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**CHAPTER III  
THE REPRESENTATIVE BODY**

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**CHAPTER III:  
THE REPRESENTATIVE BODY**

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## Chapter III

### THE REPRESENTATIVE BODY

#### Part I: General

1.

The Representative Body shall be subject to such alterations to the provisions of this Chapter and to such regulations made in respect of the Representative Body as shall from time to time be adopted by the Governing Body, provided always that such provisions and regulations and alterations do not conflict with the Representative Body's statutory authority, powers and duties.

#### Part II: Composition

##### *Membership*

2.

- (1) The Representative Body shall consist of:
  - (a) *ex-officio* members who shall be:
    - (i) the Archbishop;
    - (ii) the Chair of each Diocesan Board of Finance; and
    - (iii) the Chair of the Standing Committee.
  - (b) elected members, who shall be one Cleric and one lay person from each Diocese elected by the respective Diocesan Conferences who shall hold office for a period of three years from 1 January in the relevant year and shall be eligible for re-election for further periods of three years if otherwise duly qualified;
  - (c) co-opted members who shall be limited to two, co-opted by the *ex-officio* and elected members of the Representative Body without any regard for dioceses, who shall hold office for a period of three years from the date of their co-option and shall be eligible for co-option for further periods of three years if otherwise duly qualified; and
  - (d) nominated members, who shall be limited to four, nominated by the Bench of Bishops in consultation with the Standing Committee, who shall hold office for a period of three years from the date of their nomination and shall be eligible for nomination for further periods of three years if otherwise duly qualified.

- (2) In the event of any member having been elected for more than one diocese, the Secretary of the Representative Body shall give notice in writing to such member calling on him or her to signify in writing within twenty one days his or her choice of the diocese for which he or she will serve. In the event of such member failing so to signify his or her choice, the Chair shall choose the diocese for which he or she shall serve, and thereupon the seat or seats of such member for any other diocese or dioceses for which he or she shall have been elected shall be filled up from the appropriate supplemental list of members of such diocese or dioceses.

3.

- (1) Each Diocesan Conference shall, by election, make supplemental lists of Clerics and lay persons from which casual vacancies among the elected members of the Representative Body shall be filled according to the order in which they are placed on such lists by the Conference.
- (2) The ex-officio and elected members shall fill a casual vacancy among the elected members from the relevant supplemental list prepared by the Diocesan Conference, always appointing a cleric to succeed a cleric and a lay person to succeed a lay person.
- (3) The ex-officio and elected members may fill a casual vacancy among those members co-opted by them.
- (4) The Bench of Bishops, in consultation with the Standing Committee, may fill a casual vacancy among those members nominated by them.
- (5) Subject to section 8, a person appointed to fill a casual vacancy among members shall hold office until the date when the member whom he or she replaces would have been due to retire apart from that section.

4.

The failure of any diocese to elect or return members, clerical or lay, or to make and return supplemental lists, or the failure of the Representative Body to exercise its powers of co-option or filling vacancies, or the failure of the Bench of Bishops to exercise their powers of nomination or filling vacancies shall not prevent the Representative Body from proceeding with the despatch of business nor invalidate its proceedings.

5.

Any member of the Representative Body may resign from office by notice in writing addressed to the Secretary of the Representative Body.

**Part III: Qualification for Membership**

6.

(1) Subject to subsections (2) and (3), 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 qualified to be a member of the Representative Body or any committee or sub-committee thereof.

(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 Representative Body.

(3) No Cleric who has retired or who has reached his or her seventieth birthday shall be qualified to be a member of the Representative Body.

7.

(1) Subject to subsections (2), (3) and (4), every lay 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 qualified to be a member of the Representative Body or any committee or sub-committee thereof.

(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 Representative Body.

(3) No Lay communicant who has reached his or her seventy fifth birthday shall be qualified to be a member of the Representative Body.

(4) A lay Communicant may be elected a member of the Representative 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.

8.

The membership of an elected, co-opted or nominated member of the Representative Body shall if that member is a Cleric cease on his or her seventieth birthday or if that member is a lay person shall cease on his or her seventy fifth birthday, save that if such retirement or birthday occurs during the currency of a meeting of the Representative Body or any committee thereof his or her membership shall continue nevertheless until the termination of such meeting. A meeting at any

time adjourned beyond the then following next day shall be deemed to be terminated for the purpose of this section.

