

**Pennod |**

**CYFFREDINOL A DIFFINIO  
A DEHONGLI**

**GENERAL AND DEFINITIONS  
AND INTERPRETATION**

**Chapter |**

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**Chapter I**

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## **Pennod I**

### **CYFFREDINOL A DIFFINIO A DEHONGLI**

#### **Rhan I: Cyffredinol**

##### 1.

- (1) Traethir Cyfansoddiad yr Eglwys yng Nghymru, a ysgrifennwyd yn Gymraeg ac yn Saesneg, yn y Bennod hon a'r Penodau sy'n dilyn; ac
- (a) ym mhob Pennod ychwanegol a phob gwelliant a wneir i unrhyw Bennod gan y y Corff Llywodraethol;
  - (b) yn holl ganonau'r Eglwys yng Nghymru; ac
  - (c) ym mhob rheol a phob rheoliad a wneir o bryd i'w gilydd gan y Corff Llywodraethol neu dan ei awdurdod neu gyda'i gydsyniad, ac a ardystir fel y cyfryw gan y Corff Llywodraethol.
- (2) Bydd i fersiynau Cymraeg a Saesneg y Cyfansoddiad ddilysrwydd cyfartal.
- (3) I ddiben dehongli ac er datrys amwysedd, y Saesneg fydd y testun diffiniol.

##### 2.

Bydd y Cyfansoddiad yn rhwymo pob Aelod o'r Eglwys yng Nghymru a ddiffinnir yn Rhan II y Bennod hon.

##### 3.

- (1) Argreffir y Cyfansoddiad (ac eithrio canonau i newid naill ai'r Llyfr Gweddi Gyffredin neu unrhyw bennod o'r Cyfansoddiad) dan gyfarwyddyd y Pwyllgor Sefydlog, ac wedi ei argraffu felly fe ardystir dan law'r Llywydd ar dri chopi ohono ei fod yn gywir, a ffeilir y copïau mewn tri llyfr ar wahân.
- (2) Cedwir un o'r llyfrau hyn gan y Llywydd; cedwir un yn ystafell ddogfennau'r Corff Llywodraethol, ac un yn ystafell ddogfennau Corff y Cynrychiolwyr.

## Chapter I

### GENERAL AND DEFINITIONS AND INTERPRETATION

#### Part I: General

##### 1.

- (1) The Constitution of the Church in Wales, which is written in the English and Welsh languages, is set out in this and the following Chapters; and
- (a) any further Chapter or amendment made in any Chapter by the Governing Body;
  - (b) all canons of the Church in Wales; and
  - (c) all rules and regulations made from time to time by or under the authority or with the consent of the Governing Body and certified as such by the Governing Body.
- (2) The English and Welsh versions of the Constitution shall have equal validity.
- (3) For the purpose of interpretation and for the resolution of any ambiguity, the English version shall be the definitive text.

##### 2.

The Constitution shall be binding on all Members of the Church in Wales, as defined in Part II of this Chapter.

##### 3.

- (1) The Constitution (except canons amending either the Book of Common Prayer or any chapter of the Constitution) shall be printed under the direction of the Standing Committee, and when so printed three copies thereof shall be certified under the hand of the President as correct, and the same shall be filed in three books respectively.
- (2) One of such books shall be kept by the President, one shall be deposited in the muniment room of the Governing Body, and one in the muniment room of the Representative Body.

4.

Bydd copi o unrhyw ran o'r Cyfansoddiad yr ardystiwyd gan ysgrifenyddion y Corff Llywodraethol ei fod yn gopi cywir o'r rhan honno o'r Cyfansoddiad yn dystiolaeth olwg gyntaf o'r rhan honno o'r Cyfansoddiad ac fe'i derbynnir fel y cyfryw yn dystiolaeth yn holl lysoedd a Thribiwnlys yr Eglwys yng Nghymru.

5.

Bydd y gyfraith eglwysig, fel yr oedd yn Lloegr ar 30 Mawrth 1920, ac eithrio:

