened by him on the request in writing of two members of the Board.

6. The Secretary of the Diocesan Conference shall be the Secretary of the Diocesan Nomination Board and shall attend all meetings thereof.

7. Subject to the power of the Governing Body and of the Diocesan Conference, a Diocesan Nomination Board shall manage its own affairs and procedure by standing orders.

The Provincial Nomination Board

8.1 The Provincial Nomination Board shall consist of:

8.1.1 the Diocesan Bishops;

8.1.2 the Chairman of the Representative Body (if a lay person) or a lay person nominated by him or her, or in the event that the Chairman of the Representative Body is a Cleric, a lay person nominated by him or her; and

8.1.3 the lay person representing the Diocese in which the cure is vacant, who shall be appointed accordance with Regulation 8.3.

8.2 A quorum shall consist of three persons, being:

8.2.1 the Archbishop or in his absence the next senior Diocesan Bishop willing to act other than the Bishop of the diocese in which the vacancy has occurred;

8.2.2 the Bishop of the diocese in which the vacancy has occurred; and

8.2.3 a lay person being the Chairman of the Representative Body or his or her nominee or the diocesan lay representative;

provided that if the vacancy has occurred in the diocese of which the Archbishop is the Diocesan Bishop, the quorum shall include the next senior Diocesan Bishop willing to act.

8.3.1 At its first meeting after each triennial election provided for in Regulation 1, the Diocesan Nomination Board shall elect a lay person to represent the Diocese on the Provincial Nomination Board and shall nominate three other lay persons whose names shall be placed on a supplemental list in the order in which it is desired they shall act.

8.3.2 In the event of the death of the elected lay person his or her place on the Provincial Nomination Board shall be taken by the lay person whose name appears first on the supplemental list.

8.3.3 In the event of the elected lay person when summoned to act being unable or unwilling to attend, it shall be his or her duty to notify the same forthwith to the Secretary of the Provincial Nomination Board who shall thereupon summon the lay person next on the list who is able and willing to attend, who shall for that meeting be a member of the Provincial Nomination Board.

8.4 The Secretary of a Diocesan Nomination Board shall within seven days of receiving notification of a vacancy in a cure to which the Provincial Nomination Board is entitled to nominate, send notice thereof to the Archbishop's Registrar who shall be the Secretary of the Provincial Nomination Board. Such notice shall state:

8.4.1 the reason for the vacancy;

8.4.2 the date of the previous Incumbent's appointment;

8.4.3 the number of curates (if any) and the number of services in Welsh (if any);

8.4.4 the scheduled stipend of the Benefice; and

8.4.5 whether there is a parsonage or a housing allowance (and if so, how much).

8.5 The Archbishop's Registrar shall within three days of the receipt of such notice send a copy to each member of the Provincial Nomination Board.

8.6 The Archbishop shall decide and inform the Registrar of the procedure to be adopted in each case by the Provincial Nomination Board for making the nomination to the vacancy (provided that a majority of the Board shall be needed for a decision), and the Registrar shall give notice thereof to the other members of the Board.

9. Neither the Bishop, nor the Provincial Nomination Board shall exercise any right of collation or nomination respectively until the names of the persons who may be proposed to be collated or nominated have been submitted and full opportunity to make their views known has been afforded to those persons who, if the right of nomination had been vested in the Diocesan Nomination Board, would have been the representatives of the Parish on that Board.

Failure to nominate

10. If the Diocesan Nomination Board does not nominate to a vacancy within six months of the occurring of the vacancy to which the right of nomination applies, the appointment to the cure shall pass to the Bishop.

11. If the Bishop has the right to collate to any cure either pursuant to section 7(3) or following the failure of the Diocesan Nomination Board to nominate in accordance with Regulation 10 and does not nominate a Cleric for appointment to such cure within six months of the vacancy occurring or the right of appointment devolving upon him the right to nominate to the vacancy shall pass to the Bench of Bishops and such nomination shall be deemed to have been made by the Bishop or the Diocesan Nomination Board respectively as from the date on which it is made.

12. If the Provincial Nomination Board does not exercise its right of nominating to a cure within six months of the occurring of the vacancy to which the right of nomination applies, the right to nominate to the vacancy shall pass to the Bench of Bishops, and such nomination shall be deemed to have been made by the Provincial Nomination Board as from the date on which it is made.

Procedure following nomination

13. The Secretary of the appropriate Nomination Board shall:

13.1 within seven days send to the Bishop full particulars of all nominations made at any meeting of such Board;

13.2 within seven days send to any Cleric nominated by such Board to a cure notice of such nomination by recorded-delivery letter to his or her last known address; and

13.3 on receipt of the letter of acceptance of a cure from the Cleric shall forthwith send notice thereof to the Bishop.

14. The nomination shall be null and void:

14.1 if such Cleric does not accept the nomination by a letter addressed to the Bishop within four weeks from the date upon which such recorded-delivery letter might have reached his or her address; or

14.2 if he or she shall accept, but through any default on his or her own part shall fail to be instituted within the time fixed by the Bishop;

provided that the above period of four weeks and the time fixed for institution may be extended by the Bishop.

15. If a nomination becomes null and void in pursuance of Regulation 14, the Bishop shall forthwith cause notice thereof to be given to the Secretary of the appropriate Nomination Board. If a nomination by the Board so becomes null and void, the Secretary shall convene a special meeting of such Board to make another nomination, in which event the time of four months allowed to the Board to make such nomination shall be extended till one month after the notice convening the meeting.

16. No Cleric shall be instituted to a cure while a petition or suit respecting his or her nomination thereto is pending.

Part II: Institution

Institution following acceptance

17.1 Upon the Bishop instituting the Cleric nominated by a Board, he shall forthwith give notice thereof to the Secretary of such Board, and the Diocesan Registrar shall inform the Secretaries of the Representative Body and the Diocesan Board of Finance respectively forthwith of all collations and institutions.

17.2 The stipend, if any, of the Cleric shall run from the date of his or her institution, or from such earlier date as may be determined by the Diocesan Board of Finance in any particular case.

Part III: Exchange of Benefices

18.1 When two Incumbents desire to exchange their Benefices each of them shall apply in writing to the Bishop of his or her diocese for permission to do so.

18.2 The Bishop, or, in case the two Benefices are in different dioceses, either Bishop, may decline to grant permission.

18.3 If the Bishop or Bishops consent to the exchange, he or they shall convene the Nomination Board or Boards of the diocese or dioceses within one month after the application for exchange has been made. A Nomination Board for the purpose of this section shall be the Bishop, the Archdeacons of the archdeaconries in which such Benefices are situate, the members of the Board elected by the Diocesan Conference, and the Parish representatives from each Parish.

18.4 If such Nomination Board or Boards consent to the exchange, the exchange shall take effect accordingly, and the Bishop or Bishops shall fix a day on which the cure in each Benefice shall become vacant, and shall then institute the Clerics to their respective cures.

18.5 The last four sub-paragraphs shall not apply to any case in which an Incumbent of a parish or district outside Wales is desirous of exchanging his or her Benefice for a Benefice in Wales. In such case the Bishop of the diocese into which such Incumbent is desirous of exchanging shall decide what shall be done in the matter.