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**CHAPTER V
THE ARCHBISHOP AND THE DIOCESAN BISHOPS**

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CHAPTER V

THE ARCHBISHOP AND THE DIOCESAN BISHOPS

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Chapter V

THE ARCHBISHOP AND THE DIOCESAN BISHOPS

Part I: The Order of the Bishops

1.

The Archbishop and the Diocesan Bishops shall sit and act as representing the ancient Provincial Synod and, subject to the Constitution, shall retain and exercise all the authority and powers of and belonging from of old to a Provincial Synod.

2.

The Archbishop shall take precedence of all Diocesan Bishops. Next after him, for all purposes of the Constitution, each of the other Diocesan Bishops shall rank for precedence according to the date of his first appointment as a Diocesan Bishop.

3.

(1) The Archbishop shall have and may use all the powers of granting licences, dispensations, faculties and other writings which the Archbishop of Canterbury enjoyed in Wales on 30th March 1920, insofar as such powers were lawfully transferable.

(2) The Diocesan Bishops shall have and may use all the powers of granting licences, dispensations, faculties and other writings which they enjoyed on 30th March 1920.

Part II: The Archbishop

4.

(1) The office of Archbishop shall be held by a Diocesan Bishop, to be appointed in accordance with this Chapter.

(2) For the purposes of the Constitution, the Archbishop shall be regarded as the Bishop of the see over which he presides, without prejudice to his rights as Archbishop.

5.

- (1) The election of the Archbishop shall be by an Archbishop's Electoral College.
- (2) The Archbishop's Electoral College shall consist of:
 - (a) the Bishops; and
 - (b) the first three clerical and the first three lay Episcopal Electors on the list of each Diocese in the Church in Wales.
- (3) The senior Diocesan Bishop, if willing to act or, in their absence or unwillingness to act, the Diocesan Bishop next in order of precedence present and willing to act, shall be the President of the College ("the President").

6.

Subject to the provisions of the Constitution, the Archbishop's Electoral College shall make its own rules as to the method and manner of voting for and electing the Archbishop. A copy of the rules under which an election was made shall be published to members of Governing Body at their first meeting following the election.

7.

- (1) In the case of the Archbishop's incapacity or absence from the British Isles:
 - (a) the senior Diocesan Bishop willing to act and capable of acting and not then absent from the British Isles, as long as the Archbishop remains incapacitated or absent from the British Isles, shall be the guardian of the spiritualities of any vacant see, and shall have and exercise all the other rights of the Archbishop;
 - (b) if such Bishop during such period dies or becomes incapable of acting or is absent from the British Isles for a period exceeding three consecutive days, his place for the purpose of this section thenceforth or as long as he remains incapacitated or absent from the British Isles, shall be taken by the Diocesan Bishop next in order of precedence and qualified as aforesaid.
- (2) Repealed.

8.

The Archbishop may resign his office of Archbishop by notice in writing to the senior Diocesan Bishop without resigning his see.

9.

When the office of Archbishop falls vacant:

- (a) the senior Diocesan Bishop other than the retiring Archbishop, who is willing to act and capable of acting, as long as the Archbishopric is vacant, shall be the guardian of the spiritualities of any vacant see and shall have and exercise all the other rights and shall occupy the position of the Archbishop;
- (b) if such Bishop during such vacancy dies or if, at the time when the vacancy occurs or during such vacancy, he is or becomes incapable of acting or is absent from the British Isles, his place for the purposes of this section thenceforth or as long as he remains incapacitated or absent from the British Isles, shall be taken by the Bishop next in order of precedence qualified as aforesaid.

Part III: The Diocesan Bishops

10.

- (1) The election of a Diocesan Bishop shall be by a Bishop's Electoral College.
- (2) The Bishop's Electoral College shall consist of:
 - (a) the Archbishop and the Diocesan Bishops;
 - (b) the six clerical and the six lay Episcopal Electors from the diocese of which the see is vacant; and
 - (c) the first three clerical and the first three lay Episcopal Electors on the list of each of the other dioceses.
- (3) The Archbishop or in their absence the Diocesan Bishop next in order of precedence and willing to act, shall be President of the Bishop's Electoral College.

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11.

Subject to the Constitution, the Bishop's Electoral College shall make rules as to the method and manner of voting for and electing a Bishop. A copy of the rules under which an election was made shall be published to members of Governing Body at their first meeting following the confirmation of the election by the Bench of Bishops assembled in Synod.

12.

(1) A Bishop may resign his see by notice of his intention to do so in writing to the Archbishop, who shall thereupon instruct the Secretaries of the Governing Body to give notice in writing of such resignation to each Diocesan Bishop, to the Chairman of the Standing Committee and to the Chairman of the Representative Body, and to each Episcopal Elector.

(2) The Archbishop may resign his see by notice of his intention to do so in writing to the senior Diocesan Bishop, who shall thereupon become President of the Bishop's Electoral College and shall instruct the Secretaries of the Governing Body to give notice in writing of such resignation as in subsection 12(1).

13.

On the creation of a new diocese the Governing Body shall make such provision as it thinks expedient for the purpose of securing the election of Bishops in accordance with the principles of this Chapter.

14.

(1) If a Bishop is unable to perform the duties of their office due to sickness or other medical reason for a continuous period of more than sixty days, then the Archbishop may perform any duty and exercise any right belonging to that Bishop within the Bishop's Diocese whilst they remain unable to perform their duties.

(2) Statements in accordance with the provisions of the *Statutory Sick Pay (Medical Evidence) Regulations 1985* that the Bishop is not fit for work shall be conclusive evidence for the purposes of this Section 14 that the Bishop is unable to perform their duties of office due to sickness or other medical reason for the duration of the period covered by that statement.

Assistant Bishop

15.

- (1) Any Diocesan Bishop may, if he so desires, have an Assistant Bishop or Bishops to assist him in the diocese.
- (2) An Assistant Bishop shall as such have no right of succession to any see.
- (3) An Assistant Bishop shall exercise only such powers and functions in the diocese as shall from time to time be committed to him to exercise by the Bishop for the time being of the diocese by his commission under his episcopal seal.
- (4) If a Diocesan Bishop shall desire to have for such office of Assistant Bishop a cleric in priest's orders, he shall send the name of the cleric to the Archbishop who shall submit the name to each member of the Bench of Bishops; and if the Bench of Bishops, or a majority of them, assembled in Synod are satisfied of the fitness of such cleric, he shall be declared by the Archbishop to be an Assistant Bishop- Designate for the diocese, and the Archbishop shall take such steps as may be necessary to give effect thereto.
- (5) If the Bench of Bishops, or a majority of them, assembled in Synod are not satisfied as to the fitness of the cleric whose name has been submitted to them, or if the Assistant Bishop-Designate declines or does not within twenty-one days after receiving notification of such declaration as aforesaid accept the appointment by writing addressed to the Archbishop, the Diocesan Bishop may submit another name in accordance with the foregoing provisions.
- (6) These provisions for the appointment of Assistant Bishops in dioceses shall be without prejudice to and shall not affect the exercise by the Archbishop of the powers and functions inherent in the office of Metropolitan or the exercise by the Diocesan Bishops of the powers and functions inherent in the episcopal office.
- (7) The Bench of Bishops may assign a titular See to an Assistant Bishop appointed pursuant to this section 15.