- (a) Deddf Ordeinio Clerigion, 1804;
- (b) Deddf Disgyblaeth yr Eglwys, 1840;
- (c) Deddf y Comisiynwyr Eglwysig, 1840;
- (d) Deddf Tanysgrifiad Clerigion, 1865;
- (e) Deddf Anallu Clerigion, 1870;
- (f) Deddf Clerigion y Trefedigaethau, 1874;
- (g) Deddf Rheoli Addoliad Cyhoeddus, 1874;
- (h) Deddf Gwerthu Clastiroedd, 1888;
- (i) Deddf Disgyblu Clerigion, 1892;
- (j) Deddf Bywoliaethau, 1898;
- (k) Y Deddfau Cyd-ddal Bywoliaethau;
- (l) Y Deddfau Ymddiswyddiad Periglorion;

yn rhwymo Aelodau (gan gynnwys unrhyw gorff o Aelodau) yr Eglwys yng Nghymru, ac fe'i cymhwysir i ddatrys unrhyw gwestiwn neu anghydfod rhyngddynt fel Aelodau o'r fath, cyn belled ag nad yw'n gwrthdaro â dim a gynhwysir yn y Cyfansoddiad nac ag unrhyw gytundeb arbennig ynglŷn â chlastir rhwng Corff y Cynrychiolwyr a Pheriglor, ar yr amod na rwymir Llysoedd yr Eglwys yng Nghymru gan unrhyw benderfyniad gan Lysoedd Lloegr ar faterion yn ymwneud â ffydd, disgyblaeth na seremoni.

6.

(1) Oni chyfarwyddir yn wahanol yn y Cyfansoddiad, gellir anfon neu roi yn y post unrhyw wŷs y gorchynnwyd ei hanfon neu ei rhoi. Bydd prawf postio yn dystiolaeth olwg gyntaf bod y cyfryw wŷs wedi ei hanfon neu ei rhoi.

(2) Pryd bynnag y bo'r Cyfansoddiad yn gofyn postio dogfen trwy ddanfoniad cofnodedig neu lythyr trwy ddanfoniad cofnodedig, bydd yn ddigon rhoi'r cyfryw ddogfen neu lythyr yn bersonol yn llaw'r derbynnydd a chael derbynneb ganddo amdani neu amdano.

4.

A copy of any part of the Constitution which purports to be certified by the Secretaries of the Governing Body to be a true copy of that part of the Constitution shall be *prima facie* evidence of such part of the Constitution and as such be received in evidence in all courts and the Tribunal of the Church in Wales.

5.

The ecclesiastical law as existing in England on 30th March 1920, with the exception of:

- (a) The Clergy Ordination Act, 1804;
- (b) The Church Discipline Act, 1840;
- (c) The Ecclesiastical Commissioners Act, 1840;
- (d) The Clerical Subscription Act, 1865;
- (e) The Clerical Disabilities Act, 1870;
- (f) The Colonial Clergy Act, 1874;
- (g) The Public Worship Regulation Act, 1874;
- (h) The Sales of Glebe Lands Act, 1888;
- (i) The Clergy Discipline Act, 1892;
- (j) The Benefices Act, 1898;
- (k) The Pluralities Acts;
- (l) The Incumbents' Resignation Acts;

shall be binding on the Members (including any body of Members) of the Church in Wales, and shall be applied to the determination of any question or dispute between them as such Members, in so far as it does not conflict with anything contained in the Constitution or in any special contract as to glebe between the Representative Body and an Incumbent, provided that the Courts of the Church in Wales shall not be bound by any decision of the English Courts in relation to matters of faith, discipline or ceremonial.

6.

(1) Unless otherwise directed in the Constitution, any citation or notice directed to be sent or given may be sent or given through the post. Proof of posting shall be *prima facie* evidence that such citation or notice has been duly sent or given.

(2) Whenever in the Constitution a document is required to be sent by recorded delivery post or as a recorded delivery letter, it shall suffice if such document or letter be handed personally to the addressee and a receipt therefor obtained from him or her.

## Part II: Diffinio a Dehongli

### 7.

Yn y Cyfansoddiad hwn, gan gynnwys y Rheoliadau, ac eithrio pan ddarperir yn wahanol, bydd i'r geiriau a'r cymalau a ganlyn yr ystyron a ganlyn:

“Aelod o'r Eglwys yng Nghymru”

- (a) unrhyw un sy'n dal swydd yn yr Eglwys yng Nghymru;
- (b) unrhyw glerig neu ddiacones sy'n derbyn pensiwn oddi wrth Gorff y Cynrychiolwyr;
- (c) unrhyw un y mae ei enw ar rôl etholwyr plwyf; ac
- (d) unrhyw Aelod o'r Corff Llywodraethol, Corff y Cynrychiolwyr ac unrhyw un o'u pwyllgorau.

“Archddiacon”

Archddiacon archddiaconiaeth ac, mewn perthynas â phlwyf, archddiacon yr archddiaconiaeth y mae'r plwyf ynddi.

“Archesgob”

Archesgob Cymru ar y pryd.

“Bwrdd Cyllid yr Esgobaeth”

Bwrdd Cyllid Esgobaethol a benodwyd gan Gynhadledd Esgobaethol yn unol â Phennod IV A adran 24.

