Pennod V

YR ARCHESGOB A'R ESGOBION CADEIRIOL

THE ARCHBISHOP AND THE DIOCESAN BISHOPS

Chapter V

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YR ARCHESGOB A'R ESGOBION CADEIRIOL

Rhan I: Urdd yr Esgobion

1.

Bydd yr Archesgob a'r Esgobion Cadeiriol yn eistedd ac yn gweithredu yn gynrychiolwyr i'r Synod Daleithiol hynafol ac, yn ddarostyngedig i'r Cyfansoddiad, byddant yn dal ac yn arfer yr holl awdurdod a galluoedd sydd ac a fu erioed yn eiddo i Synod Daleithiol.

2.

Bydd gan yr Archesgob flaenoriaeth ar bob Esgob Cadeiriol. Yn nesaf ar ei ôl ef, at holl ddibenion y Cyfansoddiad, bydd blaenoriaeth pob Esgob Cadeiriol arall yn ôl dyddiad ei benodi gyntaf yn Esgob Cadeiriol.

3.

(1) Bydd gan yr Archesgob y gallu a gall arfer y gallu i ganiatáu trwyddedau, goddefebau, hawlebau ac ysgrifebau eraill a oedd gan Archesgob Caer-gaint yng Nghymru ar 30 Mawrth 1920, yn ôl fel y gellid trosglwyddo'n gyfreithlon y cyfryw alluoedd.

(2) Bydd gan yr Esgobion Cadeiriol bob gallu a gallant ddefnyddio pob gallu i ganiatáu trwyddedau, goddefebau, hawlebau ac ysgrifebau eraill a oedd ganddynt ar 30 Mawrth 1920.

Rhan II: Yr Archesgob

4.

(1) Delir swydd yr Archesgob gan Esgob Cadeiriol, a'i benodi yn unol â'r Bennod hon.

(2) At ddiben y Cyfansoddiad, ystyrir yr Archesgob yn Esgob yr esgobaeth y mae'n llywyddu drosti heb amharu ar ei hawliau fel Archesgob.

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) Etholir yr Archesgob gan Goleg Ethol Archesgob.

(2) Aelodau'r Coleg Ethol Archesgob fydd:

(*a*) yr Esgobion;

(*b*) y tri chyntaf ymhlith yr Etholwyr Esgob clerigol a'r tri chyntaf ymhlith yr Etholwyr Esgob lleyg ar restr pob Esgobaeth yn yr Eglwys yng Nghymru.

(3) Yr Esgob Cadeiriol blaenaf, os bydd yn fodlon gweithredu neu, yn ei absenoldeb ef neu os bydd ef yn anfodlon gweithredu, yr Esgob Cadeiriol nesaf ei flaenoriaeth sy'n bresennol ac yn fodlon gweithredu fydd Llywydd y Coleg (y "Llywydd").

6.

Yn ddarostyngedig i ddarpariaethau'r Cyfansoddiad, bydd y Coleg Ethol Archesgob yn gwneud ei reolau ei hun ar y dull a'r modd y pleidleisir dros yr Archesgob a'i ethol.

7.

(1) Pan fo'r Archesgob yn fethedig neu'n absennol o'r Ynysoedd Prydeinig:

(*a*) y blaenaf o'r Esgobion Cadeiriol sy'n fodlon gweithredu ac yn gallu gweithredu, a heb fod ar y pryd yn absennol o'r Ynysoedd Prydeinig, fydd gwarcheidwad ysbrydoliaethau unrhyw esgobaeth sy'n wag cyhyd ag y bo'r Archesgob yn fethedig neu'n absennol o'r Ynysoedd Prydeinig, a bydd ganddo a gall arfer holl hawliau eraill yr Archesgob;

(*b*) os bydd yr Esgob hwnnw yn ystod y cyfryw gyfnod farw neu fynd i fethu gweithredu neu fod yn absennol o'r Ynysoedd Prydeinig am gyfnod hwy na thri diwrnod yn olynol, cymerir ei le i ddibenion yr adran hon o hynny ymlaen neu gyhyd ag y pery'n fethedig neu'n absennol o'r Ynysoedd Prydeinig gan yr Esgob Cadeiriol nesaf ei flaenoriaeth a chanddo'r cymwysterau a enwyd eisoes.

(2) Os digwydd ar unrhyw adeg fod Mainc yr Esgobion yn tybio, ar dystiolaeth a farnont yn ddigonol, fod yr Archesgob yn analluog oherwydd llesgedd i gyflawni'n ddyladwy ei ddyletswyddau fel Archesgob, gallant hysbysu'r ffaith i'r Goruchel Lys; ac os bydd y Llys, ar ôl ymholi'n briodol, ac ar dystiolaeth a farno'n ddigonol, ac ar ôl rhoi cyfle i'r Archesgob gael ei wrando, yn cyhoeddi trwy ddyfarniad ei fod yn analluog fel y dywedwyd, yna bydd i'r dyfarniad yr un effaith, a dilynir ar hynny yr un drefn, â phetai ef wedi ymddiswyddo ar y dydd y cyhoeddwyd y dyfarniad, a bydd y Llys yn anfon cofnod o'r dyfarniad i bob Esgob Cadeiriol; ar yr amod bob amser y bydd y Llys, cyn cyhoeddi'r dyfarniad, yn fodlon bod cynhaliaeth ddigonol wedi'i sicrhau ar gyfer yr Archesgob neu y gwneir hynny ar unwaith gan Gorff y Cynrychiolwyr.

