

THE PRINCIPAL
ACTS
OF THE
GENERAL ASSEMBLY
OF THE
Free Church of Scotland
2000 – 2004

EDINBURGH

FREE CHURCH OF SCOTLAND
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THE PRINCIPAL ACTS OF THE
GENERAL ASSEMBLY OF THE FREE CHURCH OF SCOTLAND

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CLASS I - ACTS WHICH HAVE PASSED THE BARRIER ACT

None.

CLASS II - ACTS WHICH ARE OF GENERAL INTEREST TO THE CHURCH

**I - Act anent Recording of Assembly Proceedings and Appointment of Press Officer
(No. 1 of Class II)**

Edinburgh, 22nd May 2000

The General Assembly approve the following guidelines as regards the recording of Assembly proceedings and the taking of photographs during sederunts of the Assembly:

1. Recording of Assembly proceedings by video recorder etc, by television companies, or by sections of the media shall not be permitted unless prior permission has been received from the Assembly Press Officer acting in accordance with guidelines provided by the Assembly Arrangements Committee.
2. Use of flash photography by private individuals during the proceedings of the General Assembly shall not ordinarily be permitted, though exception will be made in cases such as the installation of the Moderator, reception of delegates, presentation of individuals to the Moderator.
3. Notwithstanding the above, the Assembly Arrangements Committee shall have the power to make arrangements at any time for the recording in any way of any part of the Assembly proceedings by any means they consider appropriate.
4. The General Assembly shall have a Press Officer appointed by the Finance, Law and Advisory Committee on the advice of the Assembly Arrangements Committee who shall be responsible inter alia for liaison with representatives of the media and giving such guidance as may be necessary for them to carry out their duties.

**II - Act anent Loyal and Dutiful Address to Her Majesty the Queen
(No. 2 of Class II)**

Edinburgh, 23rd May 2000

To the Queen's Most Excellent Majesty

The Loyal and Dutiful Address of the General Assembly of the Free Church of Scotland

May it please Your Majesty

We the ministers and elders of the Free Church of Scotland met in General Assembly the 23rd day of May 2000 wish to express the continuing loyalty of this Church to Your Majesty's Person and Throne.

We are honoured that His Royal Highness the Prince Charles, the Duke of Rothesay has come to address our Assembly as Lord High Commissioner in representation of Your Majesty.

We are grateful to God that Your Majesty is able to carry out the exacting duties of Your high office with unflagging enthusiasm, and that You so worthily represent our nation and people in Your travels to every corner of the land and to other countries near and far. We congratulate Your Majesty on the encouragement and leadership You give to the unique fellowship of nations which is the Commonwealth, and voice our admiration of the successful manner in which You and His Royal Highness, the Duke of Edinburgh undertook the arduous duties devolving on You during Your recent successful visit to Australia.

We congratulate Your Majesty on expressing so sensitively the nation's thanks to the brave men and women of the Royal Ulster Constabulary who have suffered so greatly during the many years of unrest in Northern Ireland. For them to receive the George Cross personally from Your Majesty was both a profoundly moving experience and a fitting tribute to their loyalty to the Crown and defence of the people. We pray that Your Majesty's Government will continue to persevere in the difficult task of bringing peace to that troubled Province, and that all traditions will achieve the goal of mutual respect and fruitful cooperation.

We convey our warm congratulations to those members of the Royal Household who have reached significant milestones in their lives. To Prince William about to celebrate his 18th birthday, we convey our best wishes in all his future studies, and pray that he will know the guidance and blessing of God in his choice of vocation and in his preparation for the heavy responsibilities that will more and more be laid upon him.

We share the amazement and delight of the whole nation at the resilience, zest for life and devotion to duty of Her Majesty the Queen Mother, and pray that if God spares her to celebrate in a few weeks time her 100th birthday, it will prove to be an occasion of much joy in Your Royal Household. No doubt the telegram of Her Majesty the Queen will be a highlight of the day!

Our own experience and the teaching of the Christian faith both impress upon us that even the longest life is short in relation to eternity. We are therefore grateful that Your Majesty upholds those Christian values and teachings which point us to the Lord Jesus Christ as the only source of eternal life. We appreciate and celebrate the rich diversity of our multi-cultural and multi-racial society, and admire the skill and sincerity with which Your Majesty promotes harmony and unity among all sectors of our society. At the same time we

acknowledge that Your Majesty by Your Church allegiance recognises faith in Christ and the authority of God's Word as revealed in Holy Scripture as the supreme focus of unity and the only true standard of morality for all our diverse peoples.

We assure Your Majesty that from all the pulpits of our Church and also in the homes of our people You and the members of the Royal Household are remembered publicly and privately in prayer. We do not consider this to be a mere formality, believing as we do that God hears and answers prayer, and that blessings, even if not immediately evident to us, accrue to Your Throne and Kingdom as prayer is regularly offered on Your behalf.

Your Majesty's most humble and obedient servants, the ministers and elders of the Free Church of Scotland in General Assembly convened.

III - Act anent Principal Clerkship of the General Assembly

(No. 3 of Class II)

Edinburgh, 23rd May 2000

1. The General Assembly receive with regret the resignation of Rev. Professor John L. Mackay as Principal Clerk and thank him for his services in past years.
2. The General Assembly appoint Rev. James Maciver as Principal Clerk from the close of this Assembly.

IV - Act reappointing Psalmody Advisory Group

(No. 4 of Class II)

Edinburgh, 23rd May 2000

The General Assembly reconstituted the Psalmody Advisory Committee as follows:

All members of the Select Committee on Psalmody with the addition of Rev. Professor D. M. MacDonald, Rev. I. D. Campbell, Rev. A. Cowie, Rev. A. J. MacDonald, Rev. W.M. Mackay, Rev. D. MacKeddie, Rev. D. Wilkie, Mr C. Bailey (Ayr), Dr E. Finlayson (Wick and Keiss), Mr A. Finlay (Inverness, Free North), Mr D. Gordon (Fortrose), Mr E. G. Macdonald (Glasgow, St Vincent Street), Dr D. G. Mackay (Edinburgh, Buccleuch and Greyfriars), Mr G. F. MacLean (Smithton-Culloden), Miss M Gillies (Nairn, Croy and Ardersier).

V - Act Appointing a Committee anent Seats in Presbytery

(No. 5 of Class II)

Edinburgh, 24th May 2000

The General Assembly set up a Committee to review the whole basis on which seats in Presbytery are granted to ministers and elders other than ministers holding pastoral charges within the bounds and representative elders from each congregation within the bounds. The Committee are directed to give thought to the principles on which such seats are granted and

to consider how retired ministers may be given opportunity for further service in the church. The Committee shall also consider the arrangements under which retired ministers have seats on Presbytery and whether there should be a corresponding elder in this and similar situations. The Committee are required to review the operation of Act XII, 1990, and to report to the next General Assembly. The General Assembly appoint the following as members of the Committee: Rev. James Maciver, Rev. Kenneth Stewart, Rev. Dr J. R. McIntosh, Rev. I. D. Glover, Mr D. W. Matheson and Mr I. K. MacLeod; Mr Maciver to be Convener.

VI - Act Granting a Seat in the Presbytery of Edinburgh and Perth to

Rev. John S. Ross

(No. 6 of Class II)

Edinburgh, 24th May 2000

The General Assembly receive the Petition from the Presbytery of Edinburgh and Perth requesting that Rev. J. S. Ross be granted a seat in the Presbytery. The General Assembly, being persuaded that the granting of this crave is for the good of the Church, grant Mr Ross a seat in the Presbytery in terms of Act XII, 1990, paragraph 1.2.

VII - Act Continuing a Seat in the Presbytery of Edinburgh and Perth to Rev. William D. Graham

(No. 7 of Class II)

Edinburgh, 24th May 2000

The General Assembly amend Act XVII, 1997, by deleting the words “ as long as he remained Manager of the Free Church Bookshop”.

VIII - Act anent Local Arrangements following the Secession from the Church

(No. 8 of Class II)

Edinburgh, 24th May 2000

1. The General Assembly record their thankfulness to God for the numbers, the commitment and zeal of those who have remained loyal to the Free Church of Scotland, particularly in congregations where their ministers have seceded.
2. The General Assembly instruct the Clerk of Assembly to send a copy of the Committee's Report to Deacons' Courts of all congregations affected by the recent secession, drawing their particular attention to the three options proposed: Local accommodation, a waiting strategy or legal action.
3. The General Assembly advise the Deacons' Court of each congregation affected by the recent secession to ensure that either they notify the Bank or Building Society where congregational accounts are held of any change in congregational treasurer, thus gaining access to congregational funds, or, where the Bank or Building Society is unwilling to allow this, they have the accounts frozen.

4. The General Assembly advise the Deacons' Court of each congregation affected by the recent secession to ensure that all congregational property (whether at present in their possession or not) be properly insured and that essential maintenance work is carried out.

5. The General Assembly record their disappointment at the way in which some of those who have seceded from the Free Church of Scotland have retained possession of buildings, congregational records and even funds which rightfully belong to the Free Church of Scotland. The General Assembly note with satisfaction that others have honourably relinquished possession, or are in the process of so doing.

6. The General Assembly thank the Committee for their sensitive and wise approach and reappoint the Committee for a further year.

IX - Act anent Dissents and Complaints from Findings of the General Assembly and Commissions thereof

(No. 9 of Class II)

Edinburgh, 24th May 2000

The General Assembly direct that prepared reasons for dissent or complaint be not engrossed in the Minutes of the Assembly or its Commission but held in retentis. Where a brief statement is written at the time of lodging a dissent, it may at the discretion of the Court be engrossed in the Minute. At meetings of the Commission, members of the Commission shall have the right to request permission for leave to Complain by submitting to the Assembly Clerk reasons for a Complaint within ten days, such reasons to be held in retentis. Both the Commission and Assembly may refuse to receive Reasons if they are not couched in respectful language. Where Reasons for Dissent are held in retentis, the General Assembly or their Commission shall appoint a Committee to answer Reasons, except where the Reasons are deemed frivolous or unspecific. When the Assembly appoints such a Committee, it shall report to the Commission of Assembly at its October meeting. If such a Committee is appointed by the Commission, it shall report to the next stated meeting of the Commission, or to the following General Assembly, whichever falls first. The Committee's Report shall contain both the Reasons and the Answers, and, if the Report is adopted, it shall be engrossed in the Minutes.

X - Act endorsing the Findings of the several Commissions of the General Assembly of 1999

(No. 10 of Class II)

Edinburgh, 24th May 2000

1. The General Assembly note the Minutes of the Meetings of the Commission held since last General Assembly and accept these Minutes as a true record of the proceedings.

2. The General Assembly endorse the endeavours of the Commission to maintain the unity of the Church and to take action for the well-being of the Church and Christ's cause in our

midst.

3. The General Assembly declare:

- 1) that the Commission of Assembly, in dealing with the Free Church Defence Association (FCDA), acted in accordance with the Acts and Constitution of the Church;
- 2) that the question of the FCDA was specifically remitted to the Commission by the 1999 General Assembly, in that Act XXIX, 1999, specifically empowered the Commission to receive Overture (b) as in the print from the Presbytery of Edinburgh and Perth, which Overture called for action concerning the FCDA;
- 3) that the matters agitating the Church were remitted to the Commission of Assembly by the 1999 General Assembly in that Act XXIX, 1999, specifically empowered the Commission “to receive the Report of the Special Commission appointed by the 1998 General Assembly, to deliberate upon the same and to determine all matters raised by it as they see fit”.
- 4) furthermore that the circumstances underlying the Findings of the Commission of Assembly anent the FCDA were of such a gravely prejudicial nature to the good name and witness of the Free Church that they fell within the remit of the Commission in Act XXIX, 1999, “to advert to the interests of the Church on every occasion, that the Church do not suffer or sustain any prejudice which they can prevent, as they will be answerable; provided always that, save as hereafter stated, this general clause be not extended to particular affairs or processes before Synods or Presbyteries that are not of universal concern to, or influence upon, the whole Church.”
- 5) their endorsement of and support for the Findings of the several Commissions of the 1999 General Assembly anent the Free Church Defence Association, in particular the following Findings in relation to the initiation and conduct of disciplinary procedures against officebearers in the FCDA.

Finding of Commission on Report of Special Commission, 24th June 1999;

Finding on Overture B from the Presbytery of Lewis, 7th October 1999;

Finding on Overture A from the Presbytery of Lewis, 7th October 1999;

Finding on Overture from the Presbytery of Edinburgh and Perth, 7th October 1999;

Finding on FCDA, 9th December 1999;

Finding on Relevancy of Libels, 20th January 2000;

Finding on Secession, 20th January 2000

4. The General Assembly note that by refusing to submit to Findings of the Commission, and especially by separating as they did from the Church before the prescribed procedures for redress of complaints as to the competence or lawfulness of the Commission’s findings had been exhausted, those who separated acted contrary to the constitutional procedure of the Church as set out in the Practice, page 86, and that their course of action was thereby procedurally flawed.

5. The General Assembly instruct the Committee to continue consideration of the following draft Proposed Deliverance, take legal advice as to its implications and bring a

Report to the next meeting of its Commission bearing on the issues raised.

“The General Assembly, deploring the imprudent, divisive and unwarranted actions taken by disaffected brethren who have left the Free Church of Scotland, assert that these ministers and office-bearers, by separating from the Free Church and by forming themselves into a new denomination, are ipso facto no longer subject to the Courts of the Free Church of Scotland. The General Assembly therefore exercise their right of nobile officium and from this date terminate the sentence of suspension sine die imposed by the Commission of Assembly on 20th January 2000, and also from similar suspensions subsequently imposed by Presbyteries of the Free Church, and declare that by their actions the individuals adhering to the seceding body have separated themselves from the Free Church of Scotland, are no longer office-bearers in it, and are now deemed to belong to a separate denomination in which they are not subject to the jurisdiction of the Free Church or entitled to any of its privileges or emoluments.”

6. The General Assembly, in the light of the circumstances now obtaining, instruct Presbyteries to take no further action in terms of the finding of the Commission of Assembly of 7th October 1999 (Overture (a) from the Presbytery of Lewis).

XI - Act continuing the Committee to Review Procedure

(No. 11 of Class II)

Edinburgh, 24th May 2000

The General Assembly continue the Procedure Committee, which was set up by the Commission of Assembly in March 2000, with personnel as stated in the Minute of 1st March 2000.

XII - Act Designating Cobham a Church Extension Charge

(No. 12 of Class II)

Edinburgh, 24th May 2000

The General Assembly designate the Congregation meeting in Cobham, Surrey, a Church Extension Charge under the oversight of the Kirk Session of the Cole Abbey Congregation, in terms of Act XXVII, 1989, waiving the time restriction of Paragraph 2.1 thereof.

XIII - Act Designating South Uist and Benbecula a Church Extension Charge

(No. 13 of Class II)

Edinburgh, 24th May 2000

The General Assembly (1) authorise the Committee on Church Extension to release Rev. Iain Macaskill from his obligation under the Act anent Church Planting, and (2) designate South Uist and Benbecula a Church Extension charge in terms of Act XXVII, 1989, Paragraph 2.5(a), authorising the Committee on Church Extension, in agreement with the Presbytery of Skye and Uist, to appoint a suitable minister to the charge.

XIV - Act anent Indemnification against Personal Loss arising from Legal Action

(No. 14 of Class II)

Edinburgh, 25th May 2000

The General Assembly, recognising the need to diminish any personal losses arising from actions taken in the name of the Church, enact as follows:

“The General Assembly shall normally and within limits determined by the Finance, Law and Advisory Committee indemnify against personal loss, Members of General Assemblies, Commissions of Assembly, Moderators, Assembly Clerks, the General Trustees, the General Treasurer and Members of Church Committees, where the losses are sustained as a result of legal actions against the individuals in a personal capacity for acts which they took in good faith and with honesty of purpose on behalf of and in the interest of the Church, provided that: (1) no such acts are in conflict with the criminal law; (2) the Principal Clerk of Assembly is notified in writing of the threat of such actions as soon as this is known to the individual threatened; and (3) the Finance, Law and Advisory Committee directs or approves of the legal defence being pursued.”

XV - Act anent Strategy for the Future of the Church

(No. 15 of Class II)

Edinburgh, 25th May 2000

1. The General Assembly affirm the view that the Church’s financial challenges are only a symptom of the Church’s spiritual state and that the most important element in resolving its financial problems is for the people of the Church to pray for the spiritual well-being of the Church and to witness to the gospel of Jesus Christ.
2. The General Assembly also affirm the important role of ministers, Courts of the Church and Standing Committees in encouraging confidence in the strategy, programmes and administration of the Church, and urge all concerned to have at the forefront of attention their responsibility to enthuse the Church with a biblical vision of the role of the Free Church of Scotland in the work of the gospel. The General Assembly encourage presbyteries to produce a Presbytery plan regarding their role and objectives within their bounds. The General Assembly also encourage presbyteries to urge upon congregations to develop plans relevant to their local circumstances.
3. The General Assembly instruct the Finance, Law and Advisory Committee to set targets for income from the year 2001 onwards for each Presbytery, and to offer indicative targets for each congregation within the bounds taking into account historic giving, net ordinary income and the proposed annual expenditure of the Church. The General Assembly direct that Presbyteries shall make due arrangements for considering the targets transmitted to them by the Finance, Law and Advisory Committee, and empower Presbyteries to redistribute the indicative congregational targets in the light of local knowledge provided the overall Presbytery target is met. They direct Presbyteries to inform congregations of these targets, to

monitor congregational giving throughout the year, to take all appropriate steps to encourage congregations to meet their targets, and to communicate with the Finance, Law and Advisory Committee as required.

4. The General Assembly instruct the Finance, Law and Advisory Committee to ask budget-holding committees other than Foreign Missions Board, the College Board and the Eventide Home Committee to report to the Finance Law and Advisory Committee not later than end-October on proposals to raise some part of their income by project-led donation.

5. The General Assembly instruct the Finance, Law and Advisory Committee to carry out a detailed assessment of the new situation caused by the recent secession and, in the light of that, to draw up a workable system of Church finance which will avoid recurring deficits and will provide for the work of the gospel; this system to be proposed for legislation by next General Assembly. In particular the General Assembly instruct the Committee to consider the following proposals:

1) Every congregation will pay to central funds an agreed percentage of their ordinary income for central administrative costs and the training of the ministry costs;

2) In addition, every congregation which contributes to central funds 120% of what their minister is paid will be entitled to call a minister;

3) The concept of the Equal Dividend should not be allowed to deprive congregations of the ministry of word and sacrament. "Tent-making" ministries will be considered in exceptional circumstances.

6. The General Assembly instruct the Finance, Law and Advisory Committee to consult with presbyteries within Scotland regarding a scheme for simplifying the Committee system of the Church, such scheme to conform broadly to proposals set out in the Committee's Report. The Finance, Law and Advisory committee is hereby directed to finalise its proposals in time for a copy to be transmitted to all members of the Commission of Assembly before their meeting due to be appointed for October 2000. The General Assembly do here by authorise the Commission of Assembly at its stated meeting in October 2000, or at any subsequent meeting, to receive proposals from the Finance, Law and Advisory Committee regarding the Committees of the Church, granting the Commission full powers to deliberate and determine regarding the same, provided always that no change in the Committees of the Church shall be authorised before the meeting of the General Assembly in May 2001. The Nominations Committee is directed to seek nominations to Church Committees in terms of any new structure that is agreed by the Commission and is given powers to bring proposals to the General Assembly regarding any transitional arrangements that may be needed.

7. The General Assembly direct the Finance, Law and Advisory Committee to circulate to Presbyteries within Scotland before the end of June 2000 a scheme for the reduction of the number of Presbyteries in the Church and for the creation of larger and more viable Presbyteries, and to consult, if appropriate, with Presbyteries regarding these proposals. The Finance, Law and Advisory Committee is hereby directed to finalise its proposals in the light of comments from Presbyteries and to do so in time for a copy to be transmitted to all members of the Commission of Assembly before their meeting due to be appointed for

October 2000. The General Assembly do hereby authorise the Commission of Assembly at its stated meeting in October 2000, or at any subsequent meeting, to receive proposals from the Finance, Law and Advisory Committee regarding revisions to the bounds of Presbyteries within Scotland, granting the Commission full powers to deliberate and determine regarding the same, and in particular directing and authorising the Commission that if they approve proposals, they should take steps that they be implemented during November 2000.

8. The General Assembly direct and authorise the Commission of Assembly that if it shall approve proposals reducing the number of Presbyteries in Scotland and adjusting their bounds, then it shall also take steps to suspend meetings of the Scottish Synods between the date of the establishment of the new Presbyteries and the meeting of the General Assembly in May 2001, requiring that any business that would otherwise come before those Synods be directed to the General Assembly, or in matters of urgency, to its Commission. The General Assembly direct the Finance, Law and Advisory Committee to bring proposals to the 2001 General Assembly regarding the future role of Synods, and particularly direct the Committee to consult the Synod of North America and its constituent Presbyteries in the light of any changes to be proposed.

9. The General Assembly recognise the unique and vital importance of the Free Church College to the witness of the Free Church of Scotland in general and to the theological orthodoxy of her ministers in particular, and they declare their unqualified support for the College and for the College Board and the Senate in all their endeavours on behalf of the Church. The General Assembly instruct that the College Board draw up for submission in draft to the Finance, Law and Advisory Committee by December 2000 a three-year plan demonstrating how through measures relating to income and expenditure, re-organisation and the creation of a dedicated endowment fund the subvention to the College could be reduced from the current level of £175,000 to £8000 per Free Church student per annum or £100,000 per annum, whichever is the lesser.

10. The General Assembly instruct that the Foreign Missions Board draw up for submission in draft to the Finance, Law and Advisory Committee by December 2000 a three-year plan demonstrating how, through measures relating to income and expenditure and re-organisation, the Board can sustain the Church's foreign missions programme, including its contribution to CWI, to a ceiling of 12% of the Church's income.

11. The General Assembly instruct that the Eventide Home Management Board draw up for submission to the Finance, Law and Advisory Committee by December 2000 a draft three-year plan demonstrating how the Home may be put on a viable financial footing taking into account reasonable future expenditure.

12. The General Assembly direct each Deacons' Court to draw up a list of the capital assets of the Congregation and to forward it to the Presbytery of the bounds by 30th September 2000. The General Assembly direct each Presbytery to consider the lists of capital assets so forwarded to them, along with any other assets which may be directly under the control of the Presbytery, and to formulate in consultation with Congregations within their bounds a plan for the best use of these assets in furthering the work of the Church within the bounds of the Presbytery. The General Assembly require Presbyteries to forward to the Finance, Law and Advisory Committee a copy of these lists of capital assets along with such plans as have been

formulated by 31st January 2001. The General Assembly instruct the Finance, Law and Advisory Committee to draw up a list of all Church properties both locally and centrally held.

13. The General Assembly instruct the Finance, Law and Advisory Committee to formulate with professional advice an options appraisal for the future of the College and Church Office Buildings including the option to sell the building with a view to ensuring that these assets are put to best use for the good of the Church and to report to Assembly 2001 on this matter with an appropriate recommendation.

14. The General Assembly endorse the recommendation from the Finance, Law and Advisory Committee to the General Trustees that they consider selling the flats held in their name in Edinburgh.

15. The General Assembly direct that for the period to the 2001 General Assembly the following regulations shall apply regarding the filling of vacant charges:

1) If prior to this General Assembly a congregation has had a Sustentation Fund Schedule approved by the Sustentation Committee and has been given permission to call a minister, a Presbytery shall not proceed to moderate in a call unless it has additionally examined the congregation's current financial circumstances and is reasonably convinced that the congregation shall be able to remit to Central Funds a sum of at least 130 per cent in 2000, or that it has in fact done so and may be expected to continue to remit at that rate;

2) If prior to this General Assembly a congregation has had a Sustentation Fund Schedule approved by the Committee and has been given permission to call a minister but is not reasonably expected in its present circumstances to remit at least 130 per cent of the Equal Dividend to Central Funds in 2000, the Presbytery shall not proceed to moderate in a call to a minister unless prior approval has been obtained from the Finance, Law and Advisory Committee, which approval shall take into account the strategic importance of the congregation, the Church's finances, and the congregation's ability to satisfy the existing requirements for calling a minister in terms of its Schedule presented to the Sustentation Committee;

3) A vacant congregation which has not yet submitted a Sustentation Fund Schedule to the Sustentation Committee (or one whose Schedule has lapsed) may still submit a Schedule, but the Sustentation Committee shall not approve that Schedule with respect to the period up to the 2001 General Assembly unless it has, and accepts, the Presbytery's assurance that the Congregation may reasonably be expected to remit in excess of 130 per cent of the Equal Dividend to Central Funds during 2000, or unless the matter has been referred to the Finance, Law and Advisory Committee for exceptional approval in terms of the criteria set out in (2) above.

XVI - Act anent Equal Dividend and Related Salaries, including London Supplement
(No. 16 of Class II)
Edinburgh, 25th May 2000

1. The General Assembly direct the stipend of £13,200 be continued at present in terms of

the variation permitted by Act XII, 1989. The General Assembly approve the continuance of the other categories of salary that are paid at a fixed proportion of the stipend.

2. The General Assembly declare that the supplement to the stipend of the London congregation be index-linked at a point equivalent to 10% of stipend.

XVII - Act appointing a Special Conference to consider future Strategy

(No. 17 of Class II)

Edinburgh, 25th May 2000

1. The General Assembly appoint a Special Conference consisting of all members of this Assembly, together with all other ministers in charges and any other interested office-bearers, to be held prior to the meeting of the Commission of Assembly in October 2000, and instruct the Finance, Law and Advisory Committee to submit draft proposals on the Church's finances to this Conference for discussion.

2. The General Assembly do now empower this Conference to develop a consistent and coherent strategy for ministry and mission in the whole church under the present circumstances with instructions that its findings be reported to the October Commission which shall be empowered to pass legislation necessary to implement such a strategy. The General Assembly additionally resolve to appoint a Committee to organise this Conference.

3. The General Assembly appoint a Committee to organise the Conference consisting of Rev. D. I. MacDonald, Rev. A. J. MacDonald and Mr Angus Morrison (Partick Highland), Rev. D. I. MacDonald to be Convener.

XVIII - Act anent Congregations on Special Arrangements etc.

(No. 18 of Class II)

Edinburgh, 25th May 2000

1. The General Assembly note that the Redevelopment Charge of Tarbat is due for its ten-year review at this Assembly but the Committee has been unable to make recommendations as to the future of the congregation as no report has been received from the Presbytery of Ross and the charge is now vacant. The General Assembly instruct the Sustentation Committee to consult further with the Presbytery of Ross as to the future of the Tarbat congregation and make due arrangements in accordance with the legislation.

2. The General Assembly note the position regarding the congregation of Drumchapel. They rescind Act VI, 1999, and authorise the Sustentation Committee to enter into further discussions with the Presbytery of Glasgow as to the future of Drumchapel in the context of the wider negotiations for congregational readjustment in the city of Glasgow.

3. The General Assembly note the position regarding the congregation of Shettleston. They authorise the Sustentation Committee, in consultation with the Presbytery of Glasgow, to take such steps for the future of the congregation as may be possible within the present circumstances in accordance with the legislation in the context of the wider negotiations for

congregational readjustment in the city of Glasgow.

XIX - Act anent Assistantships

(No. 19 of Class II)

Edinburgh, 25th May 2000

The General Assembly having considered that it is desirable for the Ministers of certain congregations to have Ordained Assistants enact as follows:

The General Assembly reserve to themselves the right to judge of all applications which may be made by congregations for the appointment of an Assistant Minister under waiver of the conditions of Act III, 1851.

2. Such application shall only be considered from congregations which contribute to Central Funds an amount not less than three times the Stipend.
3. An application for the appointment of an Assistant Minister in terms of this Act shall be by means of a Petition from the Presbytery presented to the General Assembly through the Committee on Sustentation, Supply and Buildings Maintenance. The Committee shall only transmit such a Petition after scrutiny and approval of a special Sustentation Schedule.
4. Such a Schedule shall give adequate information so as to satisfy the Committee as to the suitability of the accommodation to be provided for and the expenses to be paid to the Assistant Minister by the congregation, and the nature of his proposed duties.
5. Upon the granting of an application by the General Assembly the Presbytery shall consult with the congregation concerned and process an invitation from them as though it were a Call and upon its acceptance make the requisite arrangements for the ordination/ induction of the appointee to the assistantship and to a seat in the Presbytery.
6. The appointee shall be instructed by the Minister who shall consult with the Kirk Session as regards the work to be undertaken by him. He shall have a seat in the Kirk Session and may preside in the absence of the Minister.
7. In the event of the General Assembly granting an application but no appointment being made within two years, the permission of the General Assembly will lapse and a fresh application will require to be made in accordance with 3) and 4) above. Such an application may be submitted, with accompanying Schedule, to the meeting of the Committee on Sustentation, Supply and Buildings Maintenance in the March before the second General Assembly after the Assembly which granted the original application.
8. The appointment shall in the first instance be for three years, renewable by the Presbytery at the request of the Kirk Session, for a further period of three years. The permission of the General Assembly must be obtained for any extension beyond six years.
9. At the date of expiry of the Assistant's appointment, he shall be placed on the Register of Ministers without Charge and be paid at the rate of the Stipend for a period of six months

from the date of the expiry of his appointment or until his induction to a charge, whichever is sooner.

10. Act V, 1986, is hereby repealed.

XX - Act anent Ministers' Car Expenses

(No. 20 of Class II)

Edinburgh, 25th May 2000

The General Assembly approve the following arrangements as regards Ministers' Car Expenses:

1. The minimum rate at which ministers' car expenses shall be met is 20p per mile. A congregation may pay at a higher rate if they so desire. The cost of ferry travel and bridge tolls shall be met in addition where appropriate. A minister shall be remunerated in respect of all valid car expenses incurred on church business.
2. All expenses incurred on congregational travel shall in normal circumstances be reimbursed by the congregation in accordance with Act XV, 1983. Such expenses shall include: home visits, hospital visits, travel for church services and meetings, weddings and funerals (where expenses are not otherwise met).
3. Car expenses incurred in respect of travel to church courts or committees shall be met by the Presbytery or Committee concerned.
4. Ministers whose total annual mileage in respect of travel covered by paragraphs 2) and 3) above exceeds 12,000 miles per annum shall be entitled to receive the excess mileage over 12,000 at an enhanced rate of 25p per mile.
5. Every minister shall submit to his Deacons' Court annually particulars of his total mileage in the designated categories for the year, and the Court shall be responsible for meeting expenses in accordance with the rates set in 1) and 4) above.
6. Every Deacons' Court shall report their diligence in this matter to the Presbytery not later than 15th January of the following year.
7. While Deacons' Courts are required to review their minister's expenses annually, these expenses may be met monthly, quarterly or on another basis agreed locally with the minister.
8. Presbyteries shall scrutinise each report to ensure expenses are being met fully, and investigate discrepancies.
9. Where congregations are unable to meet their obligations as outlined above from their funds, and Presbytery are satisfied after due inquiry that their financial situation and other commitments genuinely preclude their doing so, then the Presbytery shall transmit a certified application to the Sustentation Committee not later than the 15th of February each year for the balance of expenses.