“Bwrdd Enwebu'r Dalaith”

y Bwrdd Enwebu a gyfansoddwyd yn unol â Rheoliad 8 Rheoliadau'r Corff Llywodraethol ar Benodi ac Enwebu.

“Bwrdd Enwebu'r Esgobaeth

Bwrdd Enwebu a gyfansoddwyd yn unol â Rheoliad 1 Rheoliadau'r Corff Llywodraethol ar Benodi ac Enwebu.

“Bywoliaeth”

Plwyf neu grŵp o blwyfi y gellir sefydlu clerig yn beriglor iddo.

“Bywoliaeth Reithorol”

Bywoliaeth a sefydlwyd yn unol â Phennod IV D adrannau 3(j) and 4(3).

“Canghellor”

(ac eithrio yn achos Cynllun Cadeirlan) canghellor esgobaeth a benodwyd gan yr esgob yn unol â Phennod IX adran 28.

“Clerig”

clerc mewn Urddau Eglwysig.

## Part II: Definitions and Interpretation

### 7.

In this Constitution including the Regulations, except where otherwise expressly provided, the following words and phrases shall have the following meanings:

“Archbishop”	means the Archbishop of Wales for the time being.
“Archdeacon”	means an Archdeacon of an Archdeaconry of the Church in Wales and, in relation to a Parish, the Archdeacon of the archdeaconry in which the Parish is situate.
“Assistant Bishop”	means a bishop appointed to assist the Archbishop or a Diocesan Bishop pursuant to Chapter V section 15.
“Bench of Bishops”	means the Archbishop and the other Diocesan Bishops.
“Benefice”	means a Parish or Grouped Parishes to which a cleric may be instituted as an Incumbent.
“Bishop” and Diocesan Bishop	means a Diocesan Bishop of the Church in Wales.
“Chancellor”	means (except in the case of a Cathedral Scheme) the Chancellor of a diocese appointed by the Bishop in accordance with Chapter IX section 28.
“Cleric”	means a clerk in Holy Orders.
“Communicant”	means a person who has lawfully received Holy Communion in the Church in Wales or some Church in communion with it and is entitled to receive Holy Communion in the Church in Wales.
“Congregational Meeting”	means a meeting held pursuant to Regulation 6 of Part II of the Governing Body Regulations relating to Parochial Administration.
“Constitution”	means the Constitution of the Church in Wales as defined in section 1.

“Cofrestrydd yr Esgobaeth”	Cofrestrydd esgobaeth a benodwyd gan esgob esgobaeth yn unol â Phennod IX adran 31.
“Corff Llywodraethol”	Corff Llywodraethol yr Eglwys yng Nghymru a gyfansoddwyd fel y darperir ym Mhennod II.
“Cyfansoddiad”	Cyfansoddiad yr Eglwys yng Nghymru, fel y diffinnir ef yn adran 1.
“Corff y Cynrychiolwyr”	y corff a ymgorfforwyd trwy Siarter Brenhinol ar 24 Ebrill 1919 (fel y diwygiwyd ef) ac y cyfeirir ato yn Neddf Eglwys Cymru 1914 a Phennod III.
“Cyfarfod Cynulleidfaol”	cyfarfod a gynhaliwyd yn unol â Rheoliad 6 Rhan II Rheoliadau'r Eglwys yng Nghymru ar Weinyddiaeth Plwyf.
“Cyngor Plwyf Eglwysig”	y corff a gyfansoddwyd fel y darperir ym Mhennod IVC.
“Cymru”	Talaith yr Eglwys yng Nghymru.
“Cymunwr”	un a dderbyniodd y Cymun Bendigaid yn gyfreithlon yn yr Eglwys yng Nghymru neu mewn Eglwys sydd mewn cymundeb â hi ac y mae ganddo hawl i dderbyn y Cymun Bendigaid yn yr Eglwys yng Nghymru.
“Cynhadledd yr Esgobaeth”	Cynhadledd esgobaethol esgobaeth a gyfansoddwyd fel y darperir ym Mhennod IV A.
“Deoniaeth”	ardal mewn archddiaconiaeth sydd dan arolygiaeth gyffredinol deon bro.
“Esgob Cadeiriol” ac “Esgob Esgobaeth”	Esgob esgobaeth yn yr Eglwys yng Nghymru.
“Esgob Cynorthwyol”	Esgob a benodwyd i gynorthwyo'r archesgob neu esgob esgobaeth yn unol â Phennod V adran 15.
“Etholwr Cymwys”	un y mae ei enw ar rôl etholwyr plwyf yng Nghymru.