9.

Every lay person before taking his or her seat, shall sign a declaration in the following form in a register to be kept for that purpose by the Secretary of the Representative 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 Representative 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.*

10.

Any member of the Representative Body shall on retirement be eligible for membership if otherwise duly qualified.

#### **Part IV: Procedure**

11.

(1) The Representative Body shall elect triennially from amongst its members a Chair and a Deputy Chair. In the Chair's absence the Deputy Chair shall preside at meetings of the Representative Body and if neither the Chair nor the Deputy Chair is present at any such meeting, the Representative Body shall elect some other member to preside at that meeting.

(2) The Chair or, if there be no Chair or in the case of the Chair's incapacity or absence from the British Isles, the Deputy Chair of the Representative Body shall be empowered to call a special meeting of the Representative Body at such time and place as he or she shall prescribe on giving to its members not less than fourteen days notice in writing.

12.

(1) The Representative Body shall hold at least two ordinary meetings in every year and may hold other meetings as required.

(2) The Representative Body shall decide the place and date of each such meeting.

**Part V: Powers**

13.

The Representative Body shall possess and exercise any power conferred upon it by the Governing Body.

14.

Subject to the provisions of the Welsh Church Act 1914 and of the Constitution, the Representative Body shall have power:

- (a) to regulate its own procedures; and
- (b) to declare how many members present shall form a quorum.

15.

*Appointment of Committees*

(1) The Representative Body shall have power to appoint committees or sub-committees of its members or of its members and others and to specify the powers and terms of reference for each such committee or sub-committee.

(2) Membership of committees and sub-committees 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 Representative Body.

16.

*Property and Management of Resources*

In the management of its resources, the Representative Body shall:

- (a) the numbers of its members; in consultation with the Standing Committee, review its resources and their management and use to effect the purposes of the Archbishop, Bishops, Clergy and Laity of the Church in Wales; and
- (b) formulate an annual provincial budget for presentation to the Standing Committee for approval, which budget shall relate the total available financial resources to the policy and priorities decided upon by the Standing Committee.

17.

The Representative Body shall hold all property which shall become vested in it in trust for the uses and purposes of the Archbishop, Bishops, Clergy, and Laity of the Church in Wales, and for other the special trusts, pursuant to the provisions of the Welsh Church Act 1914.

18.

The Representative Body shall hold all property which is or shall become vested in it upon the trusts referred to in section 17 but, subject to its statutory authority, powers and duties, under the order and control of the Governing Body.

19.

(1) On a sale of any land vested in the Representative Body and being or representing glebe or repurchased glebe land transferred to the Representative Body pursuant to the provisions of the Welsh Church Act 1914, the net proceeds of sale thereof and the property from time to time representing the same shall be held and invested or re-invested as capital and shall not be expended as income save insofar as such expenditure shall be authorised by a bill duly enacted in accordance with the provisions in that behalf contained in Chapter II.

(2) The provisions of this section shall not be altered, amended or abrogated except by a proposal introduced and enacted by the procedure set out in Chapter II with regard to bills.

20.

(1) All monies for the time being held by the Representative Body in trust for the Church in Wales or for any purpose connected therewith may be invested in the purchase or upon the security of:

- (a) freehold land situate in England or Wales with or without buildings thereon and subject or not subject to leases or tenancies easements or restrictive covenants;
- (b) a perpetual rent charge or perpetual rent charges issuing out of land in England or Wales;
- (c) stocks funds securities or other property in or upon which trustees are or may from time to time be authorised by law to invest trust monies; and
- (d) any other stocks funds securities or property whatsoever.

(2) Notwithstanding anything hereinbefore contained no money shall be invested in or upon any stocks funds securities or other investment in bearer form.

(3) The Representative Body may lend money on the security of any property on which it can properly lend up to the full value of the property and may contract that such money shall not be called in during any period of years.

(4) The Representative Body may retain either temporarily or permanently any investments which by reason of any gift benefaction or legacy may become vested in it in trust for the Church in Wales, or any purpose connected therewith, in their then existing state of investment notwithstanding that the same are not investments for the time being authorised hereunder, and the Representative Body may similarly retain



all or any investments made or purporting to be made under or by virtue of its powers of investment.

21.

(1) The Representative Body shall have power, subject to any Regulations to the contrary which may from time to time be made by the Governing Body, from time to time to raise money on mortgage, or otherwise, on the security of any property vested in it, except:

- (a) churches and sites for churches;
- (b) funds and endowments specially allocated to the repair, restoration, or improvement of any church; and
- (c) plate, furniture, or other moveable chattels belonging to any church.

(2) The Representative Body may apply money so raised to any purposes to which money under its control might for the time being be applied.

22.

No member of the Representative Body or of any committee or sub-committee of the Representative Body shall be liable for any loss occasioned by the depreciation or failure of any investment, or otherwise, save when caused by the wilful default of such member.

23.

Subject as hereinafter provided, the Representative Body shall have full powers of selling, exchanging, leasing and managing all real and personal property at any time vested in it.

provided always that:

- (1) the said powers of sale or exchange shall not be exercised as regards:
  - (a) any plate, furniture or other moveable chattel (except such as are mentioned in subsection (2)) belonging to or used in connection with the celebration of divine worship in any church; or
  - (b) episcopal or capitular lands, glebes or sites for churches (other than sites hereinafter specially provided for), episcopal or glebe houses, ecclesiastical residences or any moveable chattel held or enjoyed with or incident to the occupation of any such residence; or
  - (c) any school house or any land occupied therewith;

unless authorised by a resolution of a majority of the Representative Body, present and voting, and assented to in writing by the Bishop of the diocese in which such property is situated, but it shall not be necessary for any purchaser to enquire whether such authorisation or consent has been given.

(2) The Representative Body shall not have power to sell, or exchange, lease or dispose of any consecrated site, or any church or building erected thereon, or to dispose of ornaments, vessels or instruments used in connection with any of the sacraments, unless authorised by a resolution of three-quarters of the members of the Representative Body, present and voting, and assented to in writing by the Bishop of the diocese in which such consecrated site, ornaments, vessels, or instruments are situated.

(3) All other powers of leasing and managing shall be exercised only in such manner and in accordance with such regulations as may from time to time be made by the Governing Body.

(4) It shall be open to any person or body of persons in the diocese where such property is situated to make representation to the Representative Body requesting it to take action under this section.

24.

The Representative Body shall have power to reduce any stipend or grant payable by it upon giving three months' previous notice, if at any time adverse circumstances affecting the revenue of the Representative Body make that reduction necessary.

25.

The Representative Body shall have power to issue directions to and to control a Diocesan Parsonage Board.

26.

The Representative Body shall have power to make regulations with regard to sums of money entrusted by it to a Diocesan Conference pursuant to Chapter IV A section 15.

27.

The Representative Body, under the title of The Representative Body of the Church in Wales, shall have power to bring, defend, or compromise any action, and may take any step or engage any legal or other assistance necessary for such purpose.

28.

The Representative Body shall have the right at any time to appoint at its expense an architect or surveyor for the purpose of obtaining a report upon any property vested in it, and such architect or surveyor shall be entitled to inspect any such property on giving reasonable notice to the occupier thereof.

29.

The Representative Body shall have power to appoint and pay a secretary who shall be a Communicant, and such other officers and servants as it shall deem necessary, and may remove any such officer or servant when it shall think proper so to do, and appoint another from time to time in his or her stead.

30.

The Representative Body shall have power to provide such houses, offices, and other buildings or accommodation as shall be necessary for the purpose of its meetings, or for the purpose of providing a residence for its officers and servants, or a safe place of custody for its securities, books, accounts, or other documents, and to pay rent, insurance, and all other expenses caused by its providing such houses or offices, or which may otherwise be necessary.

31.

(1) The Representative Body shall have a Common Seal and shall execute documents by affixing its Common Seal thereto in the presence of the Secretary or the Assistant Secretary of the Representative Body or the Solicitor to the Representative Body and one member of the Representative Body.

(2) The Representative Body shall provide for the safe custody of the Common Seal, which shall only be used by the authority of the Representative Body.