10. The Sustentation Committee shall consider such expenses at their March meeting, and if so resolved, shall pay the appropriate sums to the minister concerned. Due budgetary allowance shall be made for this each year.
11. The Scheme shall be known as the Ministers' Car Expenses Scheme.
12. In the case of vacant congregations, ministers acting as Interim Moderators shall be eligible for the repayment of their expenses which relate to the vacant congregation by that congregation and the same procedure outlined above shall be followed *mutatis mutandis*.
13. Where a Resident Lay Preacher is appointed to a congregation, he shall be eligible for repayment of car expenses under the scheme, and the same procedure outlined above shall be followed *mutatis mutandis*.
14. Ministers in Church Extension and Church Planting appointments shall receive grants, where necessary, from the Church Extension Committee.
15. Nothing in the above legislation is to be construed as relieving congregations of their obligation to meet ministers' other expenses besides that of travelling.
16. Act XVIII, 1994, is hereby repealed.

XXI - Act anent Pulpit Supply Expenses and Fees

(No. 21 of Class II)

Edinburgh, 25th May 2000

The General Assembly approve the following revised arrangements for pulpit supply:

1. Only persons in the following categories may be employed for Temporary Resident Supply: Ministers whose names appear on the Register of Ministers without charge; retired Ministers of the Free Church; Probationers; recognised students of the Free Church; and students sponsored by the Presbyterian Church of Eastern Australia.
2. In all vacant congregations preaching fees shall be not less than the Scale of Fees approved by the General Assembly.
3. In special circumstances persons outwith the above categories may be employed by the authority of an Interim Moderator or the local Presbytery and shall be eligible for the appropriate fees and expenses.
4. Congregations shall be responsible for providing accommodation and board for weekend supply; and accommodation and travelling expenses for Temporary Resident Supply.
5. The Committee is authorised to negotiate an increased fee for resident supply with any recognised student as above.

6. Where supply involves the conduct of only one service on the Lord's Day the fee to be paid shall be at half the level that would otherwise obtain.

7. Traveling expenses of Supply Preachers:

- 1) Congregations in Groups I and II shall be responsible for meeting the traveling expenses of supply preachers in full.
- 2) The Committee shall be responsible for meeting the supply expenses of vacant congregations in Groups III and IV.
- 3) Exceptional cases shall be considered on their merits.
- 4) Supply preachers shall make use of public transport wherever available. Where such transport is not available and suitable a refund shall be allowed at the rate of 20p per mile to a maximum of £50.

8. Scale of Fees from 1st January 2001: As from 1st January 2001 a standard fee of £30 shall be paid by the congregation to a weekend supply preacher. This fee shall not be paid to a Minister in a settled charge.

9. Act XII, 1995, Act X, 1999, and any other legislation inconsistent with these enactments are hereby repealed.

XXII - Act Uniting the Kirk Session of Arnamurchan with the Kirk Session of Acharacle and Strontian

(No. 22 of Class II)

Edinburgh, 25th May 2000

The General Assembly unite the Kirk Session of Ardnamurchan with the Kirk Session of Acharacle and Strontian, the united congregation to have two Finance Committees. The General Assembly amend Act X, 1985, accordingly.

XXIII - Act Uniting the Kirk Session of Coll with the Kirk Session of Mull

(No. 23 of Class II)

Edinburgh, 25th May 2000

The General Assembly amend Act XIV, 1997, to read 1) the congregation of Mull and Coll be consolidated under one Kirk Session and two Deacons' Courts/Finance Committees as appropriate.

XXIV - Act Uniting the Kirk Session of Campbeltown with the Kirk Session of Tarbert and Islay

(No. 24 of Class II)

Edinburgh, 25th May 2000

The General Assembly ordain that the congregation of Campbeltown be united with the congregation of Tarbert and Islay, the united charge to have one Kirk Session and two

Deacons' Courts/Finance Committees. They amend Act XII, 1996, accordingly.

XXV - Act Regulating the Appointment of part time Lecturers

(No. 25 of Class II)

Edinburgh, 25th May 2000

The General Assembly approve the following regulations for the appointment of part-time lecturers to the Free Church College.

1. It will continue to be the responsibility of the Senate, in consultation with the College Board, to arrange for emergency cover in the event of a Professor's illness or temporary absence from work.
2. When a long-term need for a part-time lecturer arises in any department at the Free Church College the Professor or Course Organiser concerned shall bring the matter to the attention of the Senate; and the Senate, after due deliberation, shall decide whether or not to proceed to an appointment.
3. If the Senate judge that an appointment is appropriate they shall ask the Professor or Course Organiser to nominate a suitable lecturer. Except in the case of (a) lecturers in the departments of Psalmody and Elocution and (b) lecturers employed solely for the purpose of language-teaching, nominees must be office-bearers in the Free Church of Scotland; except with the express permission of the General Assembly.
4. The Senate shall recommend to the College Board that an appointment be made; and that the nominee of the Professor or Course Organiser be appointed.
5. Except in cases requiring the express permission of the General Assembly the College Board shall have the final power of appointment. They may decide to endorse the Senate's recommendation; or find that an appointment is inopportune or inappropriate; or ask the Professor or Course Organiser (through the Senate) to come up with another nomination. The Board shall not have power to appoint someone not nominated by the relevant Professor or Course Organiser.
6. The Board shall determine the duration of the appointment, which shall be for a maximum of three years. The appointment may be renewed for further periods subject to the consent of all parties.
7. The Board, in consultation with the Senate, shall determine the rate of remuneration of part-time lecturers and review it annually.
8. Each part-time lecturer shall work under the supervision and according to the instructions of the relevant Professor or Course Organiser.
9. In the event of a dispute between a lecturer and a Professor or Course Organiser the matter shall be referred in the first instance to the Senate. An appeal may be taken from the Senate to the College Board, whose judgement shall be final.

XXVI - Act anent Monitoring of Financial Needs of Students

(No. 26 of Class II)

Edinburgh, 25th May 2000

The General Assembly direct the College Board to liaise with the Training of the Ministry Committee in its monitoring of the financial needs of students and to explore all possible avenues of additional funding.

XXVII - Act anent College Endowment Fund

(No. 27 of Class II)

Edinburgh, 25th May 2000

The General Assembly approve of the renaming of the College Fund as the College Endowment Fund and permit the Board in consultation with the Finance, Law and Advisory Committee to engage in activities to solicit contributions to this Fund.

XXVIII - Act anent Quinquennial Visitation of the College

(No. 28 of Class II)

Edinburgh, 25th May 2000

The General Assembly instruct the College Board in conjunction with the Training of the Ministry Committee:

1. To consider the form the Quinquennial Visitation of the College should take in the future, and to report to the 2001 General Assembly, and
2. To postpone until that report has been evaluated any Quinquennial Visitation which may be due.

XXIX - Act anent Membership of the College Board

(No. 29 of Class II)

Edinburgh, 25th May 2000

1. The General Assembly amend Act XVI, 1995, Act anent Institution of College Board, paragraph 2.1.4 to read:- “the three remaining members of the Senatus, this position to be reviewed if or when the College reverts to the full complement of five professors”.
2. The General Assembly amend Act XVI, 1995, Act anent Institution of College Board, paragraph 2.2 to read:- “The Chairman of the Board will be appointed by the General Assembly on the recommendation of the Nominations Committee from amongst the membership of the Board. Members of the Senatus are excluded. No honorarium will be payable. The Secretary to the College shall be Secretary to the College Board”.

XXX - Act anent Quinquennial Visitations of Congregations

(No. 30 of Class II)

Edinburgh, 25th May 2000

The General Assembly, noting that some Presbyteries may find difficulty in maintaining their Quinquennial Visitation programmes because of their diminished manpower, authorise such Presbyteries to suspend implementation of Act XXX, 1988, for a period of twelve months, such cases to be reported to the next meeting of Synod.

XXXI - Act reappointing Rev. C. D. Smart as Assistant Minister of

the Free North Church, Inverness

(No. 31 of Class II)

Edinburgh, 25th May 2000

In terms of their previous finding on the Sustentation Committee's Report, the General Assembly grant authority to the Presbytery of Inverness to reappoint Rev. C. D. Smart as Assistant Minister of the Free North Church, Inverness for three years, renewable for another three years in terms of the aforementioned Finding.

XXXII - Act reappointing Assessors to the Presbytery of Glasgow

(No. 32 of Class II)

Edinburgh, 25th May 2000

The General Assembly appoint the following eight General Assessors to the Presbytery of Glasgow:

Rev. I. D. Glover, Rev. R. Macleod (Falkirk), Rev. W. M. Mackay, Rev. R. J. Ackroyd, Mr. I. Macleod (Currie), Dr. D. G. Mackay, Mr. D. A. Cameron, Mr. D. MacIver.

XXXIII - Act reappointing Assessors to the Presbytery of Skye and Uist

(No. 33 of Class II)

Edinburgh, 25th May 2000

The General Assembly reappoint the same personnel as General Assessors to the Presbytery of Skye and Uist.

XXXIV - Act anent Sales of Property

(No. 34 of Class II)

Edinburgh, 25th May 2000

1. The General Assembly authorise the sale of a strip of land amounting to 0.1411 acres at the rear of the Glen Urquhart manse, the transaction to be carried out under the supervision of the Church's Law Agents. The proceeds of the sale are to be made available to the

congregation for the maintenance and improvement of congregational properties.

2. The General Assembly authorise the sale of the church building in Kingussie, which includes the land currently leased to the Local Authority for use as an off-street parking place. The transaction is to be carried out under the supervision of the Church's Law Agents and the proceeds of the sale are to be lodged with the General Trustees in behoof of the Congregation, with capital and interest being available to the congregation for the maintenance and improvement of the Newtonmore Church building and the Kingussie Manse.

3. The General Assembly authorise the sale of the manse in Strontian, subject to obtaining a Minute of Waiver. The transaction is to be carried out under the supervision of the Church's Law Agents, and the proceeds of the sale are to be lodged with the General Trustees in behoof of the Congregation, with interest being available to the congregation for the maintenance and improvement of congregational properties.

4. The General Assembly authorise the sale of the Church building at Alligin, subject to obtaining a Minute of Waiver from the Superior for change of use. The transaction is to be carried out under the supervision of the Church's Law Agents, and the proceeds of the sale are to be lodged with the General Trustees in behoof of the Congregation, with interest being available to the congregation.

5. The General Assembly authorise the sale of the Manse at Garrabost, the transaction to be carried out under the supervision of the Church's Law Agents. The proceeds of the sale are to be lodged with the General Trustees in behoof of the Congregation, and are to be made available for the erection or procurement of a replacement manse, with interest meantime being added to capital.

XXXV - Act anent Release of Congregational Monies

(No. 35 of Class II)

Edinburgh, 25th May 2000

1. The General Assembly amend Act XXI (Class 2), 1999, to permit Arran Free Church to have access to the capital of the proceeds of the sale of Corrie Cottage to allow provision of hall facilities at Shiskine.

2. The General Assembly amend Act III, Class II, 1985, so as to permit the congregation of Kirkcaldy, Kinglassie and Glenrothes to have access to the balance of capital realised from the sale of the church and hall at Kennoway. The General Assembly also vary the Finding of the General Assembly of 21st May 1964 [Acts and Proceedings, page 44, regarding the sale of the Kinglassie manse] so as to permit the congregation to have access to the capital realised from the sale of the Kinglassie manse to help finance the purchase of a new manse for the congregation.

3. The General Assembly release such capital from the sale of the Bower manse as is necessary to pay for improvements to the Odrig manse.

XXXVI - Act anent Sale of Portree Church and Hall

(No. 36 of Class II)

Edinburgh, 25th May 2000

In the light of the exceptional circumstances prevailing in the Portree congregation, the General Assembly authorise the sale of the present Church building in Portree for a nominal sum, the Presbytery of the bounds being fully informed of all details of the proposed sale and related agreements, and having formally agreed that the transaction should proceed. Any transaction shall be carried out under the supervision of the Church's Law Agents. The proceeds of the sale are to be lodged with the General Trustees, and are to be used towards the cost of erecting or procuring another Church building, the interest in the meantime to be added to the capital.

XXXVII - Act admitting Rev. Marcos Florit to the Minsitry of the Free Church of Scotland

(No. 37 of Class II)

Edinburgh, 25th May 2000

The General Assembly admit Rev. Marcos Florit to the status of a minister of the Free Church of Scotland and direct that his name be added to the Register of Ministers available for call with effect from his signing of the Formula, to be arranged by the Presbytery of Edinburgh and Perth. The General Assembly order the supplementary documents to be held in retentis.

XXXVIII - Act Appointing Editor of The Monthly Record

(No. 38 of Class II)

Edinburgh, 26th May 2000

The General Assembly appoint Rev. Alex J. MacDonald to the post of Editor of The Monthly Record, in accordance with current legislation, and in the first instance for seven years.

XXXIX - Act Appointing the Commission of Assembly

(No. 39 of Class II)

Edinburgh, 26th May 2000

The General Assembly did, and hereby do, nominate and appoint a Commission consisting of all members of Assembly with the addition of Principal-Emeritus A. C. Boyd, named by the Moderator:- To be a Commission of this General Assembly with power to the said Commission or their quorum which is declared to be any fifteen or more of their number, whereof eight at least are always to be ministers, to meet and convene at Edinburgh on the first Wednesday of October and the first Wednesday of March next to come at 7 o'clock in the evening, and oftener when and where they shall think fit and convenient, and with power to choose their own Moderator; and the General Assembly fully empower the said Commission, or their quorum above-mentioned, to cognosce and finally determine as they shall see cause in every matter referred to them, or which shall be referred to them, by, or in

virtue of, any act or order of the Assembly; and to do everything contained in, and conform to the instructions given, or to be given, by the General Assembly; and to advert to the interests of the Church on every occasion, that the Church do not suffer or sustain any prejudice which they can prevent, as they will be answerable; provided always that, save as hereafter stated, this general clause be not extended to particular affairs or processes before Synods or Presbyteries that are not of universal concern to, or influence upon, the whole Church. And further, the General Assembly direct the Commission at its October meeting to receive reports from the Special Conference appointed by this Assembly and further empower the Commission to deliberate thereon and take such action thereanent as the Assembly themselves might take. And further, in view of the present circumstances, the General Assembly empower the Commission to take all steps necessary and proper to take in the interests of the Church and declare that meetings of the Commission shall have the full powers of a General Assembly to deal with all questions which may arise, provided always that notice of proposals to be brought before the Commission in terms of this empowerment shall be sent to commissioners at least ten days before the Commission is to convene, this requirement not implying any curtailment of amendment to such proposals. And further, the said Commission are hereby particularly empowered to receive and approve proposals reducing the number of Presbyteries in Scotland and adjusting their bounds, and also to make any necessary and appropriate adjustments in the operation of Synods, to make arrangements regarding the editing of Free Magazine, to receive and fully dispose of applications that may be forwarded to them for raising preaching stations or suppressed charges to fully sanctioned charges, for consolidating congregations into one charge, for the appointment of Ministers overseas and Foreign Missionaries in the Mission Fields of the Church, to appoint teachers seconded by the Reformed Missions League as missionary teachers to Colegio San Andrés, for authority to sell such property as is not held under the Model Trust Deed, or to sell such properties being under the Model Trust Deed as are to be sold in order to provide for new buildings, and to receive any references and appeals that shall be made to them from Synods in matters of doctrine, and ripen such affairs for next General Assembly, and to contribute what they can to the suppression of vice and immorality, and to give all needful advice and assistance to Synods, Presbyteries and Committees of Assembly upon application to them for that end. And the said Commission are hereby strictly prohibited and discharged to meddle in any other matters than what are committed and referred to them as above-mentioned. And in all their actings they are to proceed according to the Acts and Constitution of this Church, and to do nothing contrary thereto, or to the prejudice of the same, declaring that, in and for all their actings, they shall be accountable to, and censurable by, next General Assembly, as they shall see cause. And this Commission shall continue and endure until another Commission is appointed. And members are required to attend the diets of the said Commission.

XL - Act Appointing next General Assembly

(No. 40 of Class II)

Edinburgh, 26th May 2000

The General Assembly appoint the next General Assembly to meet in Edinburgh on Monday, 21st May 2001 at 6 o'clock in the evening.

ACTS OF THE COMMISSION OF ASSEMBLY

I - Act anent Suspension of Rev. Maurice J. Roberts

Edinburgh, 24th June 1999

The Commission of Assembly having considered the libel brought against Rev. Maurice J. Roberts at this time and having failed to persuade Rev. Maurice J. Roberts to retract his statements do find Rev. Maurice J. Roberts guilty of contumacy as charged, and do hereby resolve to suspend Rev. Maurice J. Roberts sine die from his office as minister in the Free Church of Scotland from this day 24th June 1999, and dissolve his pastoral tie with his present congregation.

The Commission wish to express their profound sense of sadness at the action which they now take but do so in the conviction that they are left with no alternative if they are to preserve the integrity and authority of the highest court of the Free Church.

The Commission of Assembly direct that the Presbytery of Inverness be informed as speedily as possible regarding the foregoing decision and instruct the Presbytery of Inverness to meet at the earliest possible opportunity to appoint an interim moderator, and to take all steps appropriate in these circumstances regarding the charge of Greyfriars Free Church, Inverness, in accordance with the Practice of the Free Church of Scotland. The Presbytery is authorised to meet if desired during the meeting of this Commission.

The Commission empower the Moderator and one of the Clerks to meet with the congregation of Greyfriars as soon as possible, in consultation with the Presbytery of Inverness.

The Commission authorise Mr Roberts be paid stipend for a period of three months from this date.

II - Act anent Minority Reports

Edinburgh, 24th June 1999

The Commission of Assembly resolve that it shall be no longer competent for a dissentient minority of a Committee of Assembly to present a minority report to the General Assembly. If members of an Assembly Committee wish to bring a decision of that Committee under the review of the Assembly, they should present a Petition thereanent. When the petition comes before the Assembly, both the Petitioners and the majority of the Committee would be parties at the bar.

III - Act appointing Assessors to the Presbytery of Glasgow

Edinburgh, 24th June 1999

The Commission of Assembly appoint the following as General Assessors to the Presbytery

of Glasgow: Rev. William Mackay (Edinburgh), Rev. Robert MacLeod (Falkirk), Dr. Donald G. Mackay (Edinburgh), Mr Iain Macleod (Currie), Rev. Principal Emeritus C. Graham (Edinburgh), Rev. Ian Glover (Livingston).

IV - Act authorising Sale of Kirkcaldy Manse

Edinburgh, 24th June 1999

The Commission of Assembly authorise the sale of the present Manse at 4 St Mary's Road, Kirkcaldy, the transaction to be carried out under the supervision of the Church's Law Agents. The proceeds of the sale are to be lodged with the General Trustees in behoof of the congregation and made available for the procurement of a more suitable manse.

V - Act anent the Free Church Defence Association

Edinburgh, 7th October 1999

1. The Commission of Assembly declare that the Free Church Defence Association is pursuing a divisive course from the government and discipline of the Free Church of Scotland;
2. The Commission of Assembly further declare that the office-bearers of the FCDA have adopted a position that is in violation of their position as office-bearers of the Free Church of Scotland;
3. The Commission of Assembly call upon the FCDA to disband immediately, requesting that they give notice of their having disbanded to the Principal Clerk by 30th November 1999 at the latest;

failing which,

4. The Commission of Assembly instruct all Presbyteries to,
 - 1) Inform all office-bearers - ministers, elders and deacons of the Free Church of Scotland - within their bounds who wish to hold office both in the Free Church of Scotland and in the Free Church Defence Association that they are thereby in breach of their ordination vows; and
 - 2) Require of all office-bearers of the Free Church of Scotland within their bounds who are also office-bearers of the Free Church Defence Association that they will forthwith resign their office in the Free Church Defence Association, or else be liable to be declared contumacious in that they will thereby have expressed a resolve to continue their pursuit of an unlawful and unbiblical course of action; in which case Presbyteries are instructed to initiate proceedings against any office-bearer of the Free Church of Scotland who declares that he will not resign his office in the Free Church Defence Association.

VI - Act anent Stornoway Relief Free Church

Edinburgh, 7 October 1999

1. The Commission of Assembly declare that the group known as “Stornoway Relief Free Church” is not a congregation of the Free Church of Scotland, but is rather founded upon sinful schism from the Stornoway Free Church, and is falsely claiming to be the true Stornoway Free Church.

2. The Commission of Assembly instruct all ministers and office bearers of the Free Church of Scotland not to support the Stornoway Relief Free Church by preaching, attending services, public statement, or any other way detrimental to the peace of the Free Church of Scotland. The Commission requires all Presbyteries to make diligent inquiry within their own bounds as to whether any minister or office-bearer has taken such action, to inform them of the finding of the Commission, require them to give an undertaking not to engage in such activities in the future, and if such an undertaking is not forthcoming to initiate proceedings against them for contumacy. The Commission requires Presbyteries to report diligence in this matter to a special meeting of the Commission to be held in Edinburgh on Wednesday 8th December 1999 at 7.00 p.m.

3. The Commission of Assembly remind all office bearers and communicant members of the Free Church of Scotland of their obligation to give financial support to the gospel ministry in their own congregations, consistent with their vows expressed by their signing a Call to their own minister. While fully endorsing the principle of free-will offering, the Commission denounces in the strongest terms the practice of continuing as an office bearer or communicant member in the Free Church of Scotland while simultaneously withholding, or diverting to any divisive body, funds necessary to the upkeep of gospel ordinances in the Free Church, as inconsistent with a Christian profession and example, and contrary to the practice expected of members of the Free Church of Scotland.

VII - Act anent Suspension of Rev. John J. Harding

Edinburgh, 9 December 1999

The Commission of Assembly, noting an apparent discrepancy between (1) the statement on page 110 of the Practice whereby a Presbytery is required to depose and censure instantly with the lesser excommunication an accused minister who has not appeared when duly cited, which statement is clearly authorised by the Form of Process, Section 7.6 and (2) the statement on page 237 of the Practice that “the Assembly alone can pronounce sentence of deposition on a Minister in his absence”, the authority for this statement being at present unknown to the Commission, find that the action of the Presbytery of Glasgow resolving to depose Rev. John J. Harding for contumacy has been arrived at in accordance with the stated procedures of the Church and has the effect of suspending Mr Harding from the office of the ministry of the Free Church of Scotland and depriving him of the emoluments of the same until the General Assembly disposes of the matter. The Commission hereby direct the Presbytery of Glasgow to report on the sentence of deposition to the General Assembly for disposal.

VIII - Act appointing Assessors to the Presbytery of Skye and Uist

Edinburgh, 9th December 1999

The Commission appoint eight ministers and eight elders as General Assessors to the Presbytery of Skye and Uist, directing these assessors to take all needful steps to ensure that the Presbytery of Skye and Uist implement the decisions of the General Assembly and its Commissions anent the licensing of Mr David Blunt, the FCDA and the Stornoway Relief Free Church, and report their diligence on these matters to the Principal Clerk of Assembly by 15th January 2000. The Commission appoint the following as General Assessors to the Free Presbytery of Skye and Uist:

Mr Farquhar Renwick, minister at Knockbain; Mr Murdo MacLeod, minister at Applecross; Mr John MacLean, minister at Lairg; Mr Ranald F. Morrison, minister at Tain; Mr Matthew MacKinnon, minister at Kiltarlity and Kirkhill; Mr Ronald G. Mackay, minister at Free North, Inverness; Mr Roderick M. Rankin, minister at Plockton and Kyle; Mr Colin Morison, minister at Elgin; together with Mr Angus Campbell, elder, Free North, Inverness; Mr Iain MacKenzie, elder, Free North, Inverness; Mr Kenneth Robertson, elder, Tain; Mr Ewen MacKenzie, elder, Applecross; Mr Alistair Fraser, elder, Plockton and Kyle; Mr Murdo MacLeod, elder, Plockton and Kyle; Mr Calum Morrison, elder, Greyfriars, Inverness; and Mr William Wyllie, elder, Knockbain.

IX - Act anent Suspension of Ministers withdrawing from Church

Edinburgh, 20th January 2000

Consequent to Rev. H. M. Ferrier, Rev. H. J. T. Woods, Rev. A. I. M. Maciver, Rev. David P. Murray, Rev. Donald M. Macdonald, Rev. Graeme Craig, Rev. Malcolm Maclean, Rev. John MacLeod (Tarbat), Rev. Allan Murray, Rev. James I. Gracie, Rev. J. A. Gillies, Rev. W. Macleod, Rev. Donald N. MacLeod, Rev. John MacLeod (Duthil-Dores), Rev. H. R. M. Radcliffe, Rev. B. H. Baxter, Rev. John J. Murray, Rev. John W. Keddie, Rev. Murdo A. N. Macleod, Rev. M. J. Roberts, Rev. John Morrison, Rev. Kenneth Macdonald. having intimated that they no longer recognised the authority of the Commission of the General Assembly, and the withdrawal of themselves from the Commission, thereby separating themselves from the Free Church of Scotland, the Commission of Assembly suspend sine die Rev. H. M. Ferrier, Rev. H. J. T. Woods, Rev. A. I. M. Maciver, Rev. David P. Murray, Rev. Donald M. Macdonald, Rev. Graeme Craig, Rev. Malcolm Maclean, Rev. John MacLeod (Tarbat), Rev. Allan Murray, Rev. James I. Gracie, Rev. J. A. Gillies, Rev. W. Macleod, Rev. Donald N. MacLeod, Rev. John MacLeod (Duthil-Dores), Rev. H. R. M. Radcliffe, Rev. B. H. Baxter, Rev. John J. Murray, Rev. John W. Keddie, Rev. Murdo A. N. Macleod, Rev. M. J. Roberts, Rev. John Morrison, Rev. Kenneth Macdonald from the whole duties of the ministry, and where any of the aforementioned is a minister in a pastoral charge the Commission of Assembly do hereby dissolve his pastoral tie with his present congregation and declare he is no longer entitled to the emoluments of the charge. Consequent to the foregoing the Commission of Assembly direct that the General Treasurer be informed of this decision and directed to cease payment of stipend at the earliest convenient date.

X - Act appointing Committee anent Local Arrangements

Edinburgh, 1st March 2000

The Commission of Assembly, in response to a recommendation from the Finance, Law and Advisory Committee, resolve as follows:

1. The Commission appoint a Committee consisting of: Rev. A. J. MacDonald, Dr Allan MacPherson, Rev. Dr J. R. McIntosh, Mr Angus McDonald (Golspie), and Rev. F. Renwick; Dr MacPherson to be Convener to prepare a detailed analysis of needs in local situations throughout the Church and to report with recommendations to next Assembly.
2. The Committee shall have power to assess all local situations where there are problems, and to develop proposals for dealing with them in conjunction with the affected Congregation and Presbytery.
3. The Committee shall have powers to meet with representatives of breakaway congregations with a view to formulating proposals regarding local arrangements of mutual interest, but shall not have power to finalise such proposals.
4. The Committee shall be known as the Committee anent Local Arrangements.
5. The Committee shall not include but shall have access to the Assembly Clerk and the General Treasurer.

XI - Act appointing Committee to Review Procedures

Edinburgh, 1st March 2000

The Commission of Assembly appoint a Committee consisting of the Clerks of Assembly, Rev. Principal-Emeritus C. Graham, the Convener of the Finance, Law and Advisory Committee and Dr I. R. MacDonald, the Principal Clerk to be Convener, to report to the forthcoming General Assembly with recommendations as to the status and disposing of complaints lodged against the proceedings of previous meetings of this Commission of Assembly, as to procedural issues raised during the sederunts of the Commission, and as to the appropriate course of procedure regarding brethren who have left the Free Church of Scotland.

THE PRINCIPAL

ACTS

OF THE

GENERAL ASSEMBLY OF THE FREE CHURCH OF SCOTLAND

MAY MMI

CLASS I - ACTS WHICH HAVE PASSED THE BARRIER ACT

None.

CLASS II - ACTS WHICH ARE OF GENERAL INTEREST TO THE CHURCH

I - Act anent Loyal and Dutiful Address to Her Majesty the Queen

(No 1 of Class II)

Edinburgh, 22nd May 2001

To the Queen's Most Excellent Majesty

The Loyal and Dutiful Address of the General Assembly of the Free Church of Scotland

May it please Your Majesty

We, the Ministers and Elders of the Free Church of Scotland met in General Assembly at Edinburgh this 22nd day of May 2001, respectfully offer Your Majesty the expression of our continual loyalty to Your Majesty's Person and Throne and to the Constitutional Monarchy of which you are the honoured Head and Representative.

We give continued thanks to Almighty God for the gracious care of Your Majesty in your many journeys in the homeland and overseas, and for His maintenance of Your Majesty's health and strength under the burden of responsibility entailed in your exalted Office.

We rejoice in the success of visits paid by Your Majesty to countries overseas. We are deeply aware that such visits by Your Majesty and by other members of the Royal Household do much to strengthen the ties with many nations and advance our mutual friendship and cooperation.

We express our deep appreciation of the way in which as a constitutional Monarch you have addressed the problems of a changing society, and pray that in these times Your Majesty's throne may continue to exercise a stabilising influence in our multi-racial society and throughout the world.

We constantly pray for Your Majesty's Ministers and Government that the wisdom which has its beginning in reverence for the Lord may be given them for the discharge of their duties and that peace and prosperity founded on national recognition of God's righteousness may be established among us.

We request that consideration be given to a call for a nationwide day of prayer for the state of the nation in view of several perplexing situations of disease, of flood and of moral and spiritual declension.

We give thanks that Her Majesty Queen Elizabeth the Queen Mother has attained her 100th birthday, acclaimed by the nation for her enthusiasm for life and strength of character.

We rejoice that His Royal Highness the Prince William is to commence his university studies in Scotland and pray that he may progress well in them.

We sympathise with Your Majesty in your anxieties over your Sister's illness and pray that Princess Margaret will know God's strengthening at this time.

We were encouraged to hear Your Majesty express your personal faith in Christ during your Christmas broadcast.

We pray constantly for God's blessing to rest on Your Majesty's Person and Rule; on His Royal Highness Prince Philip, Duke of Edinburgh; on their Royal Highnesses Prince Charles, Princess Anne, Prince Andrew and Prince Edward, and on Her Majesty Queen Elizabeth the Queen Mother, and all other members of Your Royal House.

Your Majesty's most obedient and faithful servants, the Ministers and Elders of the Free Church of Scotland, in General Assembly convened.

II - Act appointing Delegates to the ICRC Conference

(No. 2 of Class II)

Edinburgh, 22nd May 2001

The General Assembly appoint Rev. John Ross and Rev. David A. Robertson as non-voting delegates and Rev. Principal-Emeritus Clement Graham and Mr Donald Matheson as voting delegates, to the forthcoming ICRC Conference due to be held from 20th to 29th June 2001 in Philadelphia, USA.

III - Act anent Appointment and Conditions of Service for Clerks of Assembly Committees

(No. 3 of Class II)

Edinburgh, 22nd May 2001

The General Assembly enact the following Regulations for the Appointment and Conditions of Service for Clerks of Assembly Committees:

- 1 All Clerks shall be appointed by the Finance, Law and Advisory Committee unless the General Assembly has otherwise decreed.
- 2 All Honorary Clerks, who are not employees of the Free Church Offices or the Free Church College, shall be appointed for a term of five years, renewable without interruption if approved at the time of renewal by the Finance, Law and Advisory Committee.

3 The honorarium attached to posts under (2) above shall be reviewed triennially by the Finance, Law and Advisory Committee to ensure that duties do not become onerous in relation to the compensation allocated.

4 Clerks who are employees of the Free Church Offices or the Free Church College may continue to act in these capacities for the duration of their employment, subject to no complaint being formally received by the Finance, Law and Advisory Committee and sustained after appropriate investigation.