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 his 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.

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) If at any time it appears to the Bench of Bishops, upon such evidence as they may deem sufficient, that the Archbishop is incapacitated by infirmity from the due performance of his duties as Archbishop, they may report the fact to the Supreme Court, and if, upon due enquiry and such evidence as the Court may deem sufficient and after giving the Archbishop an opportunity of being heard, the Court shall by judgment pronounce him to be incapacitated as aforesaid, the judgment shall have the same effect and the same proceedings shall thereupon be taken as if he had resigned his office upon the day judgment was pronounced and the Court shall send a minute of the judgment to each Diocesan Bishop, provided always that, before pronouncing judgment, the Court shall be satisfied that adequate maintenance has been or will forthwith be secured to such Archbishop by the Representative Body.

8.

Gall yr Archesgob ymddiswyddo o'i swydd fel archesgob heb ymddiswyddo o'i esgobaeth trwy hysbysu'r Esgob Cadeiriol blaenaf mewn ysgrifen.

9.

Pan elo swydd yr Archesgob yn wag:

(*a*) y blaenaf o'r Esgobion Cadeiriol, ar wahân i'r Archesgob sy'n ymddeol, sy'n fodlon gweithredu ac yn gallu gweithredu fydd gwarcheidwad ysbrydoliaethau unrhyw Esgobaeth sy'n wag, ac ef fydd yn dal ac yn arfer holl hawliau eraill yr Archesgob ac yn llenwi ei le cyhyd ag y bydd yr Archesgobaeth yn wag;

(*b*) os bydd i'r Esgob hwnnw farw tra bydd yr archesgobaeth yn wag, neu ei fod neu iddo fynd yn fethedig neu'n absennol o'r Ynysoedd Prydeinig, cymerir ei le at ddibenion yr adran hon o hynny ymlaen, neu gyhyd ag y pery'n fethedig neu'n absennol o'r Ynysoedd Prydeinig, gan yr Esgob Cadeiriol nesaf ei flaenoriaeth a chanddo'r cymwysterau a enwyd eisoes.

Rhan III: Yr Esgobion Cadeiriol

10.

(1) Etholir Esgob Cadeiriol gan Goleg Ethol Esgob.

(2) Aelodau'r Coleg Ethol fydd:

(*a*) yr Archesgob a'r Esgobion Cadeiriol;

(*b*) y chwe Etholwr Esgob clerigol a'r chwe Etholwr Esgob lleyg o'r esgobaeth wag; ac

(*c*) y tri chyntaf ymhlith yr Etholwyr Esgob clerigol a'r tri chyntaf ymhlith yr Etholwyr Esgob lleyg ar restr pob esgobaeth arall.

(3) Yr Archesgob neu, yn ei absenoldeb ef, yr Esgob Cadeiriol nesaf ei flaenoriaeth sy'n fodlon gweithredu fydd Llywydd y Coleg.

(4) Bydd y Llywydd yn penodi Hwyluswr ar gyfer pob etholiad; ei swyddogaeth fydd cynorthwyo'r Esgobaeth wag i baratoi at yr etholiad, gan gynnwys cynhyrchu Proffeil o'r Esgobaeth a chynnull Etholwyr Esgob yr Esgobaeth i ystyried anghenion yr Esgobaeth ac i ystyried ymgeiswyr y gellir eu henwebu i'w hethol. Awdurdodir yr Hwyluswr i gychwyn ar ei waith wedi i'r E sgob sy'n ymddeol hysbysu ei fwriad i wneud hynny o dan adran 12.

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 his absence the Diocesan Bishop next in order of precedence and willing to act, shall be President of the Bishop's Electoral College.

(4) The President shall appoint a Facilitator for each election whose role will be to assist the vacant Diocese in its preparations for the election including the production of a Diocesan Profile and convening the Diocesan Episcopal Electors to consider the needs of the Diocese and to consider potential candidates for nomination. The Facilitator will be authorised to begin work after the retiring Bishop has given notice of his intention to do so under section 12.

11.

Yn ddarostyngedig i'r Cyfansoddiad, bydd y Coleg Ethol Esgob yn gwneud ei reolau ei hun ar y dull a'r modd y pleidleisir dros Esgob a'i ethol.

12.

(1) Gall Esgob ymddiswyddo o'i esgobaeth trwy hysbysu'r Archesgob mewn ysgrifen o'i fwriad i wneud hynny, a bydd yr Archesgob ar hynny yn gorchymyn i Ysgrifenyddion y Corff Llywodraethol roi hysbysiad ysgrifenedig am yr ymddiswyddiad i bob Esgob Cadeiriol, i Gadeirydd y Pwyllgor Sefydlog, Cadeirydd Corff y Cynrychiolwyr, ac i bob Etholwr Esgob.