“Deanery”	means an area of an Archdeaconry which is under the general oversight of an Area Dean.
“Diocesan Board of Finance”	means a Diocesan Board of Finance appointed by a Diocesan Conference pursuant to Chapter IV A section 24.
“Diocesan Conference”	means the Diocesan Conference of a diocese constituted as provided in Chapter IV A.
“Diocesan Nomination Board”	means the Nomination Board constituted in accordance with Regulation 1 of the Governing Body Regulations relating to Appointments and Nominations.
“Diocesan Registrar”	means the Registrar of a diocese appointed by the Diocesan Bishop in accordance with Chapter IX section 31.
“Governing Body”	means the Governing Body of the Church in Wales constituted as provided in Chapter II.
“Grouped Parishes”	means two or more Parishes which continue as separate entities under one incumbent pursuant to Chapter IV D.
“Incumbent”	means a cleric instituted or collated to the cure of souls of a Benefice.
“Lay Worker”	means a lay person who officiates in accordance with a licence from the Diocesan Bishop or with his permission.
“Member of the Church in Wales”	means: (a) any office holder in the Church in Wales; (b) any Cleric and deaconess in receipt of a pension from the Representative Body; (c) any person whose name is entered on the electoral roll of a Parish; and (d) any member of the Governing Body and the Representative Body and any committees of them.

“Gweithiwr Lleyg”	person lleyg sy’n gweithredu yn unol â thrwydded gan esgob esgobaeth neu gyda’i ganiatâd.
“Mainc yr Esgobion”	Yr archesgob ac esgobion yr esgobaethau eraill.
“Periglor”	cleric a sefydlwyd neu a goladwyd i ofal eneidiau bywoliaeth.
“Plwyf”	unrhyw un o’r manau eglwysig a ganlyn yng Nghymru: (a) unrhyw blwyf, hynafol neu newydd; (b) bywoliaeth reithorol; (c) pob plwyf mewn grŵp o blwyfi; (d) plwyf unedig; (e) plwyf y cyfunwyd ag ef blwyf arall (neu ran neu rannau o blwyf neu gyn-blwyf).
“Plwyfi wedi eu Grwpio”	dau neu fwy o blwyfi sy’n dal yn unedau ar wahân dan un periglor yn unol â Phennod IV D.
“Pwyllgor Sefydlog”	Pwyllgor Sefydlog y Corff Llywodraethol.
“Tribiwnlys”	Tribiwnlys Disgyblaethol yr Eglwys yng Nghymru a sefydlwyd yn unol â Phennod IX Rhan III.

8.

Golyga pob cyfeiriad yn y Cyfansoddiad:

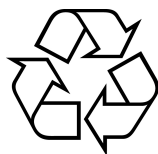
- (a) at Bennod, y Bennod honno yn y Cyfansoddiad;
- (b) at rif adran neu is-adran neu at Ran mewn Pennod, rif yr adran neu’r is-adran neu’r Rhan honno o’r Bennod honno; ac
- (c) at rif Rheoliad neu baragraff, rif y Rheoliad neu’r paragraff hwnnw o’r Rheoliad.

“Parish”	means any of the following ecclesiastical areas in Wales: (a) any parish, whether ancient or new; (b) a rectorial benefice; (c) each parish in a group of parishes; (d) a united parish; (e) a parish into which another parish (or part or parts of a parish or former parish) has been merged.
“Parochial Church Council”	means the body constituted as provided in Chapter IV C.
“Provincial Nomination Board”	means the Nomination Board constituted in accordance with Regulation 8 of the Governing Body Regulations relating to Appointments and Nominations.
“Qualified Elector”	means a person whose name is entered on the electoral roll of a Parish in Wales.
“Rectorial Benefice”	means a Benefice established in accordance with Chapter IV D sections 3(j) and 4(3).
“Representative Body”	means the body incorporated by Royal Charter on the 24th day of April 1919 (as amended) and referred to in the Welsh Church Act 1914 and Chapter III.
“Standing Committee”	means the Standing Committee of the Governing Body.
“Tribunal”	means the Disciplinary Tribunal of the Church in Wales established in accordance with Chapter IX Part III.
“Wales”	means the Province of the Church in Wales

8.

Any references in the Constitution:

- (a) to a Chapter number, means that Chapter of the Constitution;
- (b) within a Chapter to a numbered section or subsection or to a Part means that numbered section or subsection or Part of that Chapter; and
- (c) to a Regulation or paragraph number, means that numbered Regulation or paragraph of the Regulation concerned.



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