5 Clerks in the employ of the Free Church Offices or of the College shall receive time off in lieu appropriate to these additional responsibilities or other such recompense as determined by their superiors or by the Finance, Law and Advisory Committee.

6 Clerks, whilst operating within their powers and on behalf of their Committees or Boards, shall possess the individual indemnity protection against the legal action of others as approved by the 2000 General Assembly.

7 No Clerk shall commence a new term of office after passing his/ her seventieth birthday.

8 All minute books for Committees or Boards must be diligently and timeously maintained by Clerks and must be retained in the Free Church Offices.

9 In the event of any significant disagreement between Clerk and Convener, or between Clerk and Committee, this shall be put, as appropriate, either to the remainder of the Committee or to the Finance, Law and Advisory Committee to resolve.

10 Act XIV, 2000 shall be amended by adding the words “and clerks” between the words “members” and “of Church Committees”, thus extending the provisions of the indemnity given at the 2000 Assembly to clerks of Church committees.

IV - Act anent Sick Leave Arrangements for Ministers in Pastoral Charges
(No. 4 of Class II)

Edinburgh, 22nd May 2001

The General Assembly re-enact the Regulations relating to Sick Leave Arrangements for Ministers in Pastoral charges as follows:

1 All illness in excess of seven consecutive days shall be reported to the Presbytery Clerk and a medical certificate shall be provided. Presbyteries should at all times when dealing with the illness of ministers bear in mind their obligation to exercise pastoral care toward ministers, and toward congregations where many pastoral and other needs may arise in the absence of the minister.

- 2 If the illness is expected to exceed four weeks and if deemed necessary the Presbytery shall appoint an Interim Moderator.
- 3 If the illness is expected to exceed 22 weeks, the General Treasurer shall be provided with the medical certificates by the end of the 22nd week with a view to the completion of the appropriate DSS forms. The General Treasurer shall deduct from stipend a sum equivalent to DSS allowances to which the minister is entitled.
- 4 If the illness exceeds three months the Presbytery shall obtain an independent medical report as to the nature and likely extent of the illness. The results of this Review shall be communicated to the General Treasurer and to the clerk of the Committee on Sustentation, Supply and Buildings Maintenance. This assessment shall be carried out in time for a report to be submitted by the end of the sixth month of illness. The report shall consider the needs of the congregation as well as the minister.
- 5 If the illness exceeds ten months the Presbytery shall obtain a further independent medical report, the terms of which will be communicated to the General Treasurer and to the clerk of the Committee on Sustentation, Supply and Buildings Maintenance as in (4) above by the end of the eleventh month. If in the light of this report the illness is expected to exceed twelve months the Presbytery will meet with the congregation to ascertain (a) their condition in the light of their minister's continued absence; and (b) their views on the most satisfactory way of meeting their pastoral and other needs.
- 6 As a result of this meeting the Presbytery will make recommendations to the Sustentation, Supply and Buildings Maintenance Committee as to the appropriate ministerial arrangements for the congregation in the continuing absence of the minister. In so doing the Presbytery will seek to balance the needs of the congregation with the particular circumstances of the minister and his family. If in the light of the report there seems no likelihood of the minister being able to resume his duties the Presbytery after consultation with the Sustentation, Supply and Buildings Committee shall dissolve the pastoral tie.
- 7 On receiving this report, if there is the possibility of the minister resuming his duties after a further period of absence, his leave of absence shall be continued and the Committee shall continue to pay him the full stipend.
- 8 If the minister's absence is likely to exceed fifteen months, a further medical report will be obtained by the Presbytery according to the above procedure and the Committee shall continue to pay the minister the full stipend from the sixteenth month of absence.
- 9 If at the end of eighteen months of absence the minister is still unable to resume his duties the Presbytery will be required to loose him from his charge and his name will be placed on the Roll of Ministers without charge in accordance with Act XIII, 1990. A minister loosed from his charge or resigning his charge under these re-enacted regulations shall be eligible to receive the stipend at the rate being paid to him at the date of resignation for a period of six months or until taking up another appointment if earlier.
- 10 In the event of a minister being absent through illness intermittently for more than three

months in total over a period of two years, the Presbytery shall prepare a report for the Sustentation, Supply and Buildings Maintenance Committee with a view to deciding on a plan of action appropriate to the case and in line with the other provisions of this Act.

11 In the event of a minister returning to work after a period of absence on a part-time basis payment of stipend will be made at the full rate for a period of nine months. The Presbytery shall report to the General Treasurer and the clerk of the Sustentation, Supply and Buildings Maintenance Committee of the implementation of this procedure. If at the end of this period the minister is unable to resume full duties he shall be loosed from his charge

12 Pension rights shall be conserved as long as leave extends.

13 A minister on leave of absence may not attend a court or committee of the Church.

14 The above regulations will not debar any minister applying at any time for Disability Pension under the Church's Pension Scheme.

15 A minister who resigns or is loosed from his charge under these regulations may be eligible for a grant from the Invalid Ministers' etc. Fund.

16 Act IV, 1994, § 1, Act I, 1995, § 1 and Act IX, 1997, are hereby repealed.

V - Act anent Financial Support of Students for the Ministry
(No. 5 of Class II)

Edinburgh, 22nd May 2001

The General Assembly, considering it desirable to make more adequate arrangements for the financial support of students for the ministry, enact that:

1 The Training of the Ministry Budget be supplemented to provide a supplement for ministers repaying loans to the Student Loans Company on an annual basis equal to the amount of repayment relating to sums borrowed from the loan company for their College Course and for any prior degree courses deemed necessary for College Training provided that they also fulfil the requirements set out in sub-sections (1) to (4) below.

1.1 They are ministers in pastoral charges of the Free Church of Scotland, or employed by the Church in some other appropriate and approved capacity.

1.2 The repayments are made only for the duration of their pastoral charges in the Free Church of Scotland.

1.3 The repayments are made only in respect of loans taken from the Student Loans Company for a period of study of normal duration in the Free Church College for the purposes of training for the ministry of the Free Church of Scotland, and also in respect of loans taken from the SLC for period of study for Higher Education Degrees or Courses approved by the Training of the Ministry Committee and undertaken from the point of

recognition by the Training of the Ministry Committee of the students as candidates for the training of the Free Church ministry. Loans taken out for study prior to acceptance for training for the Free Church Ministry will not qualify under this repayment scheme.

1.4 The loans are loans from the Student Loans Company or their successors and not from any other source.

2 For the duration of the College course (and not for any repeat years) students should be eligible to receive a grant provided that (a) they have satisfied a means test to be devised by the Training of the Ministry Committee; (b) that the amount granted is the amount specified by the means test; (c) that prior to application for a grant they have applied for the maximum loan funding available from the Student Loans Fund or their successors; and (d) that students in receipt of grant funding sign a contract to repay the grant in full if they demit pastoral office in the Free Church of Scotland, such repayments to be adjusted upwards at the discretion of the Finance, Law and Advisory Committee to reflect inflation in the period from advancement of the loan to leaving the pastoral charge - except where the minister retires or transfers to other Christian work or his case falls under such unusual circumstances that in their total discretion the Finance, Law and Advisory Committee agree he should be exempted from repayment.

3 The loan funding and grant funding should not exceed a sum of £7,500 reviewable annually by the Finance Law and Advisory Committee in the light of RPI.

4 The scheme here enacted shall be construed to apply to students who had entered the College in Autumn 2000 and to students who had completed their College course in the academic year 1999-2000.

5 The cost of the grant and loan scheme should be allocated to Presbyteries on a *pro rata* basis in line with the Presbytery targets.

VI - Act re-appointing the Editor of *The Instructor*
(No. 6 of Class II)

Edinburgh, 22nd May 2001

The General Assembly reappoint Mrs Irene Howat as editor of *The Instructor* in accordance with the regulations adopted in 1995 and in terms of legislation in Act XIII, 1973, and Act XVIII, 1996, for a further period of five years.

VII - Act appointing Day of Humiliation and Prayer
(No. 7 of Class II)

Edinburgh, 23rd May 2001

The General Assembly appointed a Day of Humiliation and Prayer to be held throughout the Church on Wednesday, 27th June 2001, or the nearest date thereto as local circumstances may require, to make confession of our sins and to seek the Lord's mercy and blessing.

VIII - Act appointing General Assessors to the Presbytery of Glasgow and Argyll
(No. 8 of Class II)

Edinburgh, 23rd May 2001

The General Assembly appoint the following eight General Assessors to the Presbytery of Glasgow and Argyll, their term of appointment to be until next General Assembly:

Dr R.J. Ackroyd, Assistant at Buccleuch & Greyfriars, Edinburgh; Mr W.M. Mackay, Retired; Mr W.D. Graham, Retired; Mr R. Macleod, Minister at Falkirk; Mr D.A. Cameron, Elder at Leith; Mr D. Maciver, Elder at Leith; Dr D.G. Mackay, Elder at Buccleuch & Greyfriars, Edinburgh; and Mr I. Macleod (Currie), Elder at Buccleuch & Greyfriars, Edinburgh.

IX - Act appointing General Assessors to the Presbytery of Skye and Wester Ross
(No. 9 of Class II)

Edinburgh, 23rd May 2001

The General Assembly reappoint the following as General Assessors to the Presbytery of Skye and Wester Ross:

Mr Farquhar Renwick, Minister at Knockbain, Mr Ranald F. Morrison, Minister at Tain, Mr Colin F. Morison, Minister at Elgin and Forres, Mr Kenneth M. MacDonald, Retired, Mr Angus Campbell, Elder at Free North, Inverness, Mr Ian MacKenzie, Elder at Free North, Inverness, Mr Kenneth Robertson, Elder at Tain, Mr William Wyllie, Elder at Knockbain, and Mr Thomas Cook, Elder at Knockbain, the term of appointment to be until next General Assembly.

X - Act re-appointing the Psalmody Advisory Group
(No. 10 of Class II)

Edinburgh, 23rd May 2001

The General Assembly reconstituted the Psalmody Advisory Group as follows:

All members of the Select Committee on Psalmody with the addition of Rev. Professor D.M. MacDonald, Rev. I.D. Campbell, Rev. A. Cowie, Rev. A.J. MacDonald, Rev. W.M. Mackay, Rev. D. MacKeddie, Rev. D. Wilkie, Mr C. Bailey (Ayr), Dr E. Finlayson (Wick and Keiss), Mr A. Finlay (Inverness, Free North), Mr D. Gordon (Fortrose), Mr E.G. Macdonald (Glasgow, St. Vincent Street/Milton), Dr D.G. Mackay (Edinburgh, Buccleuch and Greyfriars), Mr G.F. MacLean (Smithton-Culloden) and Miss M. Gillies (Nairn, Croy and Ardersier).

XI - Act anent Equal Dividend and Related Salaries

(No. 11 of Class II)

Edinburgh, 24th May 2001

The General Assembly direct the stipend of £14,400 be continued at present in terms of the variation permitted by Act XII, 1989. The General Assembly approve the continuance of the other categories of salary that are paid at a fixed proportion of the stipend.

XII - Act anent Special Arrangements for Dumfries
(No. 12 of Class II)

Edinburgh, 24th May 2001

The General Assembly place the congregation of Dumfries on the Equal Dividend Platform under Special Arrangements (namely that the congregation remit 60% of the stipend annually) in accordance with Act XVIII, 1998, § 5.

XIII - Act placing the Congregation of Dunblane on the Equal Dividend and removing the restriction on the ministry of Rev. Alasdair MacDonald
(No. 13 of Class II)

Edinburgh, 24th May 2001

The General Assembly place the congregation of Dunblane on the Equal Dividend Platform as a fully sanctioned charge in terms of Act XXVIII, 1998. They furthermore remove the restriction on the duration of Rev. Alasdair MacDonald's appointment and declare him to be minister of Dunblane in terms of the said Act.

XIV - Act uniting the Congregation of Berneray with the Congregation of North Uist and Grimsay
(No. 14 of Class II)

Edinburgh, 24th May 2001

The General Assembly unite the congregation of Berneray with the congregation of North Uist and Grimsay under one Kirk Session and one Deacons' Court, the united charge to be known as North Uist, Grimsay and Berneray Free Church.

XV - Act uniting the Congregation of Glenelg and Arnisdale with the Congregation of Lochalsh and Glenshiel
(No. 15 of Class II)

Edinburgh, 24th May 2001

The General Assembly, waiving irregularities in the preliminary procedure, declare that the

congregation of Glenelg and Arnisdale and the congregation of Lochalsh and Glenshiel be united on a date to be appointed by the Presbytery of Skye and Wester Ross, to form one pastoral charge to be entitled Glenelg, Arnisdale, Lochalsh and Glenshiel with one Kirk Session and two Deacons' Courts/Finance Committees, and direct that supply be made available each week from the Supply Department in terms of current regulations to assist in the maintenance of gospel ordinances within the consolidated charge.

XVI - Act anent Sales of Properties and release of Monies
(No. 16 of Class II)

Edinburgh, 24th May 2001

1 The General Assembly receive the Petition of the Finance Committee of Campbeltown, Tarbert and Islay Free Church, and grant its crave. They authorise the sale of the Free Church building at Portnahaven, subject to Minute of Waiver and right of Pre-emption, the transaction to be carried out under the supervision of the Church's Law Agent, and direct that the proceeds of the sale be applied to the funds of the united congregation of Campbeltown, Tarbert and Islay.

2 The General Assembly receive the Petition of the Deacons' Court of Kinloch Free Church, and grant its crave. They authorise the sale of the Mission Halls at Airidhbhruaich, Balallan and Keose, subject to Minute of Waiver and right of Pre-emption, the transaction to be carried out under the supervision of the Church's Law Agent. They direct that the proceeds of the sale be lodged with the General Trustees for behoof of the congregation, with the interest being added to capital, and that the Deacons' Court of Kinloch Free Church is to have access to these funds when faced with major expenditure to their Church/hall building.

3 The General Assembly receive the Petition of the Deacons' Court of Lochgilphead and Lochfyneside Free Church, and grant its crave. They authorise the sale of the Free Church building at Minard, subject to Minute of Waiver and right of Pre-emption, the transaction to be carried out under the supervision of the Church's Law Agent, and direct that the proceeds of the sale be invested for behoof of the congregation of Lochgilphead and Lochfyneside.

4 The General Assembly receive the Petition of the Deacons' Court of Park Free Church, and grant its crave. They authorise the sale of the Mission House at Cromore, the transaction to be carried out under the supervision of the Church's Law Agent, and the proceeds to be lodged with the General Trustees, with the interest being added to capital. They direct that the Deacons' Court of Park Free Church have access to these funds for the purpose of maintaining congregational property.

5 The General Assembly receive the Petition of the Deacons' Court of Assynt Free Church, and grant its crave. They authorise the sale of the Free Church building at Elphin, subject to Minute of Waiver, the transaction to be carried out under the supervision of the Church's Law Agent, and the proceeds to be lodged with the General Trustees, with the interest being added to capital. They direct that the Deacons' Court of Assynt and the congregation is to have access to these funds for congregational purposes.

6 The General Assembly receive the Petition of the Deacons' Court of the Congregation of Fearn Free Church, and grant its crave. They grant authority to release part of the capital held for the congregation by the General Trustees for renovation of the present manse, such part not to exceed £8,000.

7 The General Assembly receive the Petition of the Finance Committee of Campbeltown, Tarbert and Islay Free Church, and grant its crave. They grant authority to release part of the capital held for the congregation of Tarbert Free Church by the General Trustees for the completion of the congregation's programme of renovation.

8 The General Assembly authorise the sale of the vacant site of the former Milton Free Church at Rose Street/West Graham Street, Glasgow, the transaction to be carried out under the supervision of the Church's Law Agents. The proceeds of the sale are to be lodged with the General Trustees and may be made available for the purchase of an alternative site or the procurement of a church building, interest in the meantime to be added to capital.

XVII - Act anent Degree Validation Programme for Free Church College
(No. 17 of Class II)

Edinburgh, 24th May 2001

The General Assembly authorise the College Board to negotiate and agree a degree validation programme with the University of Glasgow provided they are satisfied that such Agreement safeguards the Confessional position of the College, the sole jurisdiction of the College Senate over course content and the rights of the General Assembly in connection with all teaching appointments.

XVIII - Act anent Quinquennial Visitations of the Free Church College
(No. 18 of Class II)

Edinburgh, 24th May 2001

The General Assembly approve that future Quinquennial Visitations of the College be the responsibility of the College Board, that the Visitation Committee always include the Convener and Vice-Convener of the Training of the Ministry Committee, that no Senate member of the Board be on the Visitation Committee, and that the next visitation be deferred until conclusion of the validation discussions with the University of Glasgow. The General Assembly, to this end, amend the following Act: - Act XX, 1985, para. V.1.3 (as it was updated by Act XVI, 1995 - Act anent Institution of College Board) by deleting “(1) Quinquennial Visitations of the College” and by renumbering (2) and (3) in that clause as (1) and (2).

XIX - Act anent Free Church College Curriculum
(No. 19 of Class II)

Edinburgh, 24th May 2001

1 The General Assembly repeal Paragraph II.5 and Paragraph II.6 of Act XX, 1985 and ordain as follows:

1.1. Candidates for the ministry of the Free Church of Scotland shall no longer be required to pass Entrance Examinations in either Greek or Hebrew prior to admission to the Free Church College.

1.2. All candidates for the ministry of the Free Church of Scotland shall normally pursue the full Programme of Studies prescribed for the Free Church College Diploma in Theology.

1.3. All candidates for the ministry of the Free Church of Scotland shall normally take the language courses in both the Department of Old Testament and the Department of New Testament. However, the provisions for exemption from language study laid down in Paragraph 5.7 of Act XX, 1987 (as amended by Act XIX, 1987) and in Act XVI, 1992, shall remain in force: viz., (1) concessions in language study may be granted should adequate cause be found by the Training of the Ministry Committee after consultation with the Senate; and (2) it shall be competent for the Training of the Ministry Committee to grant to mature students (i.e., students who will have attained thirty years of age at the time of proposed entry to the College) complete exemption from the study of Hebrew language.

1.4. In addition to the Programme of Studies prescribed for the Free Church College Diploma in Theology, all candidates for the ministry of the Free Church of Scotland shall also be required to complete the Free Church Ministry Module organised by the College Senate in consultation with the Training of the Ministry Committee.

2 The General Assembly repeal Paragraph II.8 and Paragraph II.9 of Act XX, 1985, and ordain as follows: All candidates for the ministry of the Free Church of Scotland shall submit one Dissertation as part of their Programme of Studies at the Free Church College. This Dissertation may be submitted in any one of the five departments of the College. The topic must be chosen in consultation with the relevant Professor; and all students must adhere rigorously to the rules for the submission of dissertations laid down from time to time by the College Senate.

XX - Act anent Licensing of Students
(No. 20 of Class II)

Edinburgh, 24th May 2001

The General Assembly, having taken under their serious consideration the great danger to

which the interests of the Church may be exposed by licensing any to preach the Gospel who are not duly qualified for that important trust, hereby ordain as follows:

1 Every student intending to apply for licence shall make written application to the relevant presbytery. Such applications must be in the hands of Presbytery Clerks by 31st December of the year prior to that in which the student hopes to be licensed.

2 Every student intending to apply for licence shall inform the Training of the Ministry Committee, in writing, to which presbytery he intends to apply. This information must be in the hands of the Clerk to the Training of the Ministry Committee by 31st December of the year prior to that in which the student hopes to be licensed.

3 The Clerk of the Training of the Ministry Committee shall forward the name of the applicant to all presbytery clerks, indicating to which presbytery the student is making application; and if no objections are received from any presbytery before 30th April the presbytery to whom the student is applying shall be entitled to proceed towards licence.

4 When an application for licence comes before a presbytery, the Moderator shall call for a motion that the student be taken on trials at the next or a subsequent meeting. In considering this motion the presbytery shall comply with the following directions:

4.1 the presbytery shall meet in private when discussing the several preliminaries relating to licence, and through each successive stage in the process until it has come to a final resolution;

4.2 the presbytery shall not agree to the motion on behalf of the student unless his residence during the past year has been chiefly within its bounds; or he shall produce sufficient testimonials from the presbytery of his residence bearing that he is a proper person to be taken upon trials for licence;

4.3 no student shall be taken on trials for licence who is under twenty-one years of age;

4.4 no student shall be taken on trials for licence unless he has been a communicant member of the Free Church of Scotland (or a sister church) for a minimum period of two years prior to the date of his being taken on trials;

5 Any presbytery which objects to the licensing of a particular applicant shall be entitled to send representatives to state its objections at the bar of the presbytery to which the student has applied. These objections shall be heard when the presbytery is considering the motion to proceed to trials. If these representatives find themselves unable to acquiesce in the presbytery's decision they shall have the right to appeal; and such an appeal shall automatically sist procedure until a final decision is pronounced by the superior court.

6 Before proceeding to trials a presbytery must have before it the following documents:

6.1 a certificate from the Senate of the Free Church College bearing that the applicant has satisfactorily completed his studies at the College, including the Free Church Ministry Module; and that his conduct, so far as is known to the Senate, is consistent with the high

office he has in view;

6.2 a certificate from the Training of the Ministry Committee bearing that the applicant has complied with all relevant regulations and satisfied all the external examiners appointed by the Committee; and that his conduct, so far as is known to the Committee, is consistent with the high office he has in view;

6.3 a copy of his College Dissertation, duly sustained.

The Presbytery shall record in its Minutes that these documents were produced and received; and they shall be kept *in retentis*.

At its discretion the Presbytery may also ask for copies of any essays or assignments submitted by the student as part of his programme of studies.

7 In order to form a judgment as to the student's competence in preaching and in conducting public worship, the presbytery shall arrange for the student to conduct public worship, including sermon, on a prescribed date, and shall appoint some of their number to attend the said worship. The names of those so appointed shall be recorded in the Minutes, and they shall be required to deliver a conjoint report on the competence of the student. If they report themselves dissatisfied, the presbytery shall resolve to proceed no further and the student shall be informed that the presbytery cannot grant him a licence in his present circumstances.

8 The General Assembly exhort presbyteries, in arranging private trials, to bear in mind that the student has already satisfied both the College Senate and the Training of the Ministry Committee as to his academic proficiency. In view of this, it is strongly recommended that private trials should consist primarily of oral examination, making appropriate use of the College Dissertation and other written assignments submitted by the student. This examination should seek to establish that the student is in a position honestly and intelligently to sign the Formula and is a fit person to be eligible for a call to a ministerial charge.

More particularly, the trials should ascertain whether:

8.1 the student has a well-informed grasp of the whole doctrine of the Confession of Faith and is prepared to subscribe to it unreservedly;

8.2 he sincerely and intelligently adheres to the principles of the Free Church of Scotland;

8.3 he has a sound working knowledge of the Practice of the Free Church of Scotland and can be safely entrusted, when the time comes, with the responsibilities which normally fall upon ministers in the courts of the church;

8.4 he has an evangelistic vision and sense of mission consonant with the profession that "zeal for the honour of God, love to Jesus Christ, and desire of saving souls" are "his great motive and chief inducement to enter the holy ministry";

8.5 he has sufficient experience of human life, sufficient sympathy with his fellow-men and sufficient knowledge of practical divinity to enable him to lead, counsel, encourage and admonish the flock of Christ ;

8.6 he is firmly committed to maintaining the unity and peace of the Church and does not pursue practices likely to be divisive.

9 The student having gone through the trials above mentioned, the Presbytery is ordained to proceed in the following order:

9.1 it shall deliberately and seriously take a conjunct view of the whole trials;

9.2 if it form the opinion that the student is not properly qualified to sign the Formula and to perform the duties of a minister of the Gospel it shall by no means grant him a licence in the present circumstances. The presbytery being the sole auditors of these trials (and therefore the only party competent to judge them), and being required to come to a conjunct view of them, its decision shall be final. No member of the court shall have the right of Dissent and Complaint; and neither the student nor any other party shall have the right of Appeal. The Moderator of Presbytery shall, however, inform the student that he has the right to apply to be taken on trials again by this, or any other, presbytery of the Church, subject to the provisions of Paragraph 4 (2) above;

9.3 if, upon review of the trials, the presbytery is fully satisfied with the student, the Moderator shall intimate this to him; and the presbytery shall record the decision in its Minutes;

9.4 the presbytery shall then meet in open court;

9.5 the presbytery shall then, or at a later meeting of which the usual public intimation has been given, propose to the student the Questions appointed to be put to Probationers before they are licensed to preach the Gospel as prescribed by Act XII, 1846. The student, having answered satisfactorily, the presbytery shall require him to subscribe the Formula prescribed by the said Act.

The General Assembly strictly prohibit all presbyteries from licensing any student who will not give explicit and satisfactory answers and subscribe the said Formula;

9.6 the Moderator, in the name and by the authority of the presbytery, shall solemnly license the student as a preacher of the Gospel; and the presbytery shall order their clerk to furnish him with an extract of his Licence;

9.7 within one week thereafter, the Clerk of Presbytery shall forward the name and address of the licentiate, with the date of his Licence, to the Principal Clerk of the General Assembly.

10 The General Assembly repeal Section IV (Trials for Licence) of Act XX, 1985; Act XIX, 1988; Act XVI, 1996; and Act XVII, 1996.

11 The General Assembly declare that this Act embraces the provisions contained in all

preceding Acts of Assembly which are relevant to the Trials of Students and the Licensing of Probationers, and which have not been repealed. This Act, therefore, contains the whole of the Assembly's directions relating to the Trials of Students and the Licensing of Probationers.

12 For the better observance of this Act, the General Assembly ordain:

12.1 that it shall be printed among their other printed Acts;

12.2 that it shall be printed by itself in some convenient form;

12.3 that copies of this separate edition shall be lodged with the Free Church College Senate and in the Free Church College Library;

12.4 that a copy of this same edition shall be transmitted annually, on the instructions of the Clerk to the Training of the Ministry Committee, and at the commencement of the College session, to every candidate for the ministry of the Free Church of Scotland who is entering his final year of study at the Free Church College;

12.5 that a copy of the same edition shall likewise be transmitted to all presbytery clerks and to the Clerk of the Training of the Ministry Committee; and the said Clerks shall keep the same along with their Minutes and bring it up to each meeting of their respective courts and committee, for the use of all their members.

XXI - Act anent Student Placements
(No. 21 of Class II)

Edinburgh, 24th May 2001

The General Assembly, recognising the great value of Student Placements as an integral part of the programme of ministerial training, instruct the Training of the Ministry Committee to implement from the end of Session 2001-02 a Second Placement of Students Scheme in the following terms:

1 The second placement will ordinarily be at the end of the second year of studies of a three year course and after the third year of a four year course, and will normally be of six weeks duration.

2 The choice of placement will ordinarily be from one of the following: a vacant charge under the supervision of an experienced interim moderator; a home mission or cross-cultural situation under the supervision of an experienced worker; an overseas placement under the supervision of an experienced expatriate missionary or national worker.

3 The choice of location will be made by the Professor of Practical Theology in consultation with the Convener of the Training of the Ministry Committee.

4 Reports from the placement supervisor and the student will be submitted in accordance

with guidelines laid down by the Professor of Practical Theology. These reports will become part of the student's overall assessment.

5 The Professor of Practical Theology will provide written reports on each student's placement for the Training of the Ministry Committee, who will in turn pass them on to the student's home Presbytery.

6 The Training of the Ministry Committee will be responsible for paying six weeks' remuneration at the rate of the current residential supply expenses for students. In addition the Committee will pay travelling expenses to any placement location within the United Kingdom, but will not be responsible for local costs.

7 The Professor of Practical Theology will ensure that suitable accommodation is available and that adequate local arrangements are in place for covering the costs of such accommodation.

8 It shall be competent for the Professor of Practical Theology, in consultation with the Convener of the Training of the Ministry Committee, to seek such additional sources of funding as would enable overseas placements to be undertaken.

XXII - Act appointing Commission of Assembly
(No. 22 of Class II)

Edinburgh, 25th May 2001

The General Assembly did, and hereby do, nominate and appoint a Commission consisting of all members of Assembly with the addition of Rev. A.G. Ross, named by the Moderator: To be a Commission of this General Assembly with power to the said Commission or their quorum which is declared to be any fifteen or more of their number, whereof eight at least are always to be ministers, to meet and convene at Edinburgh on the first Wednesday of October and the first Wednesday of March next to come at 7 o'clock in the evening, and oftener when and where they shall think fit and convenient, and with power to choose their own Moderator; and the General Assembly fully empower the said Commission, or their quorum above-mentioned, to cognosce and finally determine as they shall see cause in every matter referred to them, or which shall be referred to them, by, or in virtue of, any act or order of the Assembly; and to do everything contained in, and conform to the instructions given, or to be given, by the General Assembly; and to advert to the interests of the Church on every occasion, that the Church do not suffer or sustain any prejudice which they can prevent, as they will be answerable; provided always that, save as hereafter stated, this general clause be not extended to particular affairs or processes before Synods or Presbyteries that are not of universal concern to, or influence upon, the whole Church. And further, in view of the ongoing question of relations with the self-styled Free Church (Continuing), the matter of legal issues in relation to the occupation of property belonging to the Free Church of Scotland by the said self-styled Free Church (Continuing), the freezing of bank accounts, and the possibility of legal proceedings in the civil courts, the General Assembly empower the

Commission to take all steps necessary and proper to take in the interests of the Church in connection with these matters, and declare that meetings of the Commission shall have the full powers of a General Assembly to deal with all such matters which may arise, provided always that notice of proposals in terms of this empowerment shall be sent to commissioners at least ten days before the Commission is to convene, this requirement not implying any curtailment of amendment to such proposals. And further, the said Commission are hereby particularly empowered to dispose of any business regarding the congregation of Nairn, Croy and Ardersier in order to implement the requirements of Act XXXIV, 1988, to receive and fully dispose of applications that may be forwarded to them for raising preaching stations or suppressed charges to fully sanctioned charges, for consolidating congregations into one charge, for the appointment of Ministers overseas and Foreign Missionaries in the Mission Fields of the Church, to appoint teachers seconded by the Reformed Missions League as missionary teachers to Colegio San Andres, for authority to sell such property as is not held under the Model Trust Deed, or to sell such properties being under the Model Trust Deed as are to be sold in order to provide for new buildings, to receive and dispose of a petition from the Deacons' Court of Gairloch Free Church for the sale of the church building at Melvaig, and to receive any references and appeals that shall be made to them from Synods in matters of doctrine, and ripen such affairs for next General Assembly, and to contribute what they can to the suppression of vice and immorality, and to give all needful advice and assistance to Synods, Presbyteries and Committees of Assembly upon application to them for that end. And the said Commission are hereby strictly prohibited and discharged to meddle in any other matters than what are committed and referred to them as above-mentioned. And in all their actings they are to proceed according to the Acts and Constitution of this Church, and to do nothing contrary thereto, or to the prejudice of the same, declaring that, in and for all their actings, they shall be accountable to, and censurable by, next General Assembly, as they shall see cause. And this Commission shall continue and endure until another Commission is appointed. And members are required to attend the diets of the said Commission.

XXIII - Act appointing next General Assembly
(No. 23 of Class II)

Edinburgh, 25th May 2001

The General Assembly appoint the next General Assembly to meet in Edinburgh on Monday, 20th May 2002, at 6 o'clock in the evening.