(2) Gall yr Archesgob ymddiswyddo o'i esgobaeth trwy hysbysu'r Esgob Cadeiriol blaenaf, a bydd yntau ar hynny yn dod yn Llywydd y Coleg Ethol Esgob a bydd yn gorchymyn i Ysgrifenyddion y Corff Llywodraethol roi hysbysiad ysgrifenedig am yr ymddiswyddiad yn unol ag is-adran 12(1).

13.

Pan grëir esgobaeth newydd bydd y Corff Llywodraethol yn darparu fel y barno'n fuddiol at sicrhau ethol Esgob yn unol ag egwyddorion y Bennod hon.

14.

Os digwydd ar unrhyw adeg fod Mainc yr Esgobion yn tybio, ar dystiolaeth a farnont yn ddigonol, fod unrhyw Esgob yn analluog oherwydd llesgedd i gyflawni'n ddyladwy ei ddyletswyddau fel Esgob, gallant hysbysu'r ffaith i Lys Arbennig y Dalaith; ac os bydd y Llys, ar ôl ymholi'n briodol ac ar dystiolaeth a farno'n ddigonol, ac ar ôl rhoi cyfle i'r Esgob gael ei wrando, yn cyhoeddi trwy ddyfarniad ei fod yn analluog fel y dywedwyd, yna bydd i'r dyfarniad yr un effaith, a dilynir ar hynny yr un drefn, â phetai ef wedi ymddiswyddo ar y dydd y cyhoeddwyd y dyfarniad, a bydd y Llys yn anfon cofnod o'r dyfarniad i bob Esgob Cadeiriol; ar yr amod bob amser y bydd y Llys, cyn cyhoeddi'r dyfarniad, yn fodlon bod cynhaliaeth ddigonol wedi'i sicrhau ar gyfer yr Esgob hwnnw neu y gwneir hynny ar unwaith gan Gorff y Cynrychiolwyr.

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.

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.

If at any time it appears to the Bench of Bishops, upon such evidence as they may deem sufficient, that any Bishop is incapacitated by infirmity from the due performance of his duties as such Bishop, they may report the fact to the Special Provincial Court, and if upon due enquiry and such evidence as the Court may deem sufficient and after giving the Bishop an opportunity of being heard, the Court shall by judgment pronounce him to be incapacitated as aforesaid, the judgment shall have the same effect and the same proceedings shall thereupon be taken as if he had resigned his office upon the day judgment was pronounced and the Court shall send a minute of the judgment to each Diocesan Bishop, provided always that, before pronouncing judgment, the Court shall be satisfied that adequate maintenance has been or will forthwith be provided for such Bishop by the Representative Body.

Esgob Cynorthwyol

15.

(1) Caiff unrhyw Esgob Cadeiriol, os dymuna hynny, Esgob neu Esgobion Cynorthwyol i'w gynorthwyo yn yr esgobaeth.

(2) Ni fydd gan Esgob Cynorthwyol hawl i olynu i unrhyw gadair esgobol.

(3) Ni fydd Esgob Cynorthwyol yn arfer dim ond yr hawliau a'r swyddi hynny yn yr esgobaeth a ymddiriedir iddo i'w harfer o bryd i'w gilydd gan Esgob yr esgobaeth ar y pryd trwy gomisiwn dan ei sêl esgobol.

(4) Os bydd Esgob Cadeiriol yn dymuno cael clerig mewn urdd offeiriad yn Esgob Cynorthwyol, bydd yn anfon enw'r clerig i'r Archesgob, a bydd yntau'n cyflwyno'r enw i bob aelod o Fainc yr Esgobion; ac os bydd Mainc yr Esgobion, neu fwyafrif ohonynt, wedi ymgynnull mewn Synod, yn fodlon bod y clerig hwnnw'n gymwys, bydd yr Archesgob yn ei gyhoeddi'n Ddarpar-Esgob Cynorthwyol yr esgobaeth, a bydd yr Archesgob yn cymryd y camre angenrheidiol i ddwyn hynny i rym.

(5) Os bydd Mainc yr Esgobion, neu fwyafrif ohonynt, wedi ymgynnull mewn Synod, heb eu bodloni bod y clerig y cyflwynwyd ei enw iddynt yn gymwys, neu os bydd y Darpar-Esgob Cynorthwyol yn gwrthod y penodiad, neu ei fod cyn pen un diwrnod ar hugain ar ôl ei hysbysu o'r cyhoeddiad heb dderbyn y penodiad mewn ysgrifen wedi'i chyfeirio at yr Archesgob, gall yr Esgob Cadeiriol gyflwyno enw arall yn unol â'r darpariaethau uchod.

(6) Ni chaiff y darpariaethau hyn at benodi Esgobion Cynorthwyol mewn esgobaethau amharu nac effeithio ar waith yr Archesgob yn arfer yr hawliau a'r swyddogaethau sy'n gynhenid i swydd Metropolitan, nac ar waith yr Esgobion Cadeiriol yn arfer yr hawliau a'r swyddogaethau sy'n gynhenid i swydd esgob.

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.