

RECENT LEGISLATION

THE GOVERNING BODY OF THE CHURCH IN WALES

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After the drama of recent meetings of the Governing Body, the April 1997 meeting at Lampeter was a very tame affair. Indeed, the agenda was remarkably light and contained very little of immediate legal significance.

The Governing Body formally approved amendments to the Constitution effecting decisions taken at its last meeting. These were changes to the *Maintenance of Ministry Scheme* to provide that Rural Deans be paid an allowance on top of their incumbent's stipend rather than a separate stipend by virtue of their office, and that National Insurance contributions for all clergy be chargeable against the Maintenance of Ministry grant to each diocese. Chapter II of the Constitution was also amended so as to allow unbeneficed clerics co-opted to the Governing Body, of whom there are always fifteen, to retain membership while they continue to serve in Wales and not just in the diocese within which they were serving, and Chapter II was also amended so as to preclude provincial and diocesan staff, whether clerical or lay, from being members of the Governing Body, the Representative Body and any other such provincial or diocesan bodies. Chapter IV was amended so as to allow more than one church in a parish to be the parish church when benefices are united. Finally, the *Church Fabric Regulations* were amended to provide that the duty of insuring church buildings and taking out employer's liability and third-party cover is to pass from the parishes to the Representative Body with regard to churches vested in the Representative Body. Other churches, of which there are a small number, are still covered by the previous regime.

On the motion of the Standing Committee, the Governing Body also agreed that changes should be made to Chapter VI of the Constitution to implement the requirements of the Charities Act 1993, and to this end approved Accounting Regulations for parishes in Wales as well. Both the regulations and the amendments to Chapter VI pass now to the Drafting Sub-Committee to produce the formal constitutional amendments. The Governing Body also approved recommendations from a Working Group on Diocesan and Archdeacons' Registrars which proposed a reduction in the retiring age of diocesan registrars from 75 to 70, and also a new procedure for their removal from office. Currently, this can only be done by order of the bishop confirmed by the Provincial Court. In future, it is proposed that the order of the bishop alone will suffice, only an appeal to the Provincial Court against the order being allowed. It is unclear whether the full implications of the change have been realised, as it may well reduce the status of Registrars from office holders to employees and thereby make them ineligible for membership of provincial and diocesan bodies. These changes regarding registrars are not yet finalised as they require bill procedure to be implemented.

The Governing Body also received the text of a Bill to Amend Chapter XI of the Constitution and gave it its formal first reading. The purpose of the bill is to extend faculty jurisdiction to cathedral churches. At first reading, only the title of the bill is read out. The purpose of this is to ensure that members have sufficient notice of the bill to be prepared to debate it at the next meeting of the Governing Body. Much dissatisfaction with the delay this causes has been voiced in recent years, and, with this and other issues concerning bill procedure in mind, the Governing

Body approved recommendations from a Working Group on the Constitution, part of the brief of which was to review bill procedure. The Group which met under the chairmanship of Mr W. H. John has recommended several streamlining changes to bill procedure. It is likely that the Standing Committee will now instruct its Drafting Sub-Committee to produce a bill to implement the changes, and once available, the contents will be described in the pages of this journal in due course.

GENERAL SYNOD OF THE CHURCH OF IRELAND 1997

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There was little legislation to be considered at this year's Synod which took place in Dublin on 13–15 May. The two Bills which were presented and duly passed were of an administrative and non-controversial nature.

The first Bill brought in new provisions to replace Part IV of Chapter X of the Constitution which deals with the Church Fabric Fund. Having set out the origin of the Fund and confirmed that the Representative Body should be its Trustee the Bill restated the source of capital to be held by the Fund and set out what should constitute its income. It went on to establish that sale proceeds should be applicable, if the Diocesan Council certified it as appropriate, for the repair or provision of an equivalent building in the parish. It extended this provision, to the extent of up to eighty per cent of the capital, to include the building or repair of an equivalent building within the union or group of parishes. It maintained the position whereby up to eighty per cent of the capital might be invested as an endowment for the benefit of the parish and also the provision whereby the balance of the capital, in cases where the whole is not applied in rebuilding or for investment, should be held by the Fund for the benefit of all parishes of the Church of Ireland.

The second Bill was to amend the membership arrangements for the Board of Christ Church Cathedral, Dublin. In the past, the Clerical Vicars appointed by the Dean and Chapter were full time and bound by the terms of the Cathedral's Deed of Endowment. Since that was no longer the case it was considered preferable that the Clerical Vicars should no longer be members of the Board but to confine such membership to Cathedral dignitaries.

Two major changes to the Documents of the Church were dealt with by way of Motion. Approval was given to a revised Hymnal which, it is hoped, will be ready for submission to the publishers in the autumn. A review of the Book of Common Prayer was also foreshadowed, with initial proposals about the content of a revised book expected next year. The whole process is likely to be a lengthy one.