ACTS OF THE COMMISSION OF ASSEMBLY

I - Act authorising the sale of Glenelg Manse

Edinburgh, 4th October 2000

The Commission of Assembly, under powers granted by the Act appointing the Commission, authorise the sale of the Manse at Glenelg, the transaction to be carried out under the supervision of the Church's Law Agent. The proceeds of the sale are to be lodged with the General Trustees in behoof of the congregation and the interest in the meantime to be added to capital.

II - Act authorising the sale of Stromeferry Church

Edinburgh, 4th October 2000

The Commission of Assembly authorise the sale of the Church building at Stromeferry, subject to obtaining a Minute of Waiver for change of use, the transaction to be carried out under the supervision of the Church's Law Agent. The proceeds of the sale are to be made available to the congregation for the maintenance and improvement of congregational property.

III - Act appointing the Editor of *Free*

Edinburgh, 4th October 2000

The Commission of Assembly appoint Rev Colin Morison as editor of *Free* for an initial period of five years in accordance with the provisions of Act XVII, 1996.

IV - Act uniting the Congregations of Briton Street, Drumchapel and Partick Highland, Glasgow

Edinburgh, 4th October 2000

The Commission of Assembly unite the congregations of Briton Street, Drumchapel and Partick Highland as one congregation under one Kirk Session and one Deacons' Court, the most senior of the three interim moderators to be interim moderator of the united charge, the united charge to be known as Dowanvale Free Church, with its principal services to be held in the former Partick Highland Free Church.

V - Act anent Special Arrangements for East Kilbride

Edinburgh, 4th October 2000

The Commission of Assembly place the congregation of East Kilbride on the Equal Dividend Platform under Special Arrangements (namely that they contribute at least 78% of the Stipend annually to central funds for a period of five years from date of settlement).

VI - Act Anent Negotiations With the Self-Styled Free Church of Scotland (Continuing): (A)
Edinburgh, 5th October 2000

1. The Commission of Assembly agree in principle to discuss with representatives of the self-styled Free Church of Scotland (Continuing) in good faith a just and equitable resolution of matters affecting local congregational properties including local church properties and congregational funds.
2. Such discussion will take place only when Rev. Graeme Craig has paid agreed costs arising out of his recent action in the Court of Session and when the Commission of the self-styled Free Church of Scotland (Continuing) including each individual office-bearer have agreed "that the issue of any individual's status within the Church will not be the subject of Civil Court action either joint or individual".
3. The Commission of Assembly appoint a committee consisting of the Committee Anent Local Arrangements, one member from each presbytery not at present represented on the Committee, the Assembly Clerk, and two Free Church members or adherents with legal experience, together with the Law Agent to meet with representatives of the self-styled Free Church of Scotland (Continuing) to discuss matters relating to congregational property and congregational funds.
4. The Commission of Assembly instruct the Committee in any discussions to adhere to and to communicate the following:
 - 1) That we are the Free Church of Scotland;
 - 2) That the self-styled Free Church of Scotland (Continuing) is not the Free Church of Scotland and must give up any claim to be the Free Church of Scotland;
 - 3) That our entering into discussions with representatives of the self-styled Free Church of Scotland (Continuing) does not imply any change to our position that their ministers are suspended from the ministry of the Free Church of Scotland;
 - 4) That all property (including Churches, and other appurtenances, Halls, Manses, Funds, Church Records and Communion vessels) owned by and belonging to the Free Church of Scotland prior to 20th January 2000 is still owned by and belongs to the Free Church of Scotland;
 - 5) That the property owned by the Free Church of Scotland under the Model Trust Deed must be treated in terms of that Deed and that any other property owned by the Free Church of Scotland or individual congregations thereof must be treated under the terms of the Trusts under which they are held.
 - 6) That any agreement reached centrally regarding the use of any of the above property must have the consent of the local trustees and congregation before it can be finalised.

The Committee is to report back to the next meeting of the Commission with proposals.

5. The Commission appointed the following to be members of the Committee appointed to meet with representatives of the self-styled Free Church (Continuing) in addition to present members of the Committee anent Local Arrangements:

Mr John Murdo Graham; Mr Allan Mackenzie; Mr Iain Macaulay.

VII - Act anent Revision of Presbytery Boundaries

Edinburgh, 5th October 2000

1. The Commission of Assembly approve the proposal that the bounds of Presbyteries be reorganized so that six Presbyteries as set out below replace the current nine home Presbyteries.

1) **Northern Presbytery** consisting of:

Presbytery of Caithness and Sutherland as at present

Presbytery of Ross - congregations of Rosskeen, Tain, Tarbat, Fearn

2) **Presbytery of Inverness, Lochaber and Ross** consisting of:

Presbytery of Inverness as at present

Presbytery of Argyll and Lochaber - congregations of Acharacle, Strontian and Ardnamurchan, Fort William and Kilmonivaig, Kilmallie.

Presbytery of Ross - congregations of Dingwall, Strathconon, Strathpeffer and Garve, Resolis and Urquhart, Kiltarn, Maryburgh, Killearnen, Kilmorack and Strathglass, Knockbain, Fortrose, Urray.

3) **Presbytery of Edinburgh and Perth** as at present.

4) **Presbytery of Glasgow and Argyll** consisting of:

Presbytery of Glasgow as at present

Presbytery of Argyll and Lochaber - congregations of Campbeltown, Tarbert and Islay, Lochgilphead and Lochfyneside, Oban, Mull and Coll.

5) **Presbytery of the Western Isles** consisting of:

Presbytery of Lewis as at present

Presbytery of Skye and Uist - congregations of North Uist and South Uist.

6) **Presbytery of Skye and Wester Ross** consisting of:

Presbytery of Skye and Uist - all congregations except North Uist and South Uist.

Presbytery of Lochcarron as at present.

2. The Commission of Assembly ordain that the first meetings of these Presbyteries as affected by the foregoing scheme shall be as follows and the Moderators named shall be

responsible for convening the respective courts:

- 1) **Northern Presbytery:** Tuesday, 14th November 2000, at 3.00 pm in Golspie Free Church. Rev. A. M. Fraser, Moderator.
 - 2) **Presbytery of Inverness, Lochaber and Ross:** Tuesday, 14th November 2000, at 3.00 pm in Free North Church, Inverness. Rev. R. G Mackay, Moderator.
 - 3) **Presbytery of Glasgow and Argyll:** Tuesday 14th, November 2000, at 3.00 pm in Partick Highland Free Church, Glasgow. Rev. J. A. M. Mackay, Moderator.
 - 4) **Presbytery of The Western Isles:** Tuesday, 14th November 2000, at 3.00 pm in Stornoway Free Church. Rev. Donald MacDonald, (Carloway) Moderator
 - 5) **Presbytery of Skye and Western Ross:** Tuesday, 14th November 2000, at 3.00 pm in Kyle Free Church. Rev. Murdo Macleod (Duirinish), Moderator.
3. The Commission of Assembly appoint the above-mentioned locations to the seats of the respective Presbyteries.
 4. The Commission of Assembly order that these new courts shall inherit and discharge all benefits and burdens which may have pertained to former courts now within their bounds according to existing regulations.
 4. The Commission of Assembly further ordain:
 - 1) that the Assessors appointed by last General Assembly to the Presbytery of Glasgow are hereby reappointed to the reconstituted Presbytery of Glasgow and Argyll.
 - 2) that the Assessors appointed by last General Assembly to the Presbytery of Skye and Uist are hereby reappointed to the reconstituted Presbytery of Skye and Wester Ross.

VIII - Act anent Suspension of Synods

Edinburgh, 5th October 2000

The Commission of Assembly, in accordance with Act XV, 2000, Paragraph 8, hereby suspend the meetings of the Scottish Synods from the date of the establishment of the new Presbyteries until the meeting of the General Assembly of May 2001. They require any business that would otherwise come before these Synods be directed to the General Assembly, or, in matters of urgency to its Commission. They instruct Presbyteries who have suspended Quinquennial Visitations during the current year in accordance with Act XXX, 2000, to report this to next General Assembly.

IX - Act uniting the Congregation of Dingwall with the Congregation of Strathpeffer and Garve

Edinburgh, 5th October 2000

The Commission of Assembly unite the congregation of Dingwall with the congregation of Strathpeffer and Garve, the united charge to have one Kirk Session and two Deacons' Courts / Finance Committees;

- 1) they ordain that the name of the united charge be Dingwall and Strathpeffer;
- 2) they appoint separate morning services to be held in both parts of the congregation with a joint evening service in Dingwall;
- 3) they ordain that the two parts of the congregation be assessed as one for target purposes;
- 4) they ordain that the Deacons' Courts /Finance Committees of the congregation of Dingwall and Strathpeffer maintain consultation with one another so as to secure an equitable sharing of such a proportion of congregational funds as may be required for joint local purposes;
- 5) appoint this union to be effective from the date of approval of a Sustentation Fund Schedule by the Convener of the Sustentation, Supply and Buildings Maintenance Committee.

X - Act uniting the Congregation of Killearnan with the Congregation of Maryburgh
Edinburgh, 5th October 2000

The Commission of Assembly unite the congregation of Killearnan with the congregation of Maryburgh, the consolidated charge to have one Kirk Session and two Deacons' Courts/ Finance Committees; they ordain that:

- 1) the name of the consolidated charge be Maryburgh and Killearnan;
- 2) there be at least three services held each Sabbath throughout the united charge, and that the Minister be authorised to have assistance with weekend supply, the expenses and fees of such supply being a charge on the Sustentation, Supply and Buildings Maintenance Committee in accordance with current supply arrangements;
- 3) the two parts of the united congregation be assessed as one for target purposes, and that an equitable readjustment be made to the sum which each part is called to remit, the position to be reviewed after three years from the date of settlement and reported to the General Assembly following consultation between the united congregation, the Presbytery of Ross, and the Finance, Law and Advisory Committee.
- 4) the Deacons' Courts /Finance Committees of the congregation of Killearnan and Maryburgh maintain consultation with one another so as to secure an equitable sharing of such a proportion of congregational funds as may be required for joint local purposes.

XI - Act uniting the Congregation of Urray with the Congregation of Strathconon
Edinburgh 5th October 2000

The Commission of Assembly repeal Act III of Commission March 1989 and disjoin the

congregation of Strathconon from the congregation of Strathpeffer and Garve; they unite the congregation of Urray with the congregation of Strathconon thus disjoined, the united charge to have one Kirk Session and two Deacons' Courts / Finance Committees; they ordain that:

- 1) the name of the united charge be Urray and Strathconon;
- 2) services to be at Urray as at present and at Strathconon as arranged by the Kirk Session to meet local requirements.

XII - Act anent sale of Assynt Manse

Edinburgh, 13th December 2000

The Commission of Assembly authorise the sale of the Manse at Lochinver, the transaction to be carried out under the supervision of the Church's Law Agent, and the proceeds to be lodged with the General Trustees in behoof of the congregation and made available for the procurement of a replacement manse.

XIII - Act anent sale of Perth Church Hall

Edinburgh, 13th December 2000

The Commission of Assembly recognising that certain information as to the serious consequences of failure to sell the property known as the Old Hall, Tulloch, Perth, in the immediate future was not available to the Petitioners in time for last General Assembly, authorise the sale of the property the transaction to be carried out under the supervision of the Church's Law Agent, and the proceeds to be applied to the funds of the congregation.

XIV - Act anent Grant of Redevelopment Charge Status to St Columba's, Edinburgh

Edinburgh, 13th December 2000

The Commission of Assembly designate the congregation of St Columba's, Edinburgh, a Redevelopment Charge in accordance with Act XXXIV, 1988, subject to the Presbytery satisfying the Convener of the Committee on Sustentation, Supply and Buildings Maintenance that suitable manse accommodation was available before any ministerial appointment was made.

XV - Act setting up Support Fund for Congregations adversely affected by the Secession of
January 2000

Edinburgh, 13th December 2000

The Commission of Assembly authorise the setting up of a Fund to alleviate hardship experienced by congregations adversely affected by the secession of January 2000, to be administered by the Finance, Law and Advisory Committee who will determine a suitable Fund name and terms of reference. The Finance, Law and Advisory Committee is to report their progress to the March 2001 Commission.

XVI - Act anent Ministers of the self-styled Free Church of Scotland (Continuing)

Edinburgh, 13th December 2000

1. The Commission of Assembly do not terminate the sentence of deposition *sine die* imposed by the Commission of Assembly on 20th January 2000.
 2. The Commission of Assembly do not add further disciplinary measures to this suspension, for the reasons stated in the Report.
 3. The Commission of Assembly, noting that the retired ministers not disciplined by the Commission on 20th January 2000 and named in the Minute of 19th January are believed to be fully aligned with the self-styled Free Church of Scotland (Continuing), instruct the Presbyteries relevant to these men to write to each of them, requesting that they state their position, and to report the outcome to this Committee so that a further report on appropriate action may be reported to the next meeting of the Commission.
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XVII - Act anent Negotiations with the Self-Styled Free Church of Scotland (Continuing):

(B)

Edinburgh, 13th December 2000

1. The Commission of Assembly ordain that the Free Church of Scotland do not move to discussions with the self-styled Free Church of Scotland (Continuing) on the grounds that:
 - (1) they have not given an undertaking that they will not take the question of the status of individuals to the civil court;
 - (2) that they do not accept that they are not the Free Church of Scotland.
 2. The Commission of Assembly continue the remit of the Committee in terms of Act X, Commission of Assembly, March 2000, with the inclusion of the additional members of the October Commission.
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XVIII - Act uniting the Congregations of Sleat and Strath

Edinburgh, 3rd March 2001

The Commission of Assembly unite the congregations of Sleat and Strath as one congregation with one Kirk Session and one Deacons' Court, the present Interim Moderator being the same in both congregations to remain, the united charge to be known as Sleat and Strath. The union shall take place from a date to be fixed by the Presbytery of Skye and Wester Ross not later than 30th April 2001.

DRAFT ACT SENT DOWN TO PRESBYTERIES UNDER THE BARRIERACT

Act anent Mutual Eligibility between Ministers and Office Bearers of the Free Church of Scotland and the Associated Presbyterian Churches

Whereas the Associated Presbyterian Churches and the Free Church of Scotland hold an identical constitutional position with regard to The Westminster Confession of Faith as approved by the General Assembly of the Church of Scotland in 1647, the First and Second Books of Discipline, the Larger and Shorter Catechisms, the Claim Declaration and Protest of 1842, the Protest of 1843, the Act of Separation and Deed of Demission executed in 1843, the Formula appointed to be subscribed by probationers before receiving licence and by all office-bearers at the time of their admission, together with the Questions appointed to be put to these same parties at their ordination and admission, with the exception that the Associated Presbyterian Churches use two additional questions, relating respectively to the Deed of Separation of 1893, and the Deed of Separation of 1989;

Whereas it is therefore desirable that a relationship of mutual eligibility of ministers and office-bearers be effected between the two denominations;

Wherefore it is hereby enacted and ordained that:

There shall be established between this Church and the Associated Presbyterian Churches such a relationship as shall maintain and manifest the unity of the Churches, their separate and independent jurisdiction being always preserved.

This relationship shall be carried into effect as follows:

- (a) This Church shall henceforth recognise the status of the ministers and office-bearers of the Associated Presbyterian Churches as if they were its own, and the Ministers and Probationers of that Church shall be eligible for Calls by any Congregation of this Church as if they were Ministers and Probationers of this Church.
- (b) Students of the Associated Presbyterian Churches attending the Free Church College, Edinburgh, shall be recognised as students of this Church under regulations to be framed by the Training of the Ministry Committee, and approved by the General Assembly.
- (c) This Church shall conduct its own missionary operations as heretofore, but shall recognise, in any of its Mission Fields, Missionaries of the Associated Presbyterian Churches as if they were its own.
- (d) A corresponding member appointed by the Supreme Court of the Associated Presbyterian Churches shall be admitted to the General Assembly of this Church to attend its meetings with right to deliberate, but not to vote; and the General Assembly shall appoint a

corresponding member to the Supreme Court of the Associated Presbyterian Churches on the same terms, but any failure in the appointment or attendance of these commissioners shall not invalidate the proceedings of these Courts.

(e) This Act shall become operative upon an Act in similar terms being passed by the Supreme Court of the Associated Presbyterian Churches.

THE PRINCIPAL

ACTS

OF THE

GENERAL ASSEMBLY OF THE FREE CHURCH OF
SCOTLAND

MAY MMII

**CLASS I - ACTS WHICH HAVE PASSED THE
BARRIER ACT**

None.

**CLASS II - ACTS WHICH ARE OF GENERAL INTEREST
TO THE CHURCH**

I - Act anent Appointment of Media Officer for the Church
(No. 1 of Class II)
Edinburgh, 27th May 2002

The General Assembly approve of the appointment of a Media Officer for the Church. They enact that the terms of appointment shall be as follows:

1 The appointment shall be made by the General Assembly, on the basis of a report by the Assembly Arrangements Committee. The Media Officer shall be responsible to the Assembly Arrangements Committee. The person appointed shall be a communicant member of the Free Church of Scotland, but not necessarily an office-bearer, and he or she will be expected to work closely with the Assembly Clerks' department, the Church Offices, the Conveners and Chairmen of church Committees and Boards, and the Editors of the Church's magazines.

2 The Media Officer, if a minister or office-bearer of the Free Church of Scotland, shall be *ex officio* a member of the Assembly Arrangements Committee. The Media Officer may attend meetings of church Committees and Boards, by invitation of the Convener or Chairman, it being understood that such attendance on each occasion will be by permission

of the Committees themselves. The Media Officer will be expected to attend the meetings of the General Assembly and Commission of Assembly.

3 The appointment shall be for a period of three years. At the end of this period the Assembly Arrangements Committee shall arrange for the appointment to be renewed, or for another appointment to be made. The maximum term of service for the same individual in the post shall be nine years.

4 The person appointed shall be required to be proactive in communicating to the media the views and actions of the Free Church of Scotland on a wide range of issues having a major effect on public life and thought, including children and young people, such as moral, religious and ethical matters, in consultation with the Conveners and Chairmen of the appropriate Committees and Boards of the Church.

5 The Media Officer shall also be responsible for communicating to the media the findings of the General Assembly and Commission of Assembly, when such findings are of public importance. On points likely to be controversial or sensitive, such as disciplinary and legal matters, the Media Officer shall consult with the Principal Clerk of Assembly (or in his absence the Assistant Clerk), together with the Convener of the Finance Law and Advisory Committee, before issuing any public statement on such matters.

6 The post will carry a remuneration consistent with that of Committee Clerks. The expenses of the Media Officer in attendance at meetings of the General Assembly and Commission of Assembly, together with reasonable expenses, such as use of telephone, stationery and printer consumables, necessarily incurred in carrying out the work of Media Officer, shall be met out of the Assembly Arrangements budget, on application to the General Treasurer.

II - Act appointing Rev. Alex J. MacDonald as Media Officer

(No. 2 of Class II)

Edinburgh, 27th May 2002

The General Assembly appoint Rev. Alex J. MacDonald to the post of Media Officer.

III - Act anent Loyal and Dutiful Address to Her Majesty the Queen

(No 3 of Class II)

Edinburgh, 28th May 2002

To the Queen's Most Excellent Majesty

The Loyal and Dutiful Address of the General Assembly of the Free Church of Scotland

May it please Your Majesty

We, the Ministers and Elders of the Free Church of Scotland met in General Assembly at Edinburgh this 28th day of May 2002, respectfully offer Your Majesty the expression of our continuing loyalty to Your Majesty's Person and Throne and to the Constitutional Monarchy of which you are the honoured Head and Representative.

With all your loyal subjects we rejoice greatly that throughout the fifty years of Your Majesty's reign God has granted you health and protection in undertaking many arduous journeys and while discharging the various, often exacting, duties of Sovereign.

It was with great sadness that we learned of the death of Her Majesty Queen Elizabeth the Queen Mother, so soon after the death of Your dear sister Princess Margaret.

Special prayer is regularly offered in our Churches for Your Majesty's Person and family and in your times of great sorrow, we sought to uphold you and we thank God for the strength with which He blessed you.

The Free Church of Scotland endeavours to exercise pastoral care of Your Majesty's subjects within our bounds, while continuing to be mindful of the entire Nation and Commonwealth.

We are greatly encouraged by Your Majesty's regular attendance at Church and pray that many more would follow Your example.

We express deep concern for the decline of religion and morals within our country and pray for a revival of Christian values.

At a time of so much unrest overseas we pray for Your Majesty's armed forces engaged in military operations and we long for peace at home and abroad.

May the Divine Blessing rest upon Your Majesty's Person and Throne, upon His Royal Highness Prince Philip Duke of Edinburgh and upon every member of Your Royal House.

So pray Your Majesty's most faithful subjects, the Ministers and Elders of the Free Church of Scotland, in General Assembly convened.

IV - Act appointing Committee to Review Disciplinary Procedures

(No. 4 of Class II)

Edinburgh, 28th May 2002

1 The General Assembly appoint a Committee, to be known as the Committee to Review Disciplinary Procedures, and direct that the Committee report to the next General Assembly.

2 The General Assembly direct that the remit of the Committee shall be: To consider inadequacies in the present disciplinary procedures of the Church, and to re-examine the Form of Process and related disciplinary procedures in the light of Scriptural standards, the changed situation of the church in modern society, and current practice in other churches and organisations, particularly with regard to investigations involving young women and

children.

3 As the task of the Committee involves matters to do with the Church's procedure and discipline, the General Assembly direct that only ministers and elders be members of the Committee. They also grant the Committee leave to appoint individuals, suitable qualified in relation to specific issues arising out of the Committee's business, to act as advisers to the Committee.

V - Act anent Keeping Church Records

(No. 5 of Class II)

Edinburgh, 28th May 2002

The General Assembly, recognising the need to integrate the keeping of records with new technology, authorise the use of ring-binders for the keeping of records subject to the following rules:

- 1 All minutes which are typed or produced by word processor shall be on A4 size paper.
- 2 Once the minutes have been approved and have been signed and dated by the Moderator and Clerk, the pages shall be inserted and secured in a binder.
- 3 Minor manuscript adjustments such as spelling errors shall be initialled by the Moderator and Clerk; if any substantial adjustments have to be made, a revised 'clean copy' shall be produced.
- 4 All pages of minutes not otherwise signed shall be initialled in ink by the Moderator, normally during the meeting which approves the minute; all pages shall be numbered and initialled in ink by the Clerk at the time of insertion into the binder.
- 5 This binder shall be the only record of business of meetings of the court.
- 6 Individual members of a court requesting personal copies of minutes shall receive them only at the discretion of the relevant court, who shall take into consideration the need to limit the number of copies in circulation when confidential matters, such as cases of discipline, have been discussed.
- 7 The above rules shall apply *mutatis mutandis* to Committees and Boards of the General Assembly and also to Deacons' Courts and Finance Committees.

VI - Act anent Rearrangement of Synods

(No. 6 of Class II)

Edinburgh, 28th May 2002

The General Assembly ordain that the Synods of the Church be rearranged as follows:

1 The Synods of the Church shall be four in number, viz., Western, Northern, Southern, and North America:

1.1 The Western Synod shall be comprised of the Presbytery of Skye and Wester Ross, and the Presbytery of the Western Isles. The Synod shall have its statutory meeting on the second Wednesday of April each year, meeting alternately in Stornoway and Portree.

1.2 The Northern Synod shall be comprised of the Presbytery of Inverness, Lochaber and Ross, and the Northern Presbytery. The Synod shall have its statutory meeting on the last Tuesday of March each year, meeting alternately at Inverness and Golspie.

1.3 The Southern Synod shall be comprised of the Presbytery of Glasgow and Argyll, and the Presbytery of Edinburgh and Perth. The Synod shall have its statutory meeting on the third Tuesday of April each year, meeting alternately at Glasgow and Edinburgh.

1.4 The North American Synod shall be comprised of the Presbytery of the Great Lakes and Western Canada and the Presbytery of Prince Edward Island. The Synod shall have its statutory meeting on the first Tuesday following the 17th April each year.

2 With the exception of the North American Synod, whenever a Presbytery is required to appear at the bar of the Synod of the bounds, and seeing that there are but two Presbyteries in each Synod as forementioned, it shall be necessary to have a Presbytery from another Synod to act as an Assessor Presbytery, it being understood that this requirement applies only to such business as requires a Presbytery to appear at the bar of Synod. In the case of the North American Synod such cases as require either of the two Presbyteries comprising that Synod to be at the bar of Synod shall be forwarded directly to the General Assembly, or Commission of Assembly, whichever is the more appropriate.

2.1 In such instances as referred to in 2 above, the General Assembly appoint the Northern Presbytery as Assessor Presbytery to the Western Synod; the Presbytery of Inverness, Lochaber and Ross as Assessor Presbytery to the Southern Synod; and the Presbytery of Edinburgh and Perth as Assessor Presbytery to the Northern Synod. The General Assembly ordain that these appointments be renewed each year, and that it shall be the responsibility of Synod Clerks to advise the Clerk to the appropriate Assessor Presbytery when that Presbytery's attendance is required.

3 The General Assembly, recognising that the need for Synods to appoint corresponding members to other Synods is no longer of any obvious advantage, authorise Synods not to appoint corresponding members to other Synods, should they so desire.

4 The General Assembly ordain that the first meeting of those 4 Synods shall be as follows, and the Moderators named shall be responsible for convening the respective Synods:

The Western Synod: Wednesday, 9th April 2003, at 3.00 p.m. in the Free Church Seminary, Stornoway. Rev. John H. MacLean, Moderator.

The Northern Synod: Tuesday, 25th March 2003, at 3.00 p.m. in the Free North Church,

Inverness. Rev. Douglas MacKeddie, Moderator.

The Southern Synod: Tuesday, 15th April 2003, at 3.00 p.m. in Dowanvale Free Church, Glasgow. Rev. A.J. MacDonald, Moderator.

The North American Synod: Tuesday, 22 April 2003, at Livonia, U.S.A. Rev. D.A. Macleod, Moderator.

VII - Act anent Appointment of Property Management Committee
(No. 7 of Class II)
Edinburgh, 28th May 2002

1 The General Assembly instruct the General Trustees to appoint a Property Management Committee to oversee the maintenance of all centrally held property, the remit of this Committee to include the appointment of a factor to manage the Edinburgh flats. The Committee shall be made up of Trustees and members of the church with relevant interest and expertise.

2 The General Assembly instruct the General Trustees to work towards delegating the full duties of administering the running of the church flats to a member of the office staff, responsible to the Property Management Committee.

3 The General Assembly instruct the General Trustees to appoint a paid part time clerk of works responsible for implementing an ongoing programme of improvement, maintenance and repair of the church flats, responsible to the Property Management Committee.

VIII - Act anent Sale of Properties and Release of Monies
(No. 8 of Class II)
Edinburgh, 28th May 2002

1 The General Assembly receive the Petition of the Deacons' Court of North Uist, Grimsay and Berneray Free Church, and grant its crave. They authorise the sale of the Free Church building at Berneray, the transaction to be carried out under the supervision of the Church's Law Agent and direct that the proceeds of the sale be applied to the funds of the congregation.

2 The General Assembly receive the Petition of the Deacons' Court of Coll Free Church, and grant its crave. They grant authority to sell the plot of land at the site of the previous manse, subject to a Minute of Waiver being received, the transaction to be carried out under the supervision of the Church's Law Agent, and direct that the proceeds of the sale be applied to the funds of the congregation.

3 The General Assembly receive the Petition of the Finance Committee of Strathpeffer and Garve Free Church, and grant its crave. They authorise the sale of the church building at Garve, the transaction to be carried out through the Church's Law Agent. They direct that the proceeds of the sale be made available to the congregation towards necessary repairs and upgrading of the churches at Strathpeffer and Dingwall to allow for disabled access and better use of facilities, any residual balance to be applied to the Fabric Fund of Strathpeffer Free Church.

4 The General Assembly receive the Petition of the Finance Committee of Acharacle and Strontian Free Church, and grant its crave. They grant authority to sell the Scotstown Mission Hall, by Strontian, the transaction be carried out under the supervision of the Church's Law Agent. They direct that the proceeds of the sale be invested with the General Trustees in behoof of the Congregation, and that the interest on the proceeds be applied to the funds of the congregation.

5 The General Assembly receive the Petition of the Deacons' Court of Dundee Free Church, and grant its crave. They grant authority to sell the manse at 14 Shamrock Street, Dundee, the transaction to be carried out under the supervision of the Church's Law Agent. They direct that the proceeds of the sale be invested with the General Trustees in behoof of the congregation, and that they be made available to the congregation for the purchase of a more suitable manse.

6 The General Assembly receive the Petition of the Finance Committee of the Sleat and Strath Free Church, and grant its crave. They grant authority to sell the church building at Teangue, together with the hall and cottage adjacent to it, the transaction to be carried out under the supervision of the Church's Law Agent. They direct that the proceeds of the sale be invested with the General Trustees in behoof of the congregation, and that they be made available to the congregation for the erection of a suitable church building.

7 The General Assembly receive the Petition of the Deacons' Court of North Uist, Grimsay and Berneray Free Church, and grant its crave. They authorise the release of the sum of £4,043.18, being the sum held by the General Trustees on behalf of the congregation, together with any interest which may have accrued, and direct that the said sum be applied to the congregation's Fabric Fund.

8 The General Assembly receive the petition of the Finance Committee of Strathpeffer and Garve Free Church and grant its crave. They amend the terms of Act 1.1 of the Commission of Assembly, October 1998, and authorise withdrawal of a sum not exceeding £40,000 from the invested funds of the congregation for the purpose of carrying out repairs and necessary adaptations to congregational properties, the balance of the invested funds to be retained by the General Trustees in behoof of the congregation for the purpose of purchasing a manse at Strathpeffer.

9 The General Assembly receive the Petition of the Deacons' Court of Lochgilphead and Lochfyneside Free Church and grant its crave. They authorise the release of the sum of £26,000 from the capital held by the General Trustees for the congregation of Lochgilphead and Lochfyneside in terms of Act XVI, 2001, § 3, for the carrying out of essential repairs to the church and hall at Lochgilphead.

IX - Act anent Seats in Presbytery

(No. 9 of Class II)

Edinburgh, 29th May 2002

1 The General Assembly discontinue the present arrangements whereby ministers in pastoral charges, upon attainment of retirement age, or who retire on the grounds of ill health, continue as of right to hold a seat in Presbytery.

2 The General Assembly ordain that, as of today's date, ministers retiring upon attainment of retirement age, or on the grounds of ill health, may petition the Presbytery within whose bounds they are to reside, for a seat in that Presbytery. The General Assembly stipulate that this right shall be afforded also, as of today's date, to all ordained ministers of the Free Church retiring, through attainment of retirement age, or for health reasons, from service in overseas mission fields where this has been under the supervision of the Foreign Missions Board. In the same way as with ministers retiring from a pastoral charge, they may petition the Presbytery within whose bounds they are to reside. The General Assembly direct that, in the case of ministers who take up residence in a Presbytery other than that receiving their application to retire, an extract minute from the Presbytery receiving their application to retire, in support of the Petition, be obtained. The General Assembly also direct that ministers retiring from work in overseas mission fields obtain a like certificate from the Foreign Missions Board.

3 The General Assembly direct that seats in Presbytery granted to retired ministers as in 2. above continue to be held while they reside within the bounds of that Presbytery. Upon relocation to another Presbytery they must apply for a seat in that Presbytery in the same terms as stated in 2. above.

4 The General Assembly authorise Presbyteries to take up and dispose of Petitions for a seat in Presbytery from the parties specified in 2. above, the rights of all parties to complaint and appeal being preserved.

