

# THE GOVERNING BODY OF THE CHURCH IN WALES: RECENT LEGISLATION

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At the April 1995 meeting of the Governing Body, the Constitution of the Church in Wales was amended in accordance with decisions taken by the Governing Body in September 1994. It had been resolved that stipendiary clerics and non-stipendiary clerics under seventy years of age should not receive fees for taking services in vacant incumbencies, but that retired clerics, readers and non-stipendiaries over the age of seventy should receive such fees. All should receive travelling expenses. The *Maintenance of Ministry Scheme* was accordingly amended to reflect these decisions by minor amendments to section 6 (1) (h) and section 6 (3) of the Scheme and the replacement of sections 4 and 5 of the Third Schedule thereto. The Governing Body had also agreed that a maximum of two lay persons per diocese should be included in the *Maintenance of Ministry Scheme*, which provides for the payment of ministers, provided that these were accredited lay Ministers licensed by the diocesan bishop to engage in the work of mission and ministry in a parochial or diocesan capacity. The lay persons concerned were to be counted as serving clerics for the purposes of allocating monies among the dioceses. The *Maintenance of Ministry Scheme* has again been amended to effect these decisions, this time by the introduction of a new paragraph (k) in section 6 (1) – the existing paragraphs (k) to (m) being redesignated (l) to (n) as a result – and by the introduction of a new paragraph (e) into section 6 (2).

The Governing Body has also accepted last September that the rule requiring a widow to have been married to a cleric for at least five years to be entitled to a clergy widows' pension should be abolished and a new rule introduced requiring that she should have been married to the deceased cleric at the date of his retirement. Chapter XII of the Constitution was accordingly amended to implement this by minor amendment to section 23, the introduction of a new section 24 and the consequential renumbering of the later sections of the chapter.

Four bills also had their first reading this April. First readings are title only, without debate or vote, in effect giving notice that the bills are to be debated on their principles at a future Governing Body meeting. The bills are:

To Implement the Porvoo Declaration;

To Permit Women to be Ordained as Priests;

To Amend the Discipline of the Church in Wales with regard to Marriage and Divorce; and,

For the Removal of Doubt concerning Marriage after Divorce as an Impediment to Admission to Holy Orders.

The second of these bills marks a fresh attempt by the Bench of Bishops to persuade the Governing Body to allow the priesting of women in Wales following the failure of the previous bill in April of last year [see (1994) 3 *Ecc LJ* 232], while the last two bills mark the outcome of the review requested by the Governing Body last September into the existing discipline of the Church in Wales concerning divorce and remarriage as it affects both Clergy and Laity [(see (1994) 3 *Ecc LJ* 341, at 342)].

The Governing Body also gave a second reading to the Bill to Amend Chapter XI of the Constitution. This bill makes fuller provision for the appointment of Deputy Chancellors and gives diocesan bishops the power to designate unconsecrated churches and land as falling under Faculty Procedure. The motion that this bill be read a second time was passed unanimously without any debate arising on the floor of the house. A Select Committee was appointed to consider any amendments of detail and the bill is expected to have its Committee Stage, Report and Vote at next April's Governing Body.

Although therefore this April's Governing Body meeting did not involve any complicated or controversial legal debates, it has set down markers for some very interesting legislative developments during the coming eighteen months.