5 The General Assembly direct that ministers who, at retirement, choose not to apply for a seat in a Presbytery shall continue to be under the jurisdiction of the Presbytery within whose bounds they are resident. In the event of any such minister moving outwith the bounds of a Presbytery of the Free Church, he shall be under the jurisdiction of the Presbytery within whose bounds he last resided. The General Assembly direct Presbyteries to keep the names of the said ministers on the Roll of Resigned Ministers, which is hereby renamed the Roll of Resigned and Retired Ministers, maintained by the Clerk of each Presbytery and reviewed annually. Presbytery Clerks shall inform the Assembly Clerk at the beginning of each calendar year of the names on the said Roll. The Assembly Clerk shall maintain a complete Roll of Resigned and Retired Ministers upon such information.

6 The General Assembly, in accordance with the terms of Act IV, 1991, direct that retired ministers who are granted a seat in a Presbytery, and retired ministers who do not apply for a seat in Presbytery, shall be eligible for election as Ruling Elders of the congregation to which

they belong, provided this be not their last charge before retirement, but they may not be elected, as Ruling Elders, either to represent the Kirk Session at Presbytery and Synod, or as Commissioners to the General Assembly.

7 The General Assembly direct that for each Assistant Minister duly inducted and granted a seat in Presbytery, there be a corresponding Ruling Elder from the Kirk Session of the congregation in which the Assistant is placed. They also direct Presbyteries to appoint corresponding elders for each seat in Presbytery granted to ministers without a pastoral charge, from a Kirk Session of their discretion. Corresponding elders for seats granted in terms of 2. above, and for Assistant Ministers, shall retain their seats in Presbytery only for such time as seats are retained by the said ministers.

8 The General Assembly amend Act I, 1981, paragraph (d), by the deletion of the last sentence, "But retirement shall not involve resignation of a seat in the Presbytery." They also amend Act XIII, 1990, by renaming the Act, "Act anent Resigned and Retired Ministers", and by amending the name of the Act throughout accordingly. Act XIX, 1999, is also hereby amended by renaming the Act, "Act anent Roll of Resigned and Retired Ministers", and by amending the name of the Act throughout accordingly.

9 The provisions of this Act shall be without prejudice to the position of those granted seats in Presbyteries prior to the passing of this Act.

X - Act appointing General Assessors to the Presbytery of Glasgow and Argyll
(No. 10 of Class II)
Edinburgh, 29th May 2002

The General Assembly appoint Mr W. M. Mackay, retired, Dr R.J. Akroyd, assistant minister at Buccleuch and Greyfriars, Edinburgh, Mr I. Macleod (Currie), elder at Buccleuch and Greyfriars, Edinburgh, and Dr D.G Mackay, elder at Buccleuch and Greyfriars, Edinburgh, to be General Assessors to the Presbytery of Glasgow and Argyll, the term of appointment to be until next General Assembly.

XI - Act appointing General Assessors to the Presbytery of Skye and Wester Ross
(No. 11 of Class II)
Edinburgh, 29th May 2002

The General Assembly appoint Mr Farquhar Renwick, Minister of Knockbain; Mr Ranald F Morrison, Minister of Tain; Mr Kenneth M. MacDonald, retired; Mr Angus Campbell, elder at the Free North, Inverness; Mr Kenneth Robertson, elder at Tain; Mr William S. Wyllie, elder at Knockbain; and Mr Thomas Cook, elder at Knockbain; to be General Assessors to the Free Presbytery of Skye and Wester Ross, the term of appointment to be until next General Assembly.

XII - Act disjoining the Congregation of Dunoon and Strachur from the
Congregation of Greenock
(No. 12 of Class II)
Edinburgh, 29th May 2002

The General Assembly repeal Act XV, 1981, and disjoin the congregation of Dunoon and Strachur from the congregation of Greenock, instructing the Presbytery of Glasgow and Argyll to make appropriate arrangements for the spiritual oversight and supply of Gospel ordinances in the two congregations as separate units in accordance with current legislation.

XIII - Act uniting the Congregation of Aberfeldy, Glenlyon and Pitlochry
with the Congregation of Perth
(No. 13 of Class II)
Edinburgh, 29th May 2002

The General Assembly unite the congregation of Aberfeldy, Glenlyon and Pitlochry with the congregation of Perth under the name of Perth and Pitlochry Free Church and under the pastorate of Rev. Duncan M. Macleod, the consolidated charge to have one Kirk Session and one Deacons' Court, with a separate Finance Committee to hold the invested funds in the name of Aberfeldy, Glenlyon and Pitlochry.

XIV - Act constituting Deacons' Court of Dingwall and Strathpeffer Free Church
(No. 14 of Class II)
Edinburgh, 29th May 2002

The General Assembly amend Act IV of the Commission of Assembly (October 2000) and declare that the Deacons' Court of Dingwall Free Church shall be known as the Deacons' Court of Dingwall and Strathpeffer Free Church. The General Assembly authorise the dissolution of the Finance Committee of Strathpeffer and Garve Free Church at a date to be mutually agreed by the Deacons' Court and Finance Committee and not later than 31st December 2002.

XV - Act renewing Church Extension Status for the Congregation of Cobham
(No. 15 of Class II)
Edinburgh, 29th May 2002

The General Assembly grant to the congregation meeting in Cobham, Surrey, renewal of the Church Extension status in terms of Act XXVII, 1989, the said congregation to have its own

Kirk Session and Deacons' Court in terms of para. 2.5 of the said Act.

XVI - Act anent Equal Dividend and Related Salaries

(No. 16 of Class II)

Edinburgh, 30th May 2002

The General Assembly declare a stipend of £15,500 from 1st April 2002, this figure being based on the variation permitted by Act XII, 1989. The General Assembly approve the continuance of the other categories of salary that are paid at a fixed proportion of the stipend.

XVII - Act anent Appointment of Assistant Minister to

Smithton-Culloden Free Church

(No. 17 of Class II)

Edinburgh, 30th May 2002

The General Assembly approve the appointment of an assistant minister to the congregation of Smithton-Culloden in terms of Act XIX, 2000.

XVIII - Act anent Appointment and Employment of Presbytery Workers

(No. 18 of Class II)

Edinburgh, 30th May 2002

1 The General Assembly, recognising that Presbyteries may wish to engage the services of suitable persons other than ordained ministers in the service of the Church on a local level beyond the limits of a single congregation, approve the following interim arrangements for Presbytery Workers:

1.1 Presbytery workers may be engaged within the bounds of a single presbytery to undertake pulpit supply, pastoral visitation, evangelism, youth work etc

1.2 Prior to any such appointment the duties shall be agreed between the Presbytery worker and the Presbytery and shall be subject to approval by the Committee on Sustentation, Supply and Buildings Maintenance. Such approval shall also be given before any subsequent substantial change in a worker's duties is implemented.

1.3 Appointees shall be communicant members of the Free Church of Scotland.

1.4 Appointment shall be by the Presbytery on recommendation by the applicant's Kirk Session and subject to the approval of the Committee on Sustentation, Supply and

Buildings Maintenance. Workers shall be answerable to the Presbytery and their duties will be carried out under their immediate oversight. On taking up their duties workers shall be formally commissioned at a service of public worship arranged by the Presbytery.

1.5 Presbytery workers shall report on their work to the Presbytery from time to time as the Presbytery may require.

1.6 Appointments shall normally be for periods of not more than three years and shall be subject to review by the Presbytery and the Committee before the end of that period.

1.7 Remuneration shall be met by the Presbytery if resources permit, failing which they will be met by the Committee on Sustentation, Supply and Buildings Maintenance and shall normally be at a rate equivalent to 80% of the stipend where the worker is engaged full-time. Workers whose hours of service are less than full-time shall be remunerated on a *pro rata* basis.

1.8 Expenses shall normally be met by the Presbytery who are authorised to levy congregations within their bounds as appropriate for this purpose. The Committee on Sustentation, Supply and Buildings Maintenance shall be authorised at their discretion to meet any shortfall in worker's expenses on due application. Workers shall be eligible for repayment of car expenses under the Ministers' Car Expenses Scheme in terms of Act XX, 2000, *mutatis mutandis*.

1.9 Accommodation shall not normally be provided.

1.10 Presbytery workers appointed under this Act shall be entitled to the statutory notice of termination of appointment. Termination shall be determined by the Presbytery, subject to appeal to the Committee on Sustentation, Supply and Buildings Maintenance. Workers should give statutory notice of the termination of their appointment.

1.11 Presbytery workers shall be entitled to the same Annual Leave as Ministers.

1.12 For each person appointed under this Act the Presbytery in consultation with the Committee on Sustentation, Supply and Buildings Maintenance shall formulate a Contract of Employment consistent with this Act, which shall take into account Sick Leave arrangements and Grievance Procedures.

1.13 Workers shall be eligible for membership of the Church's Pension Scheme.

1.14 Notwithstanding the above a presbytery worker's remuneration and /or expenses may be met in whole or part from the Support Fund where appropriate at the discretion of the Finance, Law and Advisory Committee.

1.15 The above Regulations shall have effect until replaced or amended by fuller Regulations.

2 The General Assembly authorise the Sustentation, Supply and Buildings Maintenance Committee in consultation with the Finance, Law and Advisory Committee and

other Committees with relevant interests to consider the workings of this Act and to bring revised proposals where necessary to next General Assembly.

XIX - Act anent Publication of the Westminster Confession of Faith
(Modern English Version)
(No. 19 of Class II)
Edinburgh, 29th May 2002

The General Assembly approve the publication of the Westminster Confession of Faith (Modern English Version) as edited by Rev. Dr Rowland Ward and encourage its widespread use throughout the Church.

XX - Act anent Administration of Student Finance Scheme
(No. 20 of Class II)
Edinburgh, 30th May 2002

The General Assembly approve the Training of the Ministry and Admission Committee's part in the administration of the Student Finance Scheme and instruct it to report back to next year's General Assembly on how the Scheme has developed. The General Assembly ordain as follows:

- 1 Free Church divinity students shall be remunerated for placements on a weekly basis at the *pro rata* rate for resident lay preachers.
 - 2 Act XXX, 1994, paragraph 10, shall be amended by deleting the words: 'He will be paid a weekly amount equivalent to the current residential supply expenses for students'; and by the addition of the words: 'He will be paid a weekly amount equivalent to the remuneration paid to resident lay preachers with appropriate expenses'.
 - 3 A hardship fund shall be created, funded from the Committee's budget, and administered at the discretion of the Convener, Clerk, and General Treasurer, in order to meet any cases of proven need amongst the student body.
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XXI - Act anent In-Service Training for Ministers
(No. 21 of Class II)
Edinburgh, 30th May 2002

The General Assembly ordain as follows:

The Training of the Ministry and Admissions Committee shall administer a programme of In-Service Training for Ministers of the Church in accordance with the following provisions:

- 1 The In-Service Training programme shall be held each year with ministers required to attend every three years.
- 2 Each presbytery shall be responsible for ensuring that all active ministers within its bounds attend once every three years with one third of such members attending each year.
- 3 The In-Service Training programme shall take place over three or four days during the month of January each year.
- 4 The content of the In-Service Training Programme shall be organised by a liaison committee to be formed from equal numbers of members of the Senate and the Training of the Ministry and Admissions Committee.
- 5 The core areas to be covered each year shall be of a theological and pastoral nature and will mainly take the form of lectures followed by discussion.
- 6 The College Senate shall be part of the lecture team but others who have relevant experience will be asked to lecture.
- 7 The venue for the programme shall be the Free Church College in Edinburgh.
- 8 Those attending shall be reimbursed for accommodation and travelling expenses. The General Assembly instruct the Finance, Law and Advisory Committee to make appropriate financial provision to expedite the programme.

XXII - Act anent Presbytery Certification of Divinity Students
(No. 22 of Class II)
Edinburgh, 30th May 2002

The General Assembly amend Act XX, 1985 by the deletion of Section III, sub-paragraph 1.2. and the addition of the following:

- 1 Every student of divinity previous to his being first enrolled at the College as a student of divinity, shall submit a Certificate to the Training of the Ministry and Admissions Committee that he has been examined by the Presbytery within the bounds of which he resides and that he has passed, in a satisfactory manner, an examination by said Presbytery upon his knowledge of the Christian religion, as it is exhibited in the Catechetical Standards of the Church.

2 Every student of divinity shall be examined by the Presbytery within whose bounds he resides, not only previous to his being first enrolled as a student of divinity, but every year of his attendance at the College; and shall be required to produce to the Training of the Ministry and Admissions Committee at the start of every session of his attendance at the College, a certificate from the Presbytery of his having been examined by them on the progress made by him in his studies, and of the Presbytery's satisfaction with the same, as well as a certificate of his good moral character from the minister under whose pastoral charge he is, before he can be enrolled.

XXIII - Act anent Student Examinations

(No. 23 of Class II)

Edinburgh, 30th May 2002

The General Assembly ordain as follows:

1 The General Assembly, acknowledging that all those recognised as candidates for the ministry must be proficient in their knowledge of the English Bible, enact

1.1 that before commencing his studies at the Free Church College each candidate for the ministry must pass an Entrance Examination in Scripture;

1.2 that this examination shall be held in June of each year; and that re-sits, if necessary, shall be in August;

1.3 that arrangements for this examination shall be as for other College Examinations, including the provision of an External Examiner by the Training of the Ministry Committee. Responsibility for organising the examination shall rest with the Senate, who shall appoint one or more of their number to set the paper, and shall arrange for the completed scripts to be photocopied and forwarded to the External Examiner. The pass-mark shall be 50 per-cent;

1.4 that the Syllabus for the Scripture Entrance Examination shall be set in conjunction with the Training of the Ministry and Admissions Committee.

2 The General Assembly, recognising the importance of candidates for the ministry acquiring a competent knowledge of the whole English Bible, rescind the current provisions for a system of Exit Examinations in Scripture and enact instead:

2.1 that all students for the ministry are required to study the English Bible under the supervision of their presbyteries;

2.2 that presbyteries are charged with the responsibility of ensuring that by the time they complete their course all students have a competent knowledge of the whole English Bible;

2.3 that to achieve this end all presbyteries shall include in their annual examination of students a two-hour written examination in Scripture;

2.4 that this examination shall be held not later than 31st August each year; and that re-sits shall be at the discretion of the Presbytery;

2.5 that the Syllabus shall be set in conjunction with the Training of the Ministry and

Admissions Committee.

3 As an interim measure, for the Session 2002/03 alone, the General Assembly direct that no more shall be required of students by way of Scripture examination beyond their passing their annual Presbytery Examination.

4 The General Assembly amend Act XXVIII, 1994, Act anent College Examinations, 2.1 by deleting the words “except for exit examinations in Scripture”; and by deleting 2.3 except the last sentence “Every Presbytery shall notwithstanding, retain the right to examine students on any portions of Scripture they may wish to allocate”.

XXIV - Act anent Student Representation on the College Board

(No. 24 of Class II)

Edinburgh, 30th May 2002

The General Assembly approve the recommendation from the College Board that the President of the Students’ Representative Council be hereinafter an *ex officio* member of the College Board. The General Assembly, to this end, amend Act XVI, 1995 – Act anent Institution of College Board – in paragraph 2.1.3 to read “the Principal of the College and the President of the Students’ Representative Council *ex officio*”

XXV - Act anent Appointment of Professors

(No. 25 of Class II)

Edinburgh, 30th May 2002

The General Assembly amend Act XIX, 1998 – Act anent Appointment of College Professors – by substituting the University of Glasgow for the University of Edinburgh in paragraphs (e) and (l).

XXVI - Act anent Validation of BTh Degree

(No. 26 of Class II)

Edinburgh, 30th May 2002

The General Assembly repeal Act XXIII, 1999 – Act anent Validation of B.Th. Degree.

XXVII - Act changing the Name of the Foreign, Overseas and Jewish

Missions Board to International Missions Board

(No. 27 of Class II)

Edinburgh, 30th May 2002

The General Assembly approve the change of the Board's name from Foreign, Overseas and Jewish Missions Board to International Missions Board.

XXVIII - Act appointing the Commission of Assembly

(No. 28 of Class II)

Edinburgh, 31st May 2002

The General Assembly did, and hereby do, nominate and appoint a Commission consisting of all members of Assembly with the addition of Rev. A. J. MacDonald, named by the Moderator, to be a Commission of this General Assembly with power to the said Commission or their quorum which is declared to be any fifteen or more of their number, whereof eight at least are always to be ministers, to meet and convene at Edinburgh on the first Wednesday of October and the first Wednesday of March next to come at 7 o'clock in the evening, and oftener when and where they shall think fit and convenient, and with power to choose their own Moderator; and the General Assembly fully empower the said Commission, or their quorum above-mentioned, to cognosce and finally determine as they shall see cause in every matter referred to them, or which shall be referred to them, by, or in virtue of, any act or order of the Assembly; and to do everything contained in, and conform to the instructions given, or to be given, by the General Assembly; and to advert to the interests of the Church on every occasion, that the Church do not suffer or sustain any prejudice which they can prevent, as they will be answerable; provided always that, save as hereafter stated, this general clause be not extended to particular affairs or processes before Synods or Presbyteries that are not of universal concern to, or influence upon, the whole Church. And further, in view of the ongoing question of relations with the self-styled Free Church (Continuing), the matter of legal issues in relation to the occupation of property belonging to the Free Church of Scotland by the said self-styled Free Church (Continuing), the freezing of bank accounts, and the processing of legal action in the civil courts, the General Assembly empower the Commission to take all steps necessary and proper to take in the interests of the Church in connection with these matters, and declare that meetings of the Commission shall have the full powers of the General Assembly to deal with all such matters which may arise, provided always that notice of proposals in terms of this empowerment shall be sent to commissioners at least ten days before the Commission is to convene, this requirement not implying any curtailment of amendment to such proposal. And further, the said Commission are hereby particularly empowered to dispose of any business regarding the congregation of Kiltarlity and Kirkhill, to receive and fully dispose of applications that may be forwarded to them for raising preaching stations or suppressed charges to fully sanctioned charges, for consolidating congregations into one charge, for the appointment of Ministers overseas and Foreign Missionaries in the Mission Fields of the Church, to appoint teachers seconded by the Reformed Missions League as missionary teachers to Colegio San Andrés, for authority to sell such property as is not held under the Model Trust Deed, or to sell such properties being under the Model Trust Deed as are to be sold in order to provide for new buildings, to receive and dispose of a report from the Nominations Committee anent the appointment of additional

General Trustees, and to receive any references and appeals that shall be made to them from Synods in matters of doctrine, and ripen such affairs for next General Assembly, and to contribute what they can to the suppression of vice and immorality, and to give all needful advice and assistance to Synods, Presbyteries and Committees of Assembly upon application to them for that end. And the said Commission are hereby strictly prohibited and discharged to meddle in any other matters than what are committed and referred to them as above-mentioned. And in all their actings they are to proceed according to the Acts and Constitution of this Church, and to do nothing contrary thereto, or to the prejudice of the same, declaring that, in and for all their actings, they shall be accountable to, and censurable by, next General Assembly, as they shall see cause. And this Commission shall continue and endure until another Commission is appointed. And members are required to attend the diets of the said Commission.

XXIX - Act appointing next General Assembly

(No. 27 of Class II)

Edinburgh, 31st May 2002

The General Assembly appoint the next General Assembly to meet in Edinburgh on Monday, 19th May 2003 at 6 o'clock in the evening.

ACTS OF THE COMMISSION OF ASSEMBLY

I - Act anent Sale of Church Building at Melvaig

Edinburgh, 3rd October 2001

The Commission of Assembly authorise the sale of the Church building at Melvaig, the transaction to be carried out under the supervision of the Church's Law Agent, and the proceeds of the sale to be made available to the congregation for the maintenance and improvement of congregational property.

II - Act anent uniting the Congregation of Kilmuir and Stenscholl

and the Congregation of Snizort

Edinburgh, 3rd October 2001

The Commission of Assembly unite the congregation of Kilmuir and Stenscholl with the congregation of Snizort as one pastoral charge with one Kirk Session and two Deacons' Courts/Finance Committees to be known as Kilmuir, Stenscholl and Snizort Free Church, additional supply to be made available each week from the Supply Department to assist in the maintenance of Gospel ordinances within the consolidated charge.

III - Act anent Sales of Property

Edinburgh, 6th March 2002

1. The Commission of Assembly authorise the sale of the Free Church Manse at Kiltarlity, the transaction to be carried out under the supervision of the Church's Law Agent, and direct that the proceeds of the sale be held by the General Trustees for behoof of the congregation, and that they be made available for the procurement of a more suitable Manse.
2. The Commission of Assembly authorise the sale of the Free Church Manse at Dornoch, the transaction to be carried out under the supervision of the Church's Law Agent, and direct that the proceeds of the sale be held by the General Trustees for behoof of the congregation, and that they be made available for the purpose of obtaining a more suitable Manse.
3. The Commission of Assembly authorise the sale of the Free Church Manse at Kingussie, the transaction to be carried out under the supervision of the Church's Law Agent, and direct that the proceeds of the sale be held by the General Trustees for behoof of the congregation, and that they be made available for the purpose of financing the building of a Manse and Meeting-house on the site of the Kingussie Church.
4. The Commission of Assembly authorise the sale of the Free Church building and site at Newtonmore, the transaction to be carried out under the supervision of the Church's Law Agent, and direct that the proceeds of the sale be held by the General Trustees for behoof of the congregation, and that they be made available for the purpose of financing the building of a Manse and Meeting-house on the site of the Kingussie Church.
5. The Commission of Assembly authorise the sale of the Free Church Manse at East Kilbride, the transaction to be carried out under the supervision of the Church's Law Agent, and direct that the proceeds of the sale be held by the General Trustees for behoof of the congregation, and that they be made available for the purpose of obtaining a more suitable Manse.
6. The Commission of Assembly authorise the sale of the Free Church Manse at Kilmallie, subject to the advice of the Church's Law Agent, the transaction to be carried out under the supervision of the Church's Law Agent, and direct that the proceeds of the sale be held by the General Trustees for behoof of the congregation, and that they be made available for the purpose of obtaining a more suitable Manse.

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CLASS II - ACTS WHICH ARE OF GENERAL INTEREST
TO THE CHURCH

I - Act anent Loyal and Dutiful Address to Her Majesty the Queen
(No 1 of Class II)

Edinburgh, 20th May 2003

To the Queen's Most Excellent Majesty

The Loyal and Dutiful Address of the General Assembly of the Free Church of Scotland

May it please Your Majesty

We, Your Majesty's subjects, the Ministers and Elders of the Free Church of Scotland met in General Assembly on the 20th day of May 2003, respectfully assure Your Majesty of our allegiance and loyalty to Your Majesty's Person and Throne.

As Your Majesty approaches the 50th anniversary of Your Coronation, we bless God for His faithfulness in strengthening and equipping you to fulfil your many exacting duties as Sovereign, so diligently and so graciously, over all these years.

We humbly thank Your Majesty for acknowledging in Your Christmas Broadcast, the strength received from the message of hope in the Christian Gospel, especially during times of sore family bereavement, and we continue to pray that the Christ of the Gospel will bless Your Majesty and Your Royal House with the riches of His grace for your private and public responsibilities.

We continue to grieve over the trends in our society which evidence a decreasing confidence in the wisdom and goodness of God's Law, as summarised in the Ten Commandments. We therefore pray for divine anointing on the proclamation of God's Word in convincing many of the truth and salvation that is in Jesus Christ.

We pray for Your Majesty's Armed Forces engaged in the complex international conflicts of our day and we pray for divine wisdom for Your Majesty's Government and also for foreign governments that they may advance the cause of peace based on righteousness and mercy.

We rejoice, that amidst the fearful tensions of these times, our God rules over the nations and to His grace and wisdom and blessing we commit Your Majesty's Person and Family.

So pray your Majesty's most loyal subjects, the Ministers and Elders of the Free Church of Scotland convened.

II - Act appointing Camps Supervisor

(No. 2 of Class II)

Edinburgh, 20th May 2003

The General Assembly appoint Mr Ross A. R. Finlay to the position of Camps Supervisor.

III - Act anent Revised Child Protection Policy and Related Matters
(No. 3 of Class II)

Edinburgh, 20th May 2003

The General Assembly approve the revised Child Protection Guidelines and Practice together with Forms and Declarations. They instruct all Kirk Sessions to implement the policy in Sabbath Schools and every other work under their jurisdiction involving children and young people with immediate effect. They instruct Presbyteries to make enquiry at Quinquennial Visitations of congregations within their bounds as to the steps taken by Kirk Sessions to put this Policy into force. To this end they continue the remit to the Committee on Sustentation, Supply and Buildings Maintenance to include a relevant section on the Child Protection Policy at their review of Forms to be used in Quinquennial Visitations. Furthermore the General Assembly authorise presbyteries to supervise the appointment of coordinators in terms of the Guidelines for groups of congregations where lack of personnel makes it difficult for individual congregations to make such appointments from their own membership. Act VII, 1998, and Act IX, 1999 are hereby repealed.

IV - Act authorising the use of *Sing Psalms* in worship
(No. 4 of Class II)

Edinburgh, 20th May 2003

Whereas previous General Assemblies resolved that it would be for edification that a new metrical version of the Psalms of David be prepared in current English medium, and whereas the Psalmody Committee to which there had been remitted the task of preparing such a version presented to last Assembly a draft of the same entitled *Sing Psalms*, and whereas comments thereon have now been submitted to the Psalmody Committee and duly considered by them in revising the material formerly presented, and whereas there is now prepared an edition of *Sing Psalms* suitable for general use, the General Assembly give thanks to God for the successful outcome of these years of endeavour and pray for divine blessing on the use of these versions. The General Assembly do hereby authorise and approve the use of *Sing Psalms* in worship as well as the metrical versions currently in use.

V - Act anent Youth Worker in Bon Accord Church, Aberdeen
(No. 5 of Class II)

Edinburgh, 20th May 2003

The General Assembly authorise the appointment of a Youth Assistant within the Free Church

congregation of Bon Accord, Aberdeen, for a period of three years, renewable by petition to the Presbytery of Edinburgh and Perth and subject to the agreement of the Youth Committee as to initial appointment and subsequent renewal of appointment; his/her remuneration to be at a rate equivalent to the rate paid to Resident Lay Preachers to be met by the Youth Committee; the Deacons' Court of Aberdeen to be responsible for additional expenses and accommodation. The terms of appointment shall conform to those in Act XVIII, 2002, Sections 1.10 to 1.13 *mutatis mutandis*.

VI - Act anent Transfer of Rev. J.A.M. Mackay to the Register of Ministers without Charge available for Call
(No. 6 of Class II)

Edinburgh, 20th May 2003

The General Assembly authorise the transference of the name of Rev. John A. M. Mackay from the Roll of Resigned and Retired Ministers to the Register of Ministers without Charge eligible for call in terms of Act XIII, 1990, §9.

VII - Act anent Administration of the Church Offices
(No. 7 of Class II)

Edinburgh, 21st May 2003

The General Assembly instruct the Finance, Law and Advisory Committee to restructure the Church's administration, broadly in terms of section (A) 7 of the Committee's report, and to include in the structure an Accountant to deal with financial matters reporting to a Chief Administrative Officer who shall be responsible for the Church's central administrative office; to draw up a job description and person specification for the posts of Chief Administrative Officer and of Accountant in consonance with the description set out in paragraph 7 of the report; to appoint suitable persons to both posts prior to the retirement of the General Treasurer in July 2004; and to include in the appointing process for the Chief Administrative Officer the Clerk to the Assembly, the Conveners of the General Trustees and of the Sustentation Committee, and such other persons and advisers as the Committee deems fit under the convenership of the Convener of the Finance, Law and Advisory Committee.

VIII - Act anent Restructuring of Assembly Committees
(No. 8 of Class II)

Edinburgh, 21st May 2003

The General Assembly enact and ordain that the work of the Assembly between their meetings shall be prosecuted by the following Committees divided into four Groups:

1 GROUP 1 COMMITTEES

Group 1 - to be designated the Home Mission Group, to comprise of twelve members of whom six shall be ministers and six shall be elders, and who shall constitute the following Committees:

1.1 *Church Extension Committee*

Remit: to formulate policy for Church Extension for the Church in recognition of her responsibility to the whole of Scotland; to identify areas where such work could be established and where evangelists and church planters are required; to consult with presbyteries regarding this; to assess the strength of applications from presbyteries for the establishment of Church Extension charges and Church Planting appointments; to supervise the appointment and employment of evangelists and church planters, the appointment and employment of International Outreach workers in the United Kingdom and workers for the Service to Overseas Students; to administer the Highways and Byways Mission; to make provision for the financing of such appointments and for the erection and maintenance of churches and manses required for them; to undertake programmes of training for ‘laity’; and any other functions presently discharged by the Church Extension Committee unless otherwise provided for in this Act; and as the General Assembly may appoint.

1.2 *Sustentation and Ministry Committee*

Remit: to promote the interests of the Sustentation Fund, which has been historically regarded as the main fund of the Church; to fix the Stipend in concurrence with the Stewardship and Policy Committee and represent the needs of Sustentation and Supply to that Committee in relation to the Church’s overall budget; to scrutinise Sustentation Fund Schedules in order to authorise the filling up of vacancies as required by Assembly legislation; to assess the strength of the case made out by congregations which request Special Arrangements and consult with the Stewardship and Policy Committee about the resources available for the support of ministries in such charges; to promote the union or linking of non-viable congregations to form viable consolidated charges in terms of current legislation; to administer the Ministers’ Car Expenses Scheme; to supervise the operation of all legislation regarding the Stipend to secure a more economically realistic distribution of personnel; to give practical effect to the Church’s concern for situations where the cause is weak through the creation and supervision of Redevelopment Charges and the Appointment of District Ministers; to supervise arrangements for Resident and Weekend Supply and all that is involved in the financial provision for Supply in vacant congregations; to interview, appoint and supervise the employment of Resident Lay Preachers; to put into effect legislation for presbytery workers; to allocate buildings maintenance grants and loans; to undertake care services for ministerial personnel and promote pastoral support for ministers and their families; and any other functions presently discharged by the Sustentation, Supply and Buildings Maintenance Committee unless otherwise provided for in this Act; and as the General Assembly may appoint.

Clerk: Assembly Clerk’s Department

1.3 *Training of the Ministry and Admissions Committee*

Remit: (1) to receive and process all applications of candidates for the Free Church Ministry and interview all candidates; to advise all pre-College recognised students for the Free Church Ministry of the subjects which should be studied during their pre-College course(s); to examine and assess students’ College work through the appointment of examiners, responsible to and reporting to, the Training of the Ministry Committee; to administer the scheme for the placement

of students; to administer the applications for, and allocations of, grants/bursaries to students and to see to the provision of adequate financial provision for their support; to deal with accusations of heresy or immorality on the part of any of the Professors at the Free Church College; (2) to consider applications from ministers and probationers from other churches seeking admission to the Free Church of Scotland when received from presbyteries and to take due steps to process the same; and any other functions presently discharged by the Training of the Ministry Committee unless otherwise provided for in this Act; and as the General Assembly may appoint.

Membership: in addition to those mentioned above two members of the Senate to be appointed by the Senate.

2 GROUP 2 COMMITTEES

Group 2 - to be designated the Communications Group, to comprise of twelve members of whom six shall be ministers and six shall be elders with the additional *ex officio* members indicated in each case, and who shall constitute the following Committees:

2.1 Public Questions Committee

Remit: (1) to watch over questions bearing on public morality, the interests of religion and questions of Christian doctrine, the relation between Church and State, and whatever bears on the honour of Christ, the great Head of the Church, and the spiritual and moral well-being of the community; to take such action as may seem best fitted to further the great ends of a Christian Church in connection therewith; (2) to consider the returns from Presbyteries and other relevant material about the Social Responsibility of the Church; to reflect on what may be legitimate and feasible for the Free Church in the direction of further social involvement having regard to the number of people supporting the Church, the Church's financial position and its resources in experienced personnel; to receive and collate and analyse answers received from congregations in the Social Responsibility Schedules completed at Quinquennial Visitations in terms of Act X, 1994; and to fulfil any other functions presently discharged by the Public Questions, Religion and Morals Committee unless otherwise provided for in this Act; and as the General Assembly may appoint.

Ex officio Members: the Moderator of the General Assembly, the Editor of *The Monthly Record*, and the Media Officer.

2.2 Youth Committee

Remit: (1) to promote the spiritual welfare of the children and young people of the Free Church of Scotland and to reach out with the Gospel to those outside the Church: by the provision of teaching materials for Sabbath Schools and Bible Classes and such other resources as may be of assistance to teachers and leaders; by the organisation of examinations and award of prizes and certificates as appropriate; by provision and staffing of camps for young people and appointment of a camps supervisor, subject to the approval of the General Assembly, and oversight of his/her duties and those of the camps organiser; by the oversight of *The Instructor* and *Free* magazines and appointment of editors subject to approval of the General Assembly; by the provision or

support of conferences for young people and families; and (2) in light of the Church's responsibility to promote the observance of Christian principle in the realm of education, to examine the field of education with reference to Scotland both in general terms and with specific regard to religious education in schools and colleges; and any other function presently discharged by the Youth Committee except the oversight of *The Monthly Record* and the administration of the Church's Child Protection policy which are otherwise provided for in this Act; and as the General Assembly may appoint.

Ex officio Members: The Media Officer, the Editors of *The Instructor* and *Free* and the Youth Camps Supervisor. The Youth Committee shall have powers to appoint advisers with expertise in educational issues.

2.3 *Communications Committee*

Remit: to exercise oversight of: the Church Bookshop, denominational publications and Knox Press; to consider and give guidance on media issues including the supply or recommendation of materials for education in belief and practice; to oversee *The Monthly Record*; to facilitate the flow of information about matters of general interest to and from individuals, congregations, presbyteries and committees of the Church; to collect and distribute to local congregations and other relevant agencies information supplied by committees and courts of the Church including the General Assembly with a view to stimulating informed prayer for the Church's work and witness; to oversee the Church's web site; to promote the application of new technology to the work of the Church where appropriate; to supervise the work of the Church's Media Officer including taking the necessary steps for recommending to the General Assembly candidates for appointment in the event of vacancy according to procedure analogous to that used in the appointment of the Editor of the Church's magazines; to carry out the functions presently discharged by the Publications Department unless otherwise provided for in this Act; and as the General Assembly may appoint.

Ex officio member: The Editor of *The Monthly Record*.

2.4 *Ecumenical Relations Committee*

Remit: to promote relations with other Churches and religious bodies, and with delegates to and from these to the General Assembly, and to take steps to protect the position of the Free Church of Scotland with respect to her place in the wider Church, and other functions presently discharged by the Assembly Arrangements and Ecumenical Relations Committee under its ecumenical relations remit, unless otherwise provided for in this Act; and as the General Assembly may appoint.

Clerk: Assembly Clerk's Department.

Ex officio Members: The Moderator and previous Moderator of the General Assembly; the Editor of *The Monthly Record*; and the Media Officer.

3 GROUP 3 COMMITTEE

Group 3 - to be designated the International Missions Group.

3.1 *International Missions Board*, consisting of six ministers and six elders with the Editor of *From the Frontiers* as an *ex officio* member. Each Synod in Scotland shall have at least three representatives on the Board and the period of appointment shall be for four years with eligibility for a second term without interval after which there shall be no immediate return.

Remit: the functions of the International Missions Board as presently constituted, the oversight of the Disaster and Relief Fund, and liaison with other missionary organisations.

Meetings: as business requires but not on the dates of the statutory meetings of the other groups.

4 GROUP 4 COMMITTEES

Group 4 - to incorporate Miscellaneous Boards and Committees.

4.1 *College Board*

Remit: to promote the interests of the Free Church College within and outwith the Free Church; to implement a strategy designed to heighten awareness of the status of the College as a centre of Biblical and Reformed teaching; to maintain and improve the fabric and furnishings of the College and the facilities and resources of the College Library; to foster the personal and spiritual welfare of staff and students, especially in areas of staff/student interaction; to assess general student and staff performance through reviewing statistics on pass, failure, attendance, student drop-out and course satisfaction rates and on class size; to determine the starting and closing dates of College sessions; to adjudicate with regard to disciplinary or disputed matters affecting College non-Senatus staff, both full-time and part-time; to consider any failure by a member of the Senatus to comply with academic duties, as brought to it by the Senatus, and to refer this, if unresolved, to the General Assembly for their attention; to determine the terms and conditions of employment of all non-Senatus staff (including casual), other than as determined by Act of Assembly; to keep the salaries of Professors under regular review and, if necessary, to bring proposals thereon to the attention of the Assembly; to process arrangements for the retirement and appointment of professors in accordance with General Assembly legislation; to administer the finances of the College; to prepare the College Budget submitting it to the Stewardship and Policy Committee; and any other functions presently discharged by the College Board unless otherwise provided for in this Act; and as the General Assembly may appoint.

Membership: thirteen ministers or elders which number shall include (1) three ministers in pastoral charges appointed by the General Assembly on a Synodical basis; (2) three elders, having relevant qualifications or experience in education, preferably tertiary education, or in the administration and promotion of education, to be appointed by the General Assembly on the basis of presbytery returns; (3) the Principal of the College *ex officio*; (4) the three remaining members of the Senate, this position to be reviewed if or when the College reverts to the full complement of five professors; (5) one of the General Trustees nominated as their representative; and (6) the Convener and Vice-Convener of the Training of the Ministry Committee. In addition to the foregoing twelve the President of the Students' Representative Council of the College shall be a member *ex officio*. The Chairman of the Board will be appointed by the General Assembly on the recommendation of the Nominations Sub-Committee of the Stewardship and

Policy Committee. Members of the Senatus are excluded.

Secretary: the Secretary to the College.

Meetings: at least twice yearly.

4.2 *Psalmody Committee*

Remit: the functions performed by the Psalmody Committee as at present constituted, except as may otherwise be provided for in this Act; and as the General Assembly may appoint.

Membership: six, of whom at least two shall be elders, to be appointed by the General Assembly on the recommendation of the Nominations Sub-Committee of the Stewardship and Policy Committee.

Meetings: as required.

4.3 *Eventide Home Committee*

Remit: to direct the affairs of the Church's Eventide Home in consultation with the Home's Board of Management in accordance with Assembly legislation and as the General Assembly shall appoint.

Membership: three ministers and three elders, appointed by the General Assembly through the Nominations Sub-Committee of the Stewardship and Policy Committee, one from each presbytery; with four representatives of the Eventide Home Board and one elder nominated by the Stewardship and Policy Committee, who shall normally be Convener.

Meetings: as required.

4.4 *General Trustees*

Remit: (1) to hold any property bequeathed or conveyed to them for behoof of the Free Church of Scotland, subject to the General Assembly as to their management and disposal; (2) to sell, or otherwise dispose of or burden with debt the said property, provided always that any proceeds arising from the exercise of the said powers, or any of them, shall be held for and applied and appropriated to the Free Church of Scotland; (3) subject to Assembly legislation, to administer the funds and heritable property held by them for behoof of the Free Church of Scotland, and in particular to deal with and dispose of such applications for loans from capital held by them as may be transmitted to them through the Stewardship and Policy Committee; (4) to report each year to the General Assembly funds that have been invested in the course of the previous year and also the whole funds under their control at that time; (5) to maintain a register of all heritable properties held in their name and keep it up-to-date annually; (6) to maintain a Let Property Account (Revenue and Capital) in respect of properties held by the Church and leased to tenants, such account to contain all relevant data; (7) to prepare and maintain an up-to-date record of pictures, busts and objects of historic interest referred to in Churches (Scotland) Act 1905, Commission Order 1261, together with such pictures and objects as have since come or may come to be held by the Trustees as property of the Church and are presently located, or

may be located within the Mound Buildings in accordance with Act II, 1979, § 12; (8) to consult with the Senate regarding any proposal to dispose of any such object of interest located in the part of the Mound Buildings occupied by the College, or to dispose of any portion of the College Library; (9) to invest the assets of the Church together with those Special Trusts where the General Assembly has appropriate authority (hereinafter called the Trust Estate); (10) to manage and invest such trusts in accordance with Act II, 1979, § 1; (11) to discharge their responsibility with regard to the maintenance of the Assembly Hall as laid down in Act X, 1978; (12) to provide housing for newly appointed Professors as set forth in Act XIX, 1978; (13) to appoint a Property Management Committee and implement other arrangements for the maintenance of centrally held property and church flats in accordance with Act VII, 2002; (14) to carry out any other functions presently discharged by the General Trustees; and as the General Assembly may appoint.

Membership: twelve of whom not more than four shall be ministers in accordance with the terms of Act XX, 1999, (A).

Meetings: the General Trustees shall meet as required to transact business other than business relating to the Trust Estate. When required to transact business in connection with the Trust Estate the General Trustees shall meet in their capacity as the General Trustees' Nominees Company and only business relevant to the Trust Estate shall be transacted at such a meeting. The General Assembly confirm that the Nominee Company is the Trustee of the Church's Pension Scheme.

Chairman: The General Trustees shall have power to appoint their own Chairman.

Quorum: Three

Secretary: The General Treasurer

4.5 *Assembly Arrangements Committee*

Remit: to make arrangements for the General Assembly, such as hospitality, care of the Assembly Hall; employment and duty of Assembly officials; Moderator's expenses; and such matters as are directly connected with the Assembly; and any other functions presently discharged by the Assembly Arrangements and Ecumenical Relations Committee under its Assembly Arrangements remit unless otherwise provided for in this Act; and as the General Assembly may appoint.

Membership: four ministers or elders to be appointed from the Southern Synod and one from each of the Northern and Western Synods; Principal Clerk of Assembly; present and previous Moderator of the General Assembly; Moderator-designate of General Assembly following upon his nomination.

Executive: this Committee shall appoint from its membership an Executive composed of members living in or adjacent to Edinburgh to whom immediate oversight of specified practical matters may be remitted.

Meetings: meeting in January each year; other meetings as required.

4.6 *Board of Pastoral Advice*

Remit: to give advice to ministers and Church courts on perplexing problems which are not open to formal process and which do not obviously fall within the remit of any existing body. The Board shall report to the General Assembly through the Sustentation and Ministry Committee.

Membership: one minister or elder from each presbytery as appointed by the General Assembly on the recommendation of the Nominations Sub-Committee of the Stewardship and Policy Committee; one of whom shall be a member of Group 1 Committees.

Convener: member of the Board who is also a member of Group 1 Committees.

Clerk: the Assembly Clerk's Department.

5 STEWARDSHIP AND POLICY COMMITTEE

An overview of the work of the above Committees and Boards shall be provided by a Stewardship and Policy Committee.

5.1 Stewardship and Policy Committee

Remit: to focus on the development of policies and strategic planning for the Church in consultation with other Committees; to discharge the present functions performed by the Finance, Law and Advisory Committee; and as the General Assembly may appoint.

Membership: a Convener appointed by the General Assembly on the recommendation of the Nominations Sub-Committee of the Stewardship and Policy Committee who shall hold office for four years, renewable for one further term of four years; the Conveners of the Sustentation and Ministry, Church Extension, Training of the Ministry, Public Questions, Youth and Communications Committees; the Chairmen of the International Missions and College Boards; the Principal Clerk of Assembly; two further men appointed from each of Groups 1 and 2 and up to four additional elders whose names shall be submitted to the Nominations Sub-Committee. The majority of the Committee shall be composed of elders. The Committee shall not number more than 22 voting members. All General Trustees may attend meetings of the Committee but only four shall have voting rights: the others may attend meetings but shall not be eligible to serve on sub-committees or hold convenerhips.

Sub-Committees: the Stewardship and Policy Committee shall have the following sub-committees:

(1) *Nominations Sub-Committee* to receive nominations from presbyteries for vacancies on above committees when they occur, and to make recommendations from these submissions to the General Assembly. The Sub-Committee shall have power to make alternative nominations where the overall balance of committee membership or the needs of the Church appear to them to require such action. In submitting nominations to the Sub-Committees presbyteries shall be required to give reasons for the suitability of the persons whom they nominate. Presbyteries may nominate elders from without their bounds in exceptional circumstances. The Convener of the Sub-Committee shall not be the same as the Convener of the Stewardship and Policy Committee. The Sub-Committee shall include at least one member from each Presbytery, together with the Principal Clerk and the Conveners of the Sustentation and Ministry, Church Extension, Training of the Ministry, Public Questions, Youth and Communications Committees, and the

Chairmen of the International Missions and College Boards. In the interests of continuity a convener who has served for only one year when his membership of that particular committee expires, may be reappointed for a further period not exceeding two years if desired. A minister who is translated to a charge in another presbytery during his term of service on committees may continue to serve for the rest of his term if this is desirable, with the concurrence of both presbyteries.

(2) *Finance Sub-Committee* to perform the financial functions of the Stewardship and Policy Committee and those functions presently performed by the Monthly Review Sub-Committee. The Convener and members of this Sub-Committee shall be appointed by the Stewardship and Policy Committee.

(3) *Law, Compliance and Audit Sub-Committee* who shall discharge the functions of the Sub-Committee as at present constituted. The Convener and members of this Sub-Committee shall be appointed by the Stewardship and Policy Committee.

(4) The Stewardship and Policy Committee may appoint other sub-committees from time to time as may be necessary for the discharge of its remit.

(5) The Stewardship and Policy Committee shall be responsible for reporting on Custody of Titles and processing petitions relating to properties whether addressed to the General Assembly or its Commission. The Clerk of Assembly shall act as Custodian of Titles and report regularly to the Committee.

6 MATTERS AFFECTING ALL COMMITTEES

6.1 *Clerks* Unless otherwise stated Clerks of Committees and Secretaries of Boards shall be appointed by the Stewardship and Policy Committee in consultation with the particular committee or board in accordance with Act III, 2001.

6.2 *Consultants* Consultants or advisers may be appointed to committees either by the General Assembly or by the committees themselves. Such advisers need not be ministers or elders but shall have special expertise relating to particular aspects of the remit of a committee. They shall only be present at meetings of committees for parts of the business to which their expertise relates and shall not be members of the Committee nor shall they have any voting rights. Only ministers or *bona fide* acting elders of the Church, or on an *ex officio* basis members of the Church, may act as members or co-opted members of Committees.

6.3 *Executives* The Conveners and Vice-Conveners of any Committee shall form, with such other members, if any, as the Committee may appoint, the Executive of the Committee. The Executive shall be appointed at the June meeting of the Committee.

6.4 *Timetable of meetings* The Committees in Groups 1 and 2 and the Stewardship and Policy Committee shall meet on the first Wednesday of March and October and previous day and on Tuesday and Wednesday in June each year as appointed by the Stewardship and Policy Committee according to the following timetable:

Tuesday	Training of Ministry	1	2 - 5
	Ecumenical Relations	2	2 - 4
	Communications	2	4 - 7 (with break)

	Public Questions	2	7 - 9
	Church Extension	1	6 - 9
Wednesday	Sustentation and Ministry	1	9 - 1
	Youth	2	9 - 1
	Stewardship and Policy		2 - 7 (with break)
	Commission of Assembly		7

In both cases meetings of Executives and Consultations with presbyteries to be held on Monday evenings and Tuesday mornings as required.

6.5 *Presbyterial representation* All Presbyteries shall be represented on Groups 1 and 2; duration of service shall be for four years and members shall not be eligible for immediate reappointment. During the phasing-in period representation of Presbyteries and duration of service may be subject to adjustment if required.

Appointments to other Committees, unless otherwise stated above, shall normally be for periods not exceeding four years with eligibility for immediate return.

6.6 *Repeal of previous legislation* The General Assembly hereby repeal Act VIII, 1987, and all other acts bearing on the structure and remit of Committees insofar as they are inconsistent with the foregoing. They direct that Standing Orders be adjusted in terms of this Act with immediate effect.

IX - Act appointing Assessor Presbyteries to Synods
(No. 9 of Class II)

Edinburgh, 21st May 2003

In accordance with the requirements of Act V, 2002, paragraph 2.1, the General Assembly appoint the Northern Presbytery as Assessor Presbytery to the Western Synod; the Presbytery of Inverness, Lochaber and Ross as Assessor Presbytery to the Southern Synod; and the Presbytery of Edinburgh and Perth as Assessor Presbytery to the Northern Synod. The General Assembly remind the North American Synod that such cases as require either of the two Presbyteries comprising that Synod to be at the bar of Synod should be forwarded directly to the General Assembly, or Commission of Assembly, whichever is the more appropriate.

X - Act anent Closure of Maxwell House Eventide Home, Glasgow
(No. 10 of Class II)

Edinburgh, 21st May 2003

1. The General Assembly express appreciation of the work done in the Eventide Home over a period of many years and commend the current staff, their predecessors, members past and present of the Committee on Eventide Homes and of the Board of Management for their dedicated service to the home and the old people who are and have been part of it.

2. The General Assembly recognise with regret that financial factors, the unsuitability of the building for further development and changes in demand have made the Home non-viable and rendered continued operation inappropriate

3. The General Assembly agree that the Home should be closed and that the assets which the Home represents should be realised.

4. The General Assembly authorise the Finance, Law and Advisory Committee to implement an action plan to close the home in an orderly fashion by end August 2003 and to expend such funds as may reasonably be applied to this end.

5. The General Assembly instruct the Committee on Eventide Homes to report fully on all these matters to the 2004 Assembly and to bring forward proposals for consideration regarding the use of the funds arising from the sale of assets.

XI - Act approving Venue of Meeting of Southern Synod
(No. 11 of Class II)

Edinburgh, 21st May 2003

The General Assembly approve the action taken by the Moderator of the Southern Synod in calling the meeting of Synod in a venue other than that appointed by Act VI, 2002.

XII - Act anent Date and Venue of Meetings of Western Synod
(No. 12 of Class II)

Edinburgh, 21st May 2003

The General Assembly receive the Petition of the Western Synod and grant its crave. They appoint the Western Synod to meet for its next statutory meeting at Ullapool, in the Free Church there, on Tuesday 16th March 2004, at 10.30 am, and alternately thereafter at Stornoway and Ullapool, on the third Tuesday of March each year.

XIII - Act anent Release of Funds
(No. 13 of Class II)

Edinburgh, 21st May 2003

The General Assembly authorise the further release of part of the proceeds of the sale of the church building at Minard, not exceeding £16,000, for the continuation and completion of the programme of improvements to the church and manse at Lochgilphead.

XIV - Act appointing General Assessors to the Presbytery of Glasgow and Argyll

(No. 14 of Class II)

Edinburgh, 21st May 2003

The General Assembly appoint Mr W. M. Mackay, retired, Dr R. J. Akroyd, assistant minister at Buccleuch and Greyfriars, Edinburgh, Mr I. Macleod, (Currie), elder at Buccleuch and Greyfriars, Edinburgh, and Dr D. G. Mackay, elder at Buccleuch and Greyfriars, Edinburgh, as General Assessors to the Free Presbytery of Glasgow and Argyll, the term of appointment to be until next General Assembly.

XV - Act Designating St Andrews a Church Extension Charge
(No. 15 of Class II)

Edinburgh, 21st May 2003

The General Assembly designate the congregation meeting at St Andrews a Church Extension charge under the oversight of the Kirk Session of St Peter's Free Church, Dundee, in terms of Act XXVII, 1989, paragraph 2.5 (b)

XVI - Act appointing General Assessors to the Presbytery of Skye and Wester Ross
(No. 16 of Class II)

Edinburgh, 21st May 2003

The General Assembly receive the Petition of the Presbytery of Skye and Wester Ross and grant its crave. They appoint Mr Farquhar Renwick, Minister at Knockbain, Mr Ranald F Morrison, Minister at Tain, Mr Kenneth MacDonald, Retired from Rosskeen, Mr Angus Campbell, Elder at the Free North, Inverness, Mr Kenneth Robertson, Elder at Tain, Mr William Wyllie, Elder at Knockbain, Mr Thomas Cook, Elder at Knockbain, to be General Assessors to the Free Presbytery of Skye and Wester Ross, the terms of the appointment to be until next General Assembly. And furthermore, they appoint Mr Murdo Macleod, retired from Duirinish, to be a General Assessor to the Free Presbytery of Skye and Wester Ross, subject to his being granted a seat in the Presbytery of Edinburgh and Perth.

XVII - Act anent Equal Dividend and Related Salaries
(No. 17 of Class II)

Edinburgh, 22nd May 2003

The General Assembly declare a stipend of £16,000 from 1st April 2003, this figure being based on the variation permitted by Act XII, 1989. The General Assembly approve the continuance of the other categories of salary that are paid at a fixed proportion of the stipend.

XVIII- Act anent Redevelopment Charge of Elgin and Forres
(No. 18 of Class II)

Edinburgh, 22nd May 2003

The General Assembly enact that an extended period of Redevelopment Status under the ministry of Rev. Colin Morison be granted to the congregation of Elgin and Forres for a period from 5th September 2003 until the General Assembly of 2009 in terms of Act XXXIV, 1988.

XIX - Act granting Redevelopment Charge Status to Paisley
(No. 19 of Class II)

Edinburgh, 22nd May 2003

The General Assembly confer the status of a Redevelopment Charge on the congregation of Paisley in terms of Act XXXIV, 1988, as amended by Act XIV, 1992, and Act XIV, 1993.

XX - Act anent Ministerial Arrangements for Uig (Bernera)
(No. 20 of Class II)

Edinburgh, 22nd May 2003

The General Assembly approve the recommendation of the Sustentation, Supply and Buildings Maintenance Committee that the congregation of Uig be not continued on the Equal Dividend Platform under Special Arrangements. They terminate the appointment of Rev. Donald Campbell from the date of the rising of the Assembly and appoint that his name be placed on the Register of Ministers without Charge and that he be paid at the rate of the stipend for a period of six months from that date until his taking up another appointment, whichever is sooner.

XXI - Act anent Special Arrangements for Dumfries
(No. 21 of Class II)

Edinburgh, 22nd May 2003

The General Assembly renew permission to the congregation of Dumfries to call a Minister under Special Arrangements in accordance with Act XVIII, 1988, § 5.

XXII - Act approving appointment of Assistant Minister for Rosskeen
(No. 22 of Class II)

Edinburgh, 22nd May 2003

The General Assembly approve the appointment of an Assistant Minister to the congregation of Rosskeen in terms of Act XIX, 2000.

XXIII - Act placing Congregation of Falkirk on the Equal Dividend Platform
and confirming the Appointment of Rev. Robert Macleod as Minister
(No. 23 of Class II)

Edinburgh, 22nd May 2003

The General Assembly place the congregation of Falkirk on the Equal Dividend Platform as a fully sanctioned charge in terms of Act XVIII, 1998. They furthermore remove the restriction on Rev Robert Macleod's appointment and declare him to be minister of Falkirk in terms of the said Act.

XXIV - Act anent Pastoral Committees in Presbyteries and Related Matters
(No. 24 of Class II)

Edinburgh, 22nd May 2003

The General Assembly, recognising the pressures under which the work of the ministry has to be carried out in today's society and the problems faced by many ministers and their wives and families, appoint the following steps to be taken to relieve or avoid the consequences of stress as far as possible:

1 The General Assembly instruct each Presbytery to appoint a Committee with the responsibility for making suitable provision for guidance and counselling to ministers within the bounds of the presbytery or their wives and families whenever necessary. Such Committee may be known as the Pastoral Committee and shall have power to co-opt or consult suitable persons outwith the membership of the Presbytery to obtain their advice or assistance as may be required. Ministers and their families shall be encouraged to consult with this Committee in situations of personal need. This Committee should be advised of cases of sickness and domestic difficulties so as to permit them to take the initiative in offering and providing necessary support for the minister and his family. The Committee shall report at least once a year in general terms to the Presbytery.

2 The Presbytery, before the ordination and induction of a minister to his first pastoral charge, shall appoint a senior minister of considerable pastoral experience to be his mentor. The new minister will meet regularly with the Mentor during the first three years of his ministry to discuss difficulties and problems. During the first year these visits should be very frequent,

eg monthly: thereafter they may be less frequent. The Mentor shall report to the presbytery in general terms from time to time and in the event of a Quinquennial Visitation falling within the period, the Quinquennial Visitation Committee may discuss with him any matters of relevance to their enquiries. The Mentor may be changed at any time during the three-year period at the request of either party.

3 Presbyteries shall not normally appoint ministers in the first three years of their ministry to be moderator of presbytery or to hold interim moderatorships. In the event of exceptional circumstances making it necessary to appoint such a minister to an interim moderatorship, such appointment shall be for a year only with the opportunity for renewal at the end of the year if the same circumstances obtain: in such cases the Presbytery, when making or renewing such an appointment, shall record in their minutes the reasons for their doing so.

4 Ministers of Church Extension and Redevelopment Charges and in Church Planting appointments shall not be appointed to interim moderatorships during the first five years of their appointments except in special circumstances; and when such circumstances are deemed to exist, the details should be recorded as in § 4 above and reported to the supervising Assembly Committee.

5 A minister shall not normally be appointed a member of an Assembly committee during the first three years of his ministry. Where under exceptional circumstances a minister is nominated for such an appointment during the first three years of his ministry, the Nominations Committee shall record the reasons in their minutes, and the circumstances shall be reported to the General Assembly.

XXV - Act anent In-Service Training amending Act XXI, 2002
(No. 25 of Class II)

Edinburgh, 22nd May 2003

**The General Assembly amend Act XXI - Act anent In-Service Training for Ministers
(No. 21 of Class II) by the addition of the following paragraph:**

Resident Lay Agents and those Presbytery Workers whose employment involves pulpit supply and work of a pastoral nature shall be required to attend the In-Service Training Programme annually and will be reimbursed as in paragraph 8 above.

The full Act as amended reads as follows:

The General Assembly ordain as follows:

The Training of the Ministry and Admissions Committee shall administer a programme of In-Service Training for Ministers of the Church in accordance with the following provisions:

- 1 The In-Service Training programme shall be held each year with ministers required to attend every three years.
- 2 Each presbytery shall be responsible for ensuring that all active ministers within its bounds attend once every three years with one third of such members attending each year.
- 3 The In-Service Training programme shall take place over three or four days during the month of January each year.
- 4 The content of the In-Service Training Programme shall be organised by a liaison committee to be formed from equal numbers of members of the Senate and the Training of the Ministry and Admissions Committee.
- 5 The core areas to be covered each year shall be of a theological and pastoral nature and will mainly take the form of lectures followed by discussion.
- 6 The College Senate shall be part of the lecture team but others who have relevant experience will be asked to lecture.
- 7 The venue for the programme shall be the Free Church College in Edinburgh.
- 8 Those attending shall be reimbursed for accommodation and travelling expenses. The General Assembly instruct the Finance, Law and Advisory Committee to make appropriate financial provision to expedite the programme.
9. Resident Lay Agents and those Presbytery Workers whose employment involves pulpit supply and work of a pastoral nature shall be required to attend the In-Service Training Programme annually and will be reimbursed as in paragraph 8 above.

XXVI - Act anent Student Examinations amending Act XXIII, 2002
(No. 26 of Class II)

Edinburgh, 22nd May 2003

The General Assembly amend Act XXIII, 2002 - Act anent Student Examinations (No. 23 of Class II) by

- (1) the deletion of paragraph 1.3
- (2) the replacement of paragraph 1.4 with:
that the Syllabus for the Scripture Entrance Examination shall be determined by the Senate of the Free Church College in conjunction with the Training of the Ministry and Admissions Committee, and shall be published by the Committee by the end of the year preceding the examination.
- (3) the amendment of paragraph 2.5 to read:
that the Syllabus shall be set by the Training of the Ministry and Admissions Committee,

- and shall be published by the Committee by the end of the year preceding the examination.
- (4) the addition of the following:
- 2.6 that the Syllabus may require that certain portions of Scripture shall be the subject of written examination, and that other portions of Scripture shall be studied by students privately, presbyteries being required to assure themselves that this has been done.

The full Act as amended reads as follows:

The General Assembly ordain as follows:

- 1 The General Assembly, acknowledging that all those recognised as candidates for the ministry must be proficient in their knowledge of the English Bible, enact
- 1.1 that before commencing his studies at the Free Church College each candidate for the ministry must pass an Entrance Examination in Scripture;
- 1.2 that this examination shall be held in June of each year; and that re-sits, if necessary, shall be in August;
- 1.3 that the Syllabus for the Scripture Entrance Examination shall be determined by the Senate of the Free Church College in conjunction with the Training of the Ministry and Admissions Committee, and shall be published by the Committee by the end of the year preceding the examination.
- 2 The General Assembly, recognising the importance of candidates for the ministry acquiring a competent knowledge of the whole English Bible, rescind the current provisions for a system of Exit Examinations in Scripture and enact instead:
- 2.1 that all students for the ministry are required to study the English Bible under the supervision of their presbyteries;
- 2.2 that presbyteries are charged with the responsibility of ensuring that by the time they complete their course all students have a competent knowledge of the whole English Bible;
- 2.3 that to achieve this end all presbyteries shall include in their annual examination of students a two-hour written examination in Scripture;
- 2.4 that this examination shall be held not later than 31st August each year; and that re-sits shall be at the discretion of the Presbytery;
- 2.5 that the Syllabus shall be set by the Training of the Ministry and Admissions Committee, and shall be published by the Committee by the end of the year preceding the examination.
- 2.6 that the Syllabus may require that certain portions of Scripture shall be the subject of written examination, and that other portions of Scripture shall be studied by students privately, presbyteries being required to assure themselves that this has been done.

3 As an interim measure, for the Session 2002/03 alone, the General Assembly direct that no more shall be required of students by way of Scripture examination beyond their passing their annual Presbytery Examination.

4 The General Assembly amend Act XXVIII, 1994, Act anent College Examinations, 2.1 by deleting the words “except for exit examinations in Scripture”; and by deleting 2.3 except the last sentence “Every Presbytery shall notwithstanding, retain the right to examine students on any portions of Scripture they may wish to allocate”.

XXVII - Act anent Ordination of Dr Manuel Reano
(No. 27 of Class II)

Edinburgh, 22nd May 2003

The General Assembly instruct the Presbytery of Edinburgh and Perth to meet *in hunc effectum* in Buccleuch and Greyfriars Free Church, Edinburgh, on Wednesday 28th May 2003, at 7.15 p.m. to take Dr Manuel Reano on trials for ordination, and in the event of the trials being sustained, to proceed to ordination and induction, waiving the requirement for seven clear days to elapse between the public intimation of the Presbytery’s intention to ordain and induct Dr. Reano and the said meeting of Presbytery at which objections may be received.

XXVIII - Act appointing General Trustee
(No. 28 of Class II)

Edinburgh, 23rd May 2003

The General Assembly appoint Mr John Murray, Dowanvale, Glasgow, as a General Trustee of the Free Church of Scotland, in accordance with Act XX, Class II, 1999.

XXIX- Act appointing the Commission of Assembly
(No. 29 of Class II)

Edinburgh, 23rd May 2003

The General Assembly did, and hereby do, nominate and appoint a Commission consisting of all members of Assembly with the addition of Rev A. I. Macleod, Leith, named by the Moderator: To be a Commission of this General Assembly with power to the said Commission or their quorum which is declared to be any fifteen or more of their number, whereof eight at least are always to be ministers, to meet and convene at Edinburgh on the first Wednesday of October and the first Wednesday of March next to come at 7 o’clock in the evening, and oftener when and where they shall think fit and convenient, and with power to choose their own Moderator; and the General Assembly fully empower the said Commission, or their quorum above-mentioned, to cognosce and finally determine as they shall see cause in every matter referred to them, or which shall be referred to them, by, or in virtue of, any act or order of the Assembly; and to do everything contained in, and conform to the instructions given, or to be given, by the General

Assembly; and to advert to the interests of the Church on every occasion, that the Church do not suffer or sustain any prejudice which they can prevent, as they will be answerable; provided always that, save as hereafter stated, this general clause be not extended to particular affairs or processes before Synods or Presbyteries that are not of universal concern to, or influence upon, the whole Church. And further, in view of the ongoing question of relations with the self-styled Free Church (Continuing), the matter of legal issues in relation to the occupation of property belonging to the Free Church of Scotland by the said self-styled Free Church (Continuing), the freezing of bank accounts, and the processing of legal action in the civil courts, the General Assembly empower the Commission to take all steps necessary and proper to take in the interests of the Church in connection with these matters, and declare that meetings of the Commission shall have the full powers of a General Assembly to deal with all such matters which may arise, provided always that notice of proposals in terms of this empowerment shall be sent to commissioners at least ten days before the Commission is to convene, this requirement not implying any curtailment of amendment to such proposals. And further, the said Commission are hereby particularly empowered to receive and fully dispose of applications that may be forwarded to them for raising preaching stations or suppressed charges to fully sanctioned charges, for consolidating congregations into one charge, for the appointment of Ministers overseas and International Missionaries in the Mission Fields of the Church, to appoint teachers seconded by the Reformed Missions League as missionary teachers to Colegio San Andres, for authority to sell such property as is not held under the Model Trust Deed, or to sell such properties being under the Model Trust Deed as are to be sold in order to provide for new buildings, to take up and dispose of a Petition from Applecross Deacons' Court for the sale of the Manse at Applecross, and to receive any references and appeals that shall be made to them from Synods in matters of doctrine, and ripen such affairs for next General Assembly, and to contribute what they can to the suppression of vice and immorality, and to give all needful advice and assistance to Synods, Presbyteries and Committees of Assembly upon application to them for that end. And the said Commission are hereby strictly prohibited and discharged to meddle in any other matters than what are committed and referred to them as above-mentioned. And in all their actings they are to proceed according to the Acts and Constitution of this Church, and to do nothing contrary thereto, or to the prejudice of the same, declaring that, in and for all their actings, they shall be accountable to, and censurable by, next General Assembly, as they shall see cause. And this Commission shall continue and endure until another Commission is appointed. And members are required to attend the diets of the said Commission.

XXX - Act appointing next General Assembly
(No. 30 of Class II)

Edinburgh, 23rd May 2003

The General Assembly appoint the next General Assembly to meet in Edinburgh on Monday, 17th May 2004 at 6 o'clock in the evening.

ACTS OF THE COMMISSION OF ASSEMBLY

I - Act anent Sales of Property

Edinburgh, 2nd October 2002

1 The Commission of Assembly authorise the sale of the Free Church building at Fettes (Killearnan), the transaction to be carried out under the supervision of the Church's Law Agent, and direct that the proceeds of the sale be held by the General Trustees for behoof of the congregation, the capital together with any interest to be made available to the congregation for the purpose of providing a more suitable building at Tore.

2 The Commission of Assembly authorise the sale of the Free Church Manse at 109 Pirniefield Place, Leith, the transaction to be carried out under the supervision of the Church's Law Agent, and direct that the proceeds of the sale be held by the General Trustees for behoof of the congregation, and that they be made available to the congregation for the purpose of obtaining a more suitable manse.

II - Act uniting the Congregations of Applecross, Alligin and **Diabaig and Lochcarron**

Edinburgh, 2nd October 2002

The Commission of Assembly unite the congregations of Lochcarron, Applecross and Alligin and Diabaig to form one pastoral charge to be known as Lochcarron and Applecross under one Kirk Session and two Deacons' Courts/Finance Committees, the union to take place from a date to be fixed by the Presbytery of Skye and Wester Ross not later than 31st December 2002. They appoint that the Sabbath supply expenses for Applecross be met by the Sustentation, Supply and Buildings Maintenance Committee.

III - Act anent Southern Synod

Edinburgh, 5th March 2003

The Commission of Assembly appoint Rev. W. M. Mackay to be Moderator of the Southern Synod in the place of the Rev. A. J. MacDonald who has asked to be relieved from his appointment.

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THE PRINCIPAL
ACTS
OF THE
GENERAL ASSEMBLY OF THE FREE CHURCH OF
SCOTLAND
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CLASS I - ACTS WHICH HAVE PASSED THE BARRIER ACT

None.

CLASS II - ACTS WHICH ARE OF GENERAL INTEREST TO THE CHURCH

I - Act appointing a Commission to assist with the Establishment of a Reformed Presbyterian Church in Sweden, including membership of the Commission
(No 1 of Class II)

Edinburgh, 18th May 2004
Edinburgh, 21st May 2004

The General Assembly approve the proposal to establish a Reformed Presbyterian Church in Sweden, committed to the Westminster Standards. They appoint a Commission of four, three ministers and one elder, consisting of Rev. Fergus A.J. Macdonald, Rev. David A. Robertson, Rev. James Maciver and Dr Allan MacPherson. They declare that the said Special Commission shall have full powers to carry out all the actions required in the establishment of a Reformed Church in Sweden, and instruct the Commission to report to next General Assembly.

II - Act anent Equal Dividend and Related Salaries
(No. 2 of Class II)

Edinburgh, 18th May 2004

The General Assembly declare a stipend of £16,500 from 1st April 2004, this figure being based on the variation permitted by Act XII, 1989. The General Assembly approve the continuance of the other categories of salary that are paid at a fixed proportion of the stipend.

III - Act anent Travelling Expenses of Supply Preachers
(No. 3 of Class II)

Edinburgh, 18th May 2004

1 The General Assembly amend Act XXI, 2000, § 7 to read:

All congregations shall be responsible for meeting the travelling expenses of supply preachers in full. Such preachers shall make use of public transport wherever available. When such transport is not available and suitable, payment shall be at the rate of 20p per mile.

2 The General Assembly declare that wherever in the case of a union or linking of congregations provision has been made for the payment by the Committee of supply travelling expenses to different parts of the consolidated charge, such payment shall now be the responsibility of the consolidated charge.

The amended Act shall read as follows:

The General Assembly approve the following revised arrangements for pulpit supply:

1 Only persons in the following categories may be employed for Weekend or Temporary Resident Supply: Ministers whose names appear on the Register of Ministers without charge; retired ministers of the Free Church; Probationers; recognised students of the Free Church; and students sponsored by the Presbyterian Church of Eastern Australia.

2 In all vacant congregations preaching fees shall be not less than the Scale of Fees approved by the General Assembly.

3 In special circumstances persons outwith the above categories may be employed by the authority of an Interim Moderator or the local Presbytery and shall be eligible for the appropriate fees and expenses.

4 Congregations shall be responsible for providing accommodation and board for weekend supply; and accommodation and travelling expenses for Temporary Resident Supply.

5 The Committee is authorised to negotiate an increased fee for resident supply with any

recognised student as above.

6 Where supply involves the conduct of only one service on the Lord's Day the fee to be paid shall be at half the level that would otherwise obtain.

7 Travelling expenses of Supply Preachers

a) All congregations shall be responsible for meeting the travelling expenses of supply preachers in full. Such preachers shall make use of public transport wherever available. When such transport is not available and suitable, payment shall be at the rate of 20p per mile.

b) The General Assembly declare that wherever in the case of a union or linking of congregations provision has been made for the payment by the Committee of supply travelling expenses to different parts of the consolidated charge, such payment shall now be the responsibility of the consolidated charge.

c) Exceptional cases shall be considered on their merits.

8 Scale of Fees from 1st January 2001 As from 1st January 2001 a standard fee of £30 shall be paid by the congregation to a weekend supply preacher. This fee shall not be paid to a Minister in a settled charge.

9 Act XII, 1995, Act X, 1999 and any other legislation inconsistent with these enactments are hereby repealed.

IV - Act anent Status of Kirkcaldy, Kinglassie and Glenrothes
(No. 4 of Class II)

Edinburgh, 18th May 2004

The General Assembly approve the action of the Committee on Sustentation and Ministry in placing the congregation of Kirkcaldy, Kinglassie and Glenrothes on the Equal Dividend Platform in terms of Act XVIII, 1998, § 3.4 to 3.7, the arrangement to be reviewed at the 2009 General Assembly. They confirm the appointment of Rev. Neil M. MacMillan as minister of the congregation subject to the terms of the foregoing sections of the said Act.

V - Act granting Redevelopment Status to the Congregation of Glenurquhart and Fort
Augustus
(No. 5 of Class II)

Edinburgh, 18th May 2004

The General Assembly, noting the recommendation of the Sustentation and Ministry Committee, designate the congregation of Glenurquhart and Fort Augustus a Redevelopment Charge in accordance with Act XXXIV, 1988, as amended by Act IV, 1992, and Act XIV, 1993.

VI - Act anent Appointment of an Assistant Minister for the Congregation of Smithton-Culloden
(No. 6 of Class II)

Edinburgh, 18th May 2004

The General Assembly, noting the recommendation of the Committee on Sustentation and Ministry, approve the appointment of an Assistant Minister to the congregation of Smithton-Culloden in terms of Act XIX, 2000.

VII - Act anent Loyal and Dutiful Address to Her Majesty the Queen
(No 7 of Class II)

Edinburgh, 18th May 2004

To The Queen's Most Excellent Majesty
The Loyal and Dutiful Address of the General Assembly of the Free Church of Scotland

We, the Ministers and Elders of the Free Church of Scotland met in General Assembly at Edinburgh this 18th day of May 2004, respectfully pledge our allegiance and loyalty to Your Majesty's Person and Throne.

Prayers are offered in this Assembly and throughout our Churches for Your Majesty's Person that in the execution of Your royal duties You may be daily granted health and strength, wisdom and courage.

We pray for all Your Majesty's subjects that they may do justice, love mercy and walk humbly with God in pursuit of that righteousness which exalts a nation.

We rejoice in Your Majesty's advocacy of democracy, human rights and the rule of law at December's opening of the Commonwealth Heads of Government meeting in Abuja, Nigeria, and also in Your challenge to the Commonwealth leaders to combat the evils of poverty, hunger, environmental degradation, the scourge of HIV/AIDS and the lack of educational opportunities.

We pray for Your Majesty's armed services engaged in military operations in Iraq that they, with the coalition forces, may speedily and honourably succeed in establishing a lasting peace and in promoting democratic rule in that country.

As Your Majesty prepares to take part next month in the 60th Anniversary of D-Day, we give thanks to Almighty God for the deliverance from the threat of fascism wrought by divine intervention and human bravery, praying that this and future generations of Your Majesty's British subjects may for ever treasure the freedoms secured through the supreme sacrifice of others.

May Divine Blessing rest upon Your Majesty's Person and Throne, upon His Royal Highness

Prince Philip Duke of Edinburgh and upon all the members of Your Royal House.

So pray Your Majesty's most faithful subjects, the Ministers and Elders of the Free Church of Scotland, in General Assembly convened.

VIII - Act disjoining Rogart and Eddrachillis
(No. 8 of Class II)

Edinburgh, 18th May 2004

The General Assembly repeal Act III, Commission of Assembly, October 1982, and disjoin the congregations of Rogart and Eddrachillis from a date to be fixed by the Northern Presbytery not later than 31st August 2004, instructing the Presbytery to make appropriate arrangements for the spiritual oversight and supply of Gospel ordinances in the two congregations as separate units in accordance with current legislation.

*IX - Act anent transfer of the Rev. Gavin Smith to the Register of Ministers without Charge
eligible for Call
(No. 9 of Class II)*

Edinburgh, 18th May 2004

The General Assembly authorise the transference of the name of Rev. Gavin Smith from the Roll of Resigned and Retired Ministers to the Register of Ministers without Charge eligible for call in terms of Act XIII, 1990, § 9.

X - Act authorising the Stewardship and Policy Committee to Borrow Funds
(No. 10 of Class II)

Edinburgh, 19th May 2004

The General Assembly confirm the powers of the Committee to borrow such funds by means of bank overdraft as are necessary for the running of the Church.

XI - Act anent Pensions
(No. 11 of Class II)

Edinburgh, 19th May 2004

The General Assembly authorise the Stewardship and Policy Committee to increase pensions each year as much as considered affordable subject to a maximum of stipend (or other relevant wage) inflation. The Committee is instructed where possible to pay each year an increase on the full pension based on RPI (at September in the previous year) or its equivalent, and to keep open the possibility of awarding higher increases.

XII - Act anent Child Protection Policy
(No. 12 of Class II)

Edinburgh, 19th May 2004

Edinburgh, 20th May 2004

1 The General Assembly encourage the Stewardship and Policy Committee to build upon the enormous amount of work done by the Youth Committee to ensure legislative compliance and in particular to create a robust Child Protection framework. To that end they authorise the Committee to take such steps in regard to staffing as it sees fit to ensure the effectiveness of the Church's Child Protection policy.

2 The General Assembly note the arrangements made by the College Board with respect to the application of the Church's Child Protection Policy to private students. They instruct congregations and other organisations using private students from the College for any purposes involving children to ensure that they activate and complete the disclosure mechanisms with the appropriate authorities.

XIII - Act anent Power and Authority of the Chief Administrative Officer
(No. 13 of Class II)

Edinburgh, 19th May 2004

The General Assembly grant the power and authority previously inherent in the post of General Treasurer to the post of Chief Administrative Officer and in particular grant the Chief Administrative Officer the power to discharge legacies on receipt of notification. The General Assembly instruct the Committee to prepare a specification of such powers and to report to next General Assembly.

XIV - Act anent Appointment of National Youth Coordinator
(No. 14 of Class II)

Edinburgh, 19th May 2004

The General Assembly approve the appointment of a National Youth Coordinator based in Edinburgh and directed by the Youth Committee, to help with the recruitment, to establish training and to raise external funding for the development of youth workers, both paid and voluntary, in the Free Church.

XV - Act anent Revised Committee Structure
(No. 15 of Class II)

Edinburgh, 19th May 2004

The General Assembly approve the modifications to the Committee structure in respect of the Nominations Committee and other adjustments as hereby specified. They hereby amend Act VIII, 2003, to the extent that (1) the Nominations Committee be appointed a Standing Committee; (2) the Convener of the Ecumenical Relations Committee be appointed a member of the Stewardship and Policy Committee; (3) the number of General Trustees eligible to vote as members of the Stewardship and Policy Committee be increased from 4 to 6, thereby raising the number of voting members of the latter Committee to 25; (4) there be added to the details in paragraph 5.1, concerning the Convener of the Stewardship and Policy Committee the words “who shall always be an elder and who shall not be employed by the Church”; (5) the following sentence be deleted from the specification in paragraph 5.1(1) regarding nominations sent to the Nominations Committee, namely, “Presbyteries may nominate elders from without their bounds in exceptional circumstances”.

The amended Act shall read as follows:

The General Assembly enact and ordain that the work of the Assembly between their meetings shall be prosecuted by the following Committees divided into four Groups:

1 GROUP 1 COMMITTEES

Group 1 - to be designated the Home Mission Group, to comprise of twelve members of whom six shall be ministers and six shall be elders, and who shall constitute the following Committees:

1.1 *Church Extension Committee*

Remit: to formulate policy for Church Extension for the Church in recognition of her responsibility to the whole of Scotland; to identify areas where such work could be established and where evangelists and church planters are required; to consult with presbyteries regarding this; to assess the strength of applications from presbyteries for the establishment of Church Extension charges and Church Planting appointments; to supervise the appointment and employment of evangelists and church planters, the appointment and employment of International Outreach workers in the United Kingdom and workers for the Service to Overseas Students; to administer the Highways and Byways Mission; to make provision for the financing of such appointments and for the erection and maintenance of churches and manses required for them; to undertake programmes of training for ‘laity’; and any other functions presently discharged by the Church Extension Committee unless otherwise provided for in this Act; and as the General Assembly may appoint.

1.2 *Sustentation and Ministry Committee*

Remit: to promote the interests of the Sustentation Fund, which has been historically regarded as the main fund of the Church; to fix the Stipend in concurrence with the Stewardship and Policy Committee and represent the needs of Sustentation and Supply to that Committee in relation to the Church’s overall budget; to scrutinise Sustentation Fund Schedules in order to authorise the filling up of vacancies as required by Assembly legislation; to assess the strength of the case made out by congregations which request Special Arrangements and consult with the Stewardship and Policy Committee about the resources available for the support of ministries in such charges; to promote the union or linking of non-viable congregations to form viable consolidated charges in terms of current legislation; to administer the Ministers’ Car Expenses Scheme; to supervise the operation of all legislation regarding the Stipend to secure a more

economically realistic distribution of personnel; to give practical effect to the Church's concern for situations where the cause is weak through the creation and supervision of Redevelopment Charges and the Appointment of District Ministers; to supervise arrangements for Resident and Weekend Supply and all that is involved in the financial provision for Supply in vacant congregations; to interview, appoint and supervise the employment of Resident Lay Preachers; to put into effect legislation for presbytery workers; to allocate buildings maintenance grants and loans; to undertake care services for ministerial personnel and promote pastoral support for ministers and their families; and any other functions presently discharged by the Sustentation, Supply and Buildings Maintenance Committee unless otherwise provided for in this Act; and as the General Assembly may appoint.

Clerk: Assembly Clerk's Department

1.3 *Training of the Ministry and Admissions Committee*

Remit: (1) to receive and process all applications of candidates for the Free Church Ministry and interview all candidates; to advise all pre-College recognised students for the Free Church Ministry of the subjects which should be studied during their pre-College course(s); to examine and assess students' College work through the appointment of examiners, responsible to and reporting to, the Training of the Ministry Committee; to administer the scheme for the placement of students; to administer the applications for, and allocations of, grants/bursaries to students and to see to the provision of adequate financial provision for their support; to deal with accusations of heresy or immorality on the part of any of the Professors at the Free Church College; (2) to consider applications from ministers and probationers from other churches seeking admission to the Free Church of Scotland when received from presbyteries and to take due steps to process the same; and any other functions presently discharged by the Training of the Ministry Committee unless otherwise provided for in this Act; and as the General Assembly may appoint.

Membership: in addition to those mentioned above two members of the Senate to be appointed by the Senate.

2 GROUP 2 COMMITTEES

Group 2 - to be designated the Communications Group, to comprise of twelve members of whom six shall be ministers and six shall be elders with the additional *ex officio* members indicated in each case, and who shall constitute the following Committees:

2.1 *Public Questions Committee*

Remit: (1) to watch over questions bearing on public morality, the interests of religion and questions of Christian doctrine, the relation between Church and State, and whatever bears on the honour of Christ, the great Head of the Church, and the spiritual and moral well-being of the community; to take such action as may seem best fitted to further the great ends of a Christian Church in connection therewith; (2) to consider the returns from Presbyteries and other relevant material about the Social Responsibility of the Church; to reflect on what may be legitimate and feasible for the Free Church in the direction of further social involvement having regard to the number of people supporting the Church, the Church's financial position and its resources in

experienced personnel; to receive and collate and analyse answers received from congregations in the Social Responsibility Schedules completed at Quinquennial Visitations in terms of Act X, 1994; and to fulfil any other functions presently discharged by the Public Questions, Religion and Morals Committee unless otherwise provided for in this Act; and as the General Assembly may appoint.

Ex officio Members: the Moderator of the General Assembly, the Editor of The Monthly Record, and the Media Officer.

2.2 *Youth Committee*

Remit: (1) to promote the spiritual welfare of the children and young people of the Free Church of Scotland and to reach out with the Gospel to those outside the Church: by the provision of teaching materials for Sabbath Schools and Bible Classes and such other resources as may be of assistance to teachers and leaders; by the organisation of examinations and award of prizes and certificates as appropriate; by provision and staffing of camps for young people and appointment of a camps supervisor, subject to the approval of the General Assembly, and oversight of his/her duties and those of the camps organiser; by the oversight of *The Instructor* and *Free* magazines and appointment of editors subject to approval of the General Assembly; by the provision or support of conferences for young people and families; and (2) in light of the Church's responsibility to promote the observance of Christian principle in the realm of education, to examine the field of education with reference to Scotland both in general terms and with specific regard to religious education in schools and colleges; and any other function presently discharged by the Youth Committee except the oversight of *The Monthly Record* and the administration of the Church's Child Protection policy which are otherwise provided for in this Act; and as the General Assembly may appoint.

Ex officio Members: The Media Officer, the Editors of *The Instructor* and *Free* and the Youth Camps Supervisor. The Youth Committee shall have powers to appoint advisers with expertise in educational issues.

2.3 *Communications Committee*

Remit: to exercise oversight of: the Church Bookshop, denominational publications and Knox Press; to consider and give guidance on media issues including the supply or recommendation of materials for education in belief and practice; to oversee *The Monthly Record*; to facilitate the flow of information about matters of general interest to and from individuals, congregations, presbyteries and committees of the Church; to collect and distribute to local congregations and other relevant agencies information supplied by committees and courts of the Church including the General Assembly with a view to stimulating informed prayer for the Church's work and witness; to oversee the Church's web site; to promote the application of new technology to the work of the Church where appropriate; to supervise the work of the Church's Media Officer including taking the necessary steps for recommending to the General Assembly candidates for appointment in the event of vacancy according to procedure analogous to that used in the appointment of the Editor of the Church's magazines; to carry out the functions presently discharged by the Publications Department unless otherwise provided for in this Act; and as the General Assembly may appoint.

Ex officio member: The Editor of *The Monthly Record*.

2.4 *Ecumenical Relations Committee*

Remit: to promote relations with other Churches and religious bodies, and with delegates to and from these to the General Assembly, and to take steps to protect the position of the Free Church of Scotland with respect to her place in the wider Church, and other functions presently discharged by the Assembly Arrangements and Ecumenical Relations Committee under its Ecumenical Relations remit, unless otherwise provided for in this Act; and as the General Assembly may appoint.

Clerk: Assembly Clerk's Department.

Ex officio Members: The Moderator and previous Moderator of the General Assembly; the Editor of *The Monthly Record*; and the Media Officer.

3 GROUP 3 COMMITTEE

Group 3 - to be designated the International Missions Group.

3.1 *International Missions Board*, consisting of six ministers and six elders with the Editor of *From the Frontiers* as an *ex officio* member. Each Synod in Scotland shall have at least three representatives on the Board and the period of appointment shall be for four years with eligibility for a second term without interval after which there shall be no immediate return.

Remit: the functions of the International Missions Board as presently constituted, the oversight of the Disaster and Relief Fund, and liaison with other missionary organisations.

Meetings: as business requires but not on the dates of the statutory meetings of the groups.

4 GROUP 4 COMMITTEES

Group 4 - to incorporate Miscellaneous Boards and Committees.

4.1 *College Board*

Remit: to promote the interests of the Free Church College within and outwith the Free Church; to implement a strategy designed to heighten awareness of the status of the College as a centre of Biblical and Reformed teaching; to maintain and improve the fabric and furnishings of the College and the facilities and resources of the College Library; to foster the personal and spiritual welfare of staff and students, especially in areas of staff/student interaction; to assess general student and staff performance through reviewing statistics on pass, failure, attendance, student drop-out and course satisfaction rates and on class size; to determine the starting and closing dates of College sessions; to adjudicate with regard to disciplinary or disputed matters affecting College non-Senatus staff, both full-time and part-time; to consider any failure by a member of the Senatus to comply with academic duties, as brought to it by the Senatus, and to refer this, if unresolved, to the General Assembly for their attention; to determine the terms and

conditions of employment of all non-Senatus staff (including casual), other than as determined by Act of Assembly; to

keep the salaries of Professors under regular review and, if necessary, to bring proposals thereanent to the attention of the Assembly; to process arrangements for the retirement and appointment of professors in accordance with General Assembly legislation; to administer the finances of the College; to prepare the College Budget submitting it to the Stewardship and Policy Committee; and any other functions presently discharged by the College Board unless otherwise provided for in this Act; and as the General Assembly may appoint.

Membership: thirteen ministers or elders which number shall include (1) three ministers in pastoral charges appointed by the General Assembly on a Synodical basis; (2) three elders, having relevant qualifications or experience in education, preferably tertiary education, or in the administration and promotion of education, to be appointed by the General Assembly on the basis of presbytery returns; (3) the Principal of the College *ex officio*; (4) the three remaining members of the Senate, this position to be reviewed if or when the College reverts to the full complement of five professors; (5) one of the General Trustees nominated as their representative; and (6) the Convener and Vice-Convener of the Training of the Ministry Committee. In addition to the foregoing twelve the President of the Students' Representative Council of the College shall be a member *ex officio*. The Chairman of the Board will be appointed by the General Assembly on the recommendation of the Nominations Committee. Members of the Senatus are excluded.

Secretary: the Secretary to the College.

Meetings: at least twice yearly.

4.2 *Psalmody Committee*

Remit: the functions performed by the Psalmody Committee as at present constituted, except as may otherwise be provided for in this Act; and as the General Assembly may appoint.

Membership: six, of whom at least two shall be elders, to be appointed by the General Assembly on the recommendation of the Nominations Committee.

Meetings: as required.

4.3 *General Trustees*

Remit: (1) to hold any property bequeathed or conveyed to them for behoof of the Free Church of Scotland, subject to the General Assembly as to their management and disposal; (2) to sell, or otherwise dispose of or burden with debt the said property, provided always that any proceeds arising from the exercise of the said powers, or any of them, shall be held for and applied and appropriated to the Free Church of Scotland; (3) subject to Assembly legislation, to administer the funds and heritable property held by them for behoof of the Free Church of Scotland, and in particular to deal with and dispose of such applications for loans from capital held by them as may be transmitted to them through the Stewardship and Policy Committee; (4) to report each year to the General Assembly funds that have been invested in the course of

the previous year and also the whole funds under their control at that time; (5) to maintain a register of all heritable properties held in their name and keep it up-to-date annually; (6) to maintain a Let Property Account (Revenue and Capital) in respect of properties held by the Church and leased to tenants,

such account to contain all relevant data; (7) to prepare and maintain an up-to-date record of pictures, busts and objects of historic interest referred to in Churches (Scotland) Act 1905, Commission Order 1261, together with such pictures and objects as have since come or may come to be held by the Trustees as property of the Church and are presently located, or may be located within the Mound Buildings in accordance with Act II, 1979, § 12; (8) to consult with the Senate regarding any proposal to dispose of any such object of interest located in the part of the Mound Buildings occupied by the College, or to dispose of any portion of the College Library; (9) to invest the assets of the Church together with those Special Trusts where the General Assembly has appropriate authority (hereinafter called the Trust Estate); (10) to manage and invest such trusts in accordance with Act II, 1979, § 1; (11) to discharge their responsibility with regard to the maintenance of the Assembly Hall as laid down in Act X, 1978; (12) to provide housing for newly appointed Professors as set forth in Act XIX, 1978; (13) to appoint a Property Management Committee and implement other arrangements for the maintenance of centrally held property and church flats in accordance with Act VII, 2002; (14) to carry out any other functions presently discharged by the General Trustees; and as the General Assembly may appoint.

Membership: twelve of whom not more than four shall be ministers in accordance with the terms of Act XX, 1999, (A).

Meetings: the General Trustees shall meet as required to transact business other than business relating to the Trust Estate. When required to transact business in connection with the Trust Estate the General Trustees shall meet in their capacity as the General Trustees' Nominees Company and only business relevant to the Trust Estate shall be transacted at such a meeting. The General Assembly confirm that the Nominee Company is the Trustee of the Church's Pension Scheme.

Chairman: The General Trustees shall have power to appoint their own Chairman.

Quorum: Three

Secretary: The General Treasurer

4.4 *Assembly Arrangements Committee*

Remit: to make arrangements for the General Assembly, such as hospitality, care of the Assembly Hall; employment and duty of Assembly officials; Moderator's expenses; and such matters as are directly connected with the Assembly; and any other functions presently discharged by the Assembly Arrangements and Ecumenical Relations Committee under its Assembly Arrangements remit unless otherwise provided for in this Act; and as the General Assembly may appoint.

Membership: four ministers or elders to be appointed from the Southern Synod and one from each of the Northern and Western Synods; Principal Clerk of Assembly; present and previous Moderator of the General Assembly; Moderator-designate of General Assembly following upon

his nomination.

Executive: this Committee shall appoint from its membership an Executive composed of members living in or adjacent to Edinburgh to whom immediate oversight of specified practical matters may be remitted.

Meetings: meeting in January each year; other meetings as required.

4.5 *Board of Pastoral Advice*

Remit: to give advice to ministers and Church courts on perplexing problems which are not open to formal process and which do not obviously fall within the remit of any existing body. The Board shall report to the General Assembly through the Sustentation and Ministry Committee.

Membership: one minister or elder from each presbytery as appointed by the General Assembly on the recommendation of the Nominations Committee; one of whom shall be a member of Group 1 Committees.

Convener: member of the Board who is also a member of Group 1 Committees.

Clerk: the Assembly Clerk's Department.

4.6 *Nominations Committee*

Remit: to receive nominations from presbyteries for vacancies on standing committees when they occur, and to make recommendations from these submissions to the General Assembly.

Membership: Conveners of Committees and Chairmen of Boards as follows: Sustentation and Ministry, Church Extension, Training of the Ministry and Admissions, Public Questions, Youth, Ecumenical Relations and Communications Committees, and the Chairmen of the International Missions and College Boards, together with the Principal Clerk and one representative from any Presbytery not otherwise represented, to be appointed by the General Assembly on the recommendation of the Committee.

Convener: to be appointed by the General Assembly on the recommendation of the Committee.

Clerk: the Assembly Clerk's Department.

The Committee shall meet at the conclusion of the Commission of Assembly in March annually, and otherwise as required, to receive nominations from Presbyteries for vacancies on these Committees and Boards when they occur, and to make recommendations from these submissions to the General Assembly. The Committee shall have power to make alternative nominations where the overall balance of Committee membership or the needs of the Church appear to them to require such action. In submitting nominations to the Committee Presbyteries should endeavour to give reasons for the suitability of the persons whom they nominate. In the interests of continuity a Convener who has served for only one year when his membership of that particular Committee expires, may be reappointed for a further period not exceeding two years if desired. A minister who is translated to a charge in another Presbytery during his term of service on

Committees may continue to serve for the rest of his term if this is desirable, with the concurrence of both Presbyteries.

5 STEWARDSHIP AND POLICY COMMITTEE

An overview of the work of the above Committees and Boards shall be provided by a Stewardship and Policy Committee.

Remit: to focus on the development of policies and strategic planning for the Church in consultation with other Committees; to discharge the present functions performed by the Finance, Law and Advisory Committee; and as the General Assembly may appoint.

Membership: a Convener appointed by the General Assembly on the recommendation of the Nominations Committee who shall always be an elder and who shall not be employed by the Church; he shall hold office for four years, renewable for one further term of four years; the Conveners of the Sustentation and Ministry, Church Extension, Training of the Ministry, Public Questions, Youth, Communications and Ecumenical Relations Committees; the Chairmen of the International Missions and College Boards; the Principal Clerk of Assembly; two further men appointed from each of Groups 1 and 2 and up to four additional elders whose names shall be submitted to the Nominations Committee. The majority of the Committee shall be composed of elders. The Committee shall not number more than 25 voting members. All General Trustees may attend meetings of the Committee but only six shall have voting rights: the others may attend meetings but shall not be eligible to serve on sub-committees or hold convenerships.

Sub-Committees: the Stewardship and Policy Committee shall have the following sub-committees:

(1) *Finance Sub-Committee* to perform the financial functions of the Stewardship and Policy Committee and those functions presently performed by the Monthly Review Sub-Committee. The Convener and members of this Sub-Committee shall be appointed by the Stewardship and Policy Committee.

(2) *Law, Compliance and Audit Sub-Committee* who shall discharge the functions of the Sub-Committee as at present constituted. The Convener and members of this Sub-Committee shall be appointed by the Stewardship and Policy Committee.

(3) The Stewardship and Policy Committee may appoint other sub-committees from time to time as may be necessary for the discharge of its remit.

(4) The Stewardship and Policy Committee shall be responsible for reporting on Custody of Titles and processing petitions relating to properties whether addressed to the General Assembly or its Commission. The Clerk of Assembly shall act as Custodier of Titles and report regularly to the Committee.

6 MATTERS AFFECTING ALL COMMITTEES

6.1 *Clerks* Unless otherwise stated Clerks of Committees and Secretaries of Boards

shall be appointed by the Stewardship and Policy Committee in consultation with the particular committee or board in accordance with Act III, 2001.

6.2 *Consultants* Consultants or advisers may be appointed to committees either by the General Assembly or by the committees themselves. Such advisers need not be ministers or elders but shall have special expertise relating to particular aspects of the remit of a committee. They shall only be present at meetings of committees for parts of the business to which their expertise relates and shall not be members of the Committee nor shall they have any voting rights. Only ministers or *bona fide* acting elders of the Church, or on an *ex officio* basis members of the Church, may act as members or co-opted members of Committees.

6.3 *Executives* The Conveners and Vice-Conveners of any Committee shall form, with such other members, if any, as the Committee may appoint, the Executive of the Committee. The Executive shall be appointed at the June meeting of the Committee.

6.4 *Timetable of meetings* The Committees in Groups 1 and 2 and the Stewardship and Policy Committee shall meet on the first Wednesday of March and October and previous day and on Tuesday and Wednesday in June each year as appointed by the Stewardship and Policy Committee according to the following timetable:

Tuesday	Training of Ministry	1	2 - 5
	Ecumenical Relations	2	2 - 4
	Communications	2	4 - 7 (with break)
	Public Questions	2	7 - 9
	Church Extension	1	6 - 9
Wednesday	Sustentation and Ministry	1	9 - 1
	Youth	2	9 - 1
	Stewardship and Policy		2 - 7 (with break)
	Commission of Assembly		7

In both cases meetings of Executives and Consultations with presbyteries to be held on Monday evenings and Tuesday mornings as required.

6.5 *Presbyterial representation* All Presbyteries shall be represented on Groups 1 and 2; duration of service shall be for four years and members shall not be eligible for immediate reappointment. During the phasing-in period representation of Presbyteries and duration of service may be subject to adjustment if required.

Appointments to other Committees, unless otherwise stated above, shall normally be for periods not exceeding four years with eligibility for immediate return.

6.6 *Repeal of previous legislation* The General Assembly hereby repeal Act VIII, 1987, and all other acts bearing on the structure and remit of Committees insofar as they are inconsistent with the foregoing. They direct that Standing Orders be adjusted in terms of this Act with immediate effect.

XVI - Act anent Communications with the self-styled Free Church (Continuing)
(No. 16 of Class II)

Edinburgh, 19th May 2004

The General Assembly empower the Stewardship and Policy Committee to communicate as and when required with the self-styled Free Church (Continuing) and its legal representatives and if appropriate to initiate an appeal against a finding of relevancy at the Court of Session.

XVII- Act anent Sale of Properties and Release of Funds
(No. 17 of Class II)

Edinburgh, 19th May 2004

Edinburgh, 20th May 2004

1 The General Assembly receive the Petition (A) of the Deacons' Court of Nairn, Croy and Ardersier Free Church, and grant its crave. They authorise the sale of the Church building at Croy, the transaction to be carried out under the supervision of the Church's Law Agent, and direct that the congregation be allowed access to the capital to assist in the purchase of an additional house for use of pulpit supply, and for the renovation of the existing properties of the congregation.

2 The General Assembly receive the Petition of the Finance Committee of Strathconon Free Church, and grant its crave. They grant authority to sell the church building at Strathconon, the transaction to be carried out under the supervision of the Church's Law Agent, and direct that the proceeds of sale be lodged with the General Trustees, with interest added, and that the congregation have access to these funds for congregational purposes.

3 The General Assembly receive the Petition (A) of the Finance Committee of Strathy and Halladale Free Church, and grant its crave. They authorise the sale of the church building at Strath Halladale, the transaction to be carried out under the supervision of the Church's Law Agent, and direct that the congregation have access to these funds for the repair, maintenance and improvement of the congregation's buildings.

4 The General Assembly receive the Petition of the Finance Committee of Harris Free Church, and grant its crave. They grant authority to sell the church building at Manish, subject to the superior's consent to change of use, the transaction to be carried out under the supervision of the Church's Law Agent. They direct that the proceeds of sale be lodged with the General Trustees on behalf of the congregation, with interest added to capital, and that the congregation have access to these funds for congregational purposes.

5 The General Assembly receive the Petition of the Deacons' Court of Fort William and Kilmonivaig Free Church, and grant its crave. They grant authority to sell the church building at Gairloch, subject to the superior's consent to change of use, the transaction to be carried out under the supervision of the Church's Law Agent. They direct that the residue of the sale be made available to the Deacons' Court to fund renovation and repair work at both the church and the manse.

6 The General Assembly receive the Petition of the Deacons' Court of Mull Free Church, and grant its crave. They grant authority to sell the plot of land adjacent to the manse at Tobermory, the transaction to be carried out under the supervision of the Church's Law Agent. They direct that the proceeds of the sale be applied to the funds of the congregation.

7 The General Assembly receive the Petition (B) of the Finance Committee of Strathy and Halladale Free Church, and grant its crave. They amend Act III, Class II, 1983, and Act XXII, Class II, 1999, to the extent that the congregation be permitted access to the capital from the sale of the Strathy church and manse for such work to the congregation's buildings as may be necessary for their maintenance, upkeep and improvement.

8 The General Assembly receive the Petition (B) of the Finance Committee of Nairn, Croy and Ardersier Free Church and grant its crave. They amend the following Acts of General Assembly and Commissions: Act 1, Class II, 1977, regarding the sale of the Church and Mission Hall at Cawdor and adjoining land; Act IV, Class II, 1990, regarding the sale of the manse at Croy; Act I, Class II, 1995, Commission of Assembly, regarding the sale of the church at Ardersier; and Act VIII, Class II, 1997, regarding the sale of the Church Cottage at Culcharry, Cawdor, to the extent that the congregation be allowed to apply the capital sums realised from these sales for the renovation of existing properties and to assist in the purchase of an additional house for the use of resident supply.

9 The General Assembly receive the Petition from the Finance Committee of Kiltarlity and Kirkhill Free Church and grant its crave. They amend Act III, paragraph 1, Commission of Assembly, March 2002, to the extent that the proceeds from the sale be held by the General Trustees for behoof of the congregation and that they be made available for the procurement of a more suitable manse and that an amount not exceeding £60,000 be used for the upgrading and improvement of the church building at Kiltarlity.

10 The General Assembly receive the Petition of the Deacons' Court of Kilwinning and Saltcoats and grant its crave. They amend Act VIII, 1997, paragraph 3.1, so as to give unrestricted access to the capital for repairs and improvements to the properties of the congregation.

XVIII - Act appointing Assessor Presbyteries to Synods
(No. 18 of Class II)

Edinburgh, 19th May 2004

In accordance with the requirements of Act V, 2002, paragraph 2.1, the General Assembly appoint the Northern Presbytery as Assessor Presbytery to the Western Synod; the Presbytery of Inverness, Lochaber and Ross as Assessor Presbytery to the Southern Synod; and the Presbytery of Edinburgh and Perth as Assessor Presbytery to the Northern Synod. The General Assembly remind the North American Synod that such cases as require either of the two Presbyteries comprising that Synod to be at the bar of Synod should be forwarded directly to the General Assembly, or Commission of Assembly, whichever is the more appropriate.

XIX - Act anent Seats on Presbyteries
(No. 19 of Class II)

Edinburgh, 19th May 2004

The General Assembly amend Act IX, 2002, by removing the following words from Paragraph 7:

They also direct Presbyteries to appoint corresponding Elders for each seat in Presbytery granted to Ministers without a pastoral charge from a Kirk Session of their choice.

The amended Act shall read as follows:

1 The General Assembly discontinue the present arrangements whereby ministers in pastoral charges, upon attainment of retirement age, or who retire on the grounds of ill health, continue as of right to hold a seat in Presbytery.

2 The General Assembly ordain that, as of today's date, ministers retiring upon attainment of retirement age, or on the grounds of ill health, may petition the Presbytery within whose bounds they are to reside, for a seat in that Presbytery. The General Assembly stipulate that this right shall be afforded also, as of today's date, to all ordained ministers of the Free Church retiring, through attainment of retirement age, or for health reasons, from service in overseas mission fields where this has been under the supervision of the Foreign Missions Board. In the same way as with ministers retiring from a pastoral charge, they may petition the Presbytery within whose bounds they are to reside. The General Assembly direct that, in the case of ministers who take up residence in a Presbytery other than that receiving their application to retire, an extract minute from the Presbytery receiving their application to retire, in support of the Petition, be obtained. The General Assembly also direct that ministers retiring from work in overseas mission fields obtain a like certificate from the Foreign Missions Board.

3 The General Assembly direct that seats in Presbytery granted to retired ministers as in 2. above continue to be held while they reside within the bounds of that Presbytery. Upon relocation to another Presbytery they must apply for a seat in that Presbytery in the same terms as stated in 2. above.

4 The General Assembly authorise Presbyteries to take up and dispose of Petitions for a seat in Presbytery from the parties specified in 2. above, the rights of all parties to complaint and appeal being preserved.

5 The General Assembly direct that ministers who, at retirement, choose not to apply for a seat in a Presbytery shall continue to be under the jurisdiction of the Presbytery within whose bounds they are resident. In the event of any such minister moving outwith the bounds of a Presbytery of the Free Church, he shall be under the jurisdiction of the Presbytery within whose bounds he last resided. The General Assembly direct Presbyteries to keep the names of the said ministers on the Roll of Resigned Ministers, which is hereby renamed the Roll of Resigned and Retired Ministers, maintained by the Clerk of each Presbytery and reviewed annually. Presbytery Clerks shall inform the Assembly Clerk at the beginning of each calendar year of the names on the said Roll. The Assembly Clerk shall maintain a complete Roll of Resigned and Retired

Ministers upon such information.

6 The General Assembly, in accordance with the terms of Act IV, 1991, direct that retired ministers who are granted a seat in a Presbytery, and retired ministers who do not apply for a seat in Presbytery, shall be eligible for election as Ruling Elders of the congregation to which they belong, provided this be not their last charge before retirement, but they may not be elected, as Ruling Elders, either to represent the Kirk Session at Presbytery and Synod, or as Commissioners to the General Assembly.

7 The General Assembly direct that for each Assistant Minister duly inducted and granted a seat in Presbytery, there be a corresponding Ruling Elder from the Kirk Session of the congregation in which the Assistant is placed. Corresponding elders for seats granted in terms of 2. above, and for Assistant Ministers, shall retain their seats in Presbytery only for such time as seats are retained by the said ministers.

8 The General Assembly amend Act I, 1981, paragraph (d), by the deletion of the last sentence, "But retirement shall not involve resignation of a seat in the Presbytery." They also amend Act XIII, 1990, by renaming the Act, "Act anent Resigned and Retired Ministers", and by amending the name of the Act throughout accordingly. Act XIX, 1999, is also hereby amended by renaming the Act, "Act anent Roll of Resigned and Retired Ministers", and by amending the name of the Act throughout accordingly.

9 The provisions of this Act shall be without prejudice to the position of those granted seats in Presbyteries prior to the passing of this Act.

XX - Act reappointing the Rev. Duncan Peters to the work of Asian Outreach in Glasgow
(No. 20 of Class II)

Edinburgh, 19th May 2004

The General Assembly reappoint Rev. Duncan Peters to the work of Asian Outreach in Glasgow for a further two years, to be reviewed by the General Assembly of 2006.

XXI - Act renewing the appointment of the Rev. Finlay H. McKenzie to the work of Service to Overseas Students, Glasgow
(No. 21 of Class II)

Edinburgh, 19th May 2004

The General Assembly reappoint Rev. Finlay McKenzie to the work of Service to Overseas Students, Glasgow, for a further five years, to be reviewed by the General Assembly of 2009.

XXII - Act appointing Committee on Worship
(No. 22 of Class II)

Edinburgh, 19th May 2004

Edinburgh, 21st May 2004

1 The General Assembly appoint a Committee on Worship (1) to examine in the light of Scripture the Church's testimony on worship, particularly on the purity of public worship and uniformity of the same, setting out the Scriptural parameters which should guide and inform the Church's practice; (2) to examine the role of women in the public worship of the Church in the light of Scripture and current practice. The General Assembly hereby empower the Committee to consult, as they think fit, with individuals and Presbyteries both as to difficulties which may already exist and as to recommendations which it is proposed to bring to the General Assembly.

2 The General Assembly also remit the matter specified in the Reference of the Northern Presbytery as to whether it is competent or not for the *Scottish Paraphrases* to be used in public worship in Free Church congregations to this Committee.

3 The General Assembly appoint Rev. John M. MacPherson, Rev. Ronald G. Mackay, Rev. Professor Donald M. MacDonald, Rev. Angus Macrae, Rev. Professor John L. Mackay, Rev. Dr Iain D. Campbell, Rev. John S. Ross, Mr Peter Morrison and Mr John M. Graham to be members of this Committee, with Rev. John M. MacPherson as Convener.

XXIII - Act anent Disposal of Sale Proceeds of Maxwell House
(No. 23 of Class II)

Edinburgh, 20th May 2004

1 The General Assembly approve the action of the Committee on Eventide Homes in clearing the operating deficit for 2003 from the remaining capital held on behalf of Maxwell House, from the funds held by the Board in Glasgow in the Royal Bank of Scotland account, and from part of the proceeds realised from the sale in November 2003.

2 The General Assembly, whilst acknowledging that the sale proceeds of Maxwell House are ordinary revenue receipts, recognise the Church's continuing responsibility to demonstrate the truth of the Gospel by practical social care, and direct that three hundred and fifty-five thousand pounds be set aside from the receipts for specific social responsibility purposes.

3 The General Assembly allocate one hundred and fifty thousand pounds from the above sum to the Thomas Chalmers Housing Association Ltd. as follows: fifteen thousand pounds *per annum* for five years toward the work at Westland Court, Glasgow, beginning in 2004; and seventy-five thousand pounds to be invested for the use of the Milngavie project; or, if either project should fail or lose its Christian input, for other uses as determined by the Stewardship and Policy Committee at that time; the interest accruing being accumulated and used to reduce the cost to the Church of the honorarium for the Chaplain at Westland Court.

4 Furthermore, from the specified sum, the General Assembly also allocate two hundred thousand pounds to the Grant Aid Scheme administered by the Social Responsibility Sub-Committee Council of Reference, to be made available at the rate of twenty thousand pounds *per annum* beginning in 2004, with any accruing interest or unspent funds accumulating in the

scheme. The General Assembly authorise the Public Questions Committee at their next meeting to adjust the remit of the Grant Aid Scheme so as properly to administer these increased funds, and instruct the Public Questions Committee to report fully on these adjustments and the overall operation of the scheme to the next Assembly.

5 Furthermore, from the specified sum, the General Assembly also authorise a gift of five thousand pounds without interest to the Scottish Churches Housing Agency, to be paid at the rate of one thousand pounds *per annum* beginning in 2004, this being in addition to the normal annual subscription.

6 The General Assembly direct that the remaining revenue from the sale of Maxwell House (namely ninety-three thousand, four hundred and sixteen pounds and fifty-eight pence) be used to strengthen the Church's capital reserves.

XXIV - Act Discharging Committee on Eventide Homes
(No. 24 of Class II)

Edinburgh, 20th May 2004

1 The General Assembly instruct the Presbytery of Glasgow and Argyll to discharge the Board of Management of Maxwell House from any further responsibility, and instruct the Presbytery Clerk to deal with any matter that may arise.

2 The General Assembly discharge the Committee on Eventide Homes.

XXV - Act anent Course of Studies for Mr Ruairidh Macrae
(No. 25 of Class II)

Edinburgh, 20th May 2004

The General Assembly, recognising the severity and duration of the illness suffered by Mr Ruairidh Macrae, divinity student,

(1) direct the Training of the Ministry and Admissions Committee:

1) to draw up a modified course of study for Mr Macrae, in consultation with the College Senate;

2) to review Mr Macrae's progress in this modified curriculum at each of the stated meetings of the Committee;

3) to provide Mr Macrae, on his attaining the requirements of this modified curriculum to the satisfaction of the Committee, with a Certificate to that effect, such permission to be valid only until next General Assembly;

(2) furthermore instruct the Presbytery under whose pastoral oversight Mr Macrae is to

accept this modified Certificate as fulfilling the relevant requirements under legislation regarding licensing.

XXVI - Act anent Admission of Ministers from Non-Presbyterian Churches
(No. 26 of Class II)

Edinburgh, 20th May 2004

The General Assembly, having regard to the need for clearly defined procedures with regard to the admission of ministers or probationers from other non-presbyterian denominations, hereby ordain as follows:

- (1) Authority to grant any such application lies solely with the General Assembly.
- (2) All such applications must be made, in the first instance, to the Presbytery within whose bounds the applicant has his ordinary residence; or, if the applicant's residence be not within a Presbytery of this Church, it shall be made to a Presbytery to whose members the applicant is well known.
- (3) All applications shall be made on an official Schedule of Application drafted by the Training of the Ministry and Admissions Committee and shall be accompanied by a certificate of good standing from the church or denomination with which the applicant is connected.
- (4) This Schedule shall be in two parts, one part to be completed by the Applicant and the other by the Presbytery, and attested by their Clerk. As well as containing requests for such information from the applicant and the Presbytery as the Admissions Committee deems appropriate, this schedule shall require (a) that the applicant indicate his willingness to subscribe to the questions put to licentiates, these questions being incorporated in full in the Schedule; and (b) that the Presbytery state that they are satisfied that the applicant is a suitable person to hold a ministerial charge in the Free Church of Scotland.
- (5) The Presbytery shall transmit the completed Schedule of Application to the Training of the Ministry and Admissions Committee; and the Clerk of the Committee, on receipt of the application, shall inform all Presbytery Clerks, stating the name and denominational affiliation of the minister concerned and advising them that the application will be disposed of by the General Assembly.
- (6) Before considering an application for admission to the ministry of the Free Church of Scotland, the Admissions Committee shall (a) obtain a report from one of the Committee's panel of medical examiners on the applicant's state of health and medical fitness for the ministry and (b) satisfy itself that the applicant has made appropriate disclosure in terms of the Protection of Children (Scotland) Act 2003 and Police Act 1997 or any statutory modification or re-enactment thereof for the time being in force.
- (7) The Committee shall arrange to interview the applicant. Through this interview the Committee shall:

- a) Assure itself that the minister is prepared to give an unqualified subscription to the Formula; and to do so in accordance with the explanation as to ‘Purity of Worship’ required by Act V, 1932.
 - b) Satisfy itself that the minister’s educational qualifications and professional training are comparable to those required of applicants for Licence by the Free Church of Scotland.
 - c) Ensure that the minister has such a knowledge of the *Practice of the Free Church of Scotland* as to render him a competent person to act as Moderator of a Kirk Session and to assume the responsibilities which normally fall upon Free Church ministers in the courts of the Church.
 - d) Ascertain that the minister is fully committed to maintaining the peace and unity of this Church and does not hold opinions or follow practices likely to be divisive.
- (8) The Committee, having interviewed the applicant and considered all aspects of the application (including the medical report) shall forward the Application Schedule to the Assembly Clerk together with an Extract Minute detailing the Committee’s recommendation in relation to the application.

XXVII - Act appointing Joint Committee to consider implication of appointing Youth Workers
(No. 27 of Class II)

Edinburgh, 20th May 2004

The General Assembly authorise the Training of the Ministry and Admissions Committee (1) to appoint a Joint Committee of the Training of the Ministry and Admissions Committee and the Youth Committee to discuss the overall implications of appointing Youth Workers, with the Convener of the Training of the Ministry Committee as Convener; and (2) to report back with its proposals to the next General Assembly.

XXVIII - Act anent Recognition of Students
(No. 28 of Class II)

Edinburgh, 20th May 2004

The General Assembly direct that Act V, 1979, anent Recognition of Students, etc., as consolidated in Act XX, 1985, be amended by inserting the following as Paragraph 3 of Section 1 of the Act:

The General Assembly enact that before the Training of the Ministry and Admissions Committee recognises an individual as a candidate for the ministry of the Free Church of Scotland, there shall be first obtained appropriate certification in terms of Protection of Children (Scotland) Act 2003 and Police Act 1997 or any statutory modification or re-enactment thereof for the time being in force.

XXIX - Act anent Certification of Applicants for the Ministry in terms of the Protection of Children Legislation
(No. 29 of Class II)

Edinburgh, 20th May 2004

The General Assembly enact that before the Admissions Committee forwards any application for admission to the General Assembly there shall first be obtained for the applicant appropriate certification in terms of Protection of Children (Scotland) Act 2003 and Police Act 1997 or any statutory modification or re-enactment thereof for the time being in force.

XXX - Act admitting the Rev. T.C. Donachie to the ministry of the Free Church of Scotland
(No. 30 of Class II)

Edinburgh, 20th May 2004

The General Assembly admit Rev. T.C. Donachie to the status of a minister of the Free Church of Scotland and direct that his name be added to the Register of Ministers eligible for call with effect from his signing of the Formula, to be arranged by the Presbytery of Glasgow and Argyll.

The General Assembly order the supporting documents to be held *in retentis*.

XXXI - Act approving Discontinuation of the Report to the General Assembly from the Principal of the College
(No. 31 of Class II)

Edinburgh, 20th May 2004

The General Assembly amend Act XVI, 1995, paragraph 4, by deleting the words, “this Report will include, as an item, the Principal’s Report.”

XXXII - Act anent Regulations for Professors’ Sick Leave and Leave of Absence
(No. 32 of Class II)

Edinburgh, 20th May 2004

The General Assembly approve the undernoted regulations for Professors’ Sick Leave and Leave of Absence:

(a) *Sickness or Injury Absence*

If a professor is absent from work due to sickness or injury, firstly, the Principal shall be notified (and in the case of the Principal, the Chairman of the Board) and, secondly, a self-

certificate shall be completed and provided to the Chief Administrative Officer in respect of any absence of three calendar days or less, or the first three days of any longer absence. If the illness exceeds three days a medical certificate must be submitted to the Chief Administrative Officer.

Entitlement to paid sick-leave is up to six months on full pay and six months on half pay in any rolling twelve month period. The above amounts will be inclusive of any Statutory Sick Pay (SSP). If there is no entitlement to SSP, or if the entitlement has been exhausted, the professor will be notified and must then claim the appropriate state benefit, the amount of which, if payable, shall be deducted from the salary paid under the sick pay scheme as detailed above.

If the illness is likely to exceed six months the Senatus shall report the case to the College Board at the end of the fifth month and the Board shall obtain an independent medical report.

The professor, failing whom the Principal, shall ensure short term arrangements during illness. The Senatus shall be responsible for interim arrangements when a professor is ill for a prolonged period.

Pension rights shall be conserved as long as leave extends.

A professor on sick-leave may not attend a court or committee of the Church.

The above regulations shall not debar any professor from applying at any time for Disability Pension under the Church's Pension Scheme.

Where a professor is unable to fulfil his duties for more than twelve months, the College Board shall review the situation and, if it has been confirmed that the professor is permanently unfit for duty, the Board shall report to the next General Assembly, or its Commission, recommending that the professor be loosed from his Chair.

A professor who resigns or is loosed from his Chair under these regulations may be eligible for a grant from the Invalid Ministers' etc Fund.

A professor's salary shall cease as from the day after the date of his resignation or the date of his being loosed from his Chair.

(b) *Leave of Absence for Reasons other than Illness*

A professor's primary responsibility is to the College and this should be recognised by all who seek his services for other work in the Church. Every effort, therefore, must be made so that disturbance to the work of the College is kept to a minimum.

Interchange has always played an important and useful role in the academic world and, whilst it is to be encouraged, primary consideration must be given to the work of the College.

A professor may not, without the permission of the Senatus and the concurrence of the College Board, undertake any engagements during the teaching term time which would

preclude him from his professorial responsibilities in the College.

A professor may be granted leave of absence outwith teaching term time by the Senatus at the specific request of a department of the Church.

A professor may be granted leave of absence, at any time, by the Senatus, to undertake academic work at the specific request of another college. The total cost of such leave will require to be borne by those making the request, unless there are reciprocal arrangements agreeable to the Senatus.

Holiday leave may not exceed 42 working days in any one calendar year and may not be taken during teaching term time. All holiday entitlement shall be taken up before 31st December. Any one holiday period shall not exceed 28 successive days without the consent of the Senatus. A professor on holiday leave is obligated to carry out his examination and other College commitments.

Compassionate leave on grounds of family illness or other exceptional circumstances may be granted by the Principal.

Pension rights shall be conserved as long as paid leave extends.

The General Assembly to this end repeal Act IV, 1994, para 3: Sick Leave for Professors in the Free Church College. Para 4: Leave of Absence for Professors in the Free Church College for Reasons other than Illness. Act I, Class 1, 1995, para 2: Act anent Ministers, Professors and Ordained Missionaries unable to Fulfil Duties (para 2 relates to professors).

XXXIII - Act authorising the Appointment of Professor of Church History and Church Principles
(No. 33 of Class II)

Edinburgh, 20th May 2004

The General Assembly authorise the College Board to take the necessary steps to appoint a Professor of Church History and Church Principles, the appointment to be made by the 2005 General Assembly.

XXXIV - Act anent Quinquennial Visitation of Free Church College
(No. 34 of Class II)

Edinburgh, 20th May 2004

The General Assembly instruct the College Board to conduct a Quinquennial Visitation of the College and to report to the 2005 General Assembly, the membership of the Visitation Committee to be Dr Allan MacPherson (Ayr) as Convener, Rev. Donald MacIver (Fearn) and Mr Murdoch MacLeod (Lochs), together with the Convener and Vice-Convener of the Training of the Ministry and Admissions Committee. The General Assembly authorise the Visitation Committee to co-opt such other ministers and elders with appropriate experience and expertise as they may require.

XXXV - Act uniting the Finance Committee of Olig with the Finance Committee of Watten and Bower
(No. 35 of Class II)

Edinburgh, 20th May 2004

The General Assembly amend Act III, Commission of Assembly, October 1980, and unite the Olig Finance Committee and the Watten and Bower Finance Committee, so that the congregation's financial affairs may be administered by one Committee only.

XXXVI - Act appointing General Assessors to the Presbytery of Skye and Wester Ross
(No. 36 of Class II)

Edinburgh, 20th May 2004

The General Assembly appoint Mr Farquhar Renwick, Minister at Knockbain, Mr Ranald F. Morrison, Minister at Tain, Mr Kenneth MacDonald, retired from Rosskeen, Mr Murdo Macleod, retired from Duirinish, Mr Angus Campbell, Elder at the Free North Church, Inverness, Mr Kenneth Robertson, Elder at Tain, Mr William S. Wyllie, Elder at Knockbain, Mr Thomas Cook, Elder at Knockbain, to be General Assessors to the Free Presbytery of Skye and Wester Ross, the terms of the appointment to be until next General Assembly.

XXXVII - Act authorising the Sale of the Colegio San Andres and other Purposes
(No. 37 of Class II)

Edinburgh, 20th May 2004

The General Assembly renew Act XXI, 1981, in the following terms:

The General Assembly authorise the General Trustees, upon advice from the International Missions Board, to sell the buildings occupied by the Colegio San Andres together with the other properties, inclusive of the Edificio San Andres, situated on Avenida Du Petit Thouars 179, Lima 1, or alternatively arrange for the development and subsequent sale of the site. They direct that the proceeds of such sale should be applied to the acquisition and building of a new school.

The foregoing authorisation is conditioned upon the Trustees and the Stewardship and Policy Committee being satisfied with the financial arrangement of the whole transaction and the General Assembly direct the Board to consult with the General Trustees and the Stewardship and Policy Committee on necessary measures of interim-financing of the project and for providing assistance to the Trustees' Nominees. The Stewardship and Policy Committee and General Trustees are authorised to advance such 'bridging loans' as may be necessary and available.

XXXVIII - Act appointing meetings for Prayer
(No. 38 of Class II)

Edinburgh, 21st May 2004

The General Assembly, noting that:

- 1) the Free Church of Scotland faces the prospect in October 2004 of defending herself in the Civil Courts against an action raised by the self-styled Free Church (Continuing);
- 2) it is imperative that prayer be made unceasingly in regard to the said Court action;
- 3) with regard to situations of such gravity the General Assembly has in the past issued a call to prayer;

call upon all Kirk Sessions to arrange meetings for prayer concerning the impending Court action and in particular to pray for the Legal Counsel and Law Agent representing the Church, and members of the Legal Group of the Stewardship and Policy Committee directly involved in these proceedings.

XXXIX - Act appointing General Trustees
(No. 39 of Class II)

Edinburgh, 21st May 2004

The General Assembly appoint Mr W. Scott Lauder, elder at Smithton-Culloden Free Church, and Mr Murdo Murchison, elder at Dunblane Free Church, as General Trustees of the Free Church of Scotland, in accordance with Act XX, Class II, 1999.

XL - Act appointing Committee to answer Reasons for Dissent
(No. 40 of Class II)

Edinburgh, 21st May 2004

The General Assembly appoint a Committee to answer Reasons for Dissent entered by Rev. Professor Donald M. MacDonald, consisting of Rev. R.F. Morrison, Rev. R.J. Akroyd and Mr W.S. Wyllie, with Rev. R.F. Morrison as Convener, and direct that the Committee report to the Commission of Assembly of October 2004.

XLI - Act appointing Mr Donald Matheson to the Committee to Review Disciplinary
Procedures
(No. 41 of Class II)

Edinburgh, 21st May 2004

The General Assembly appoint Mr Donald Matheson to be a member of the Committee to

Review Disciplinary Procedures in place of the Rev. Dr. Iain D. Campbell.

XLII - Act appointing Commission of Assembly
(No. 42 of Class II)

Edinburgh, 21st May 2004

The General Assembly did, and hereby do, nominate and appoint a Commission consisting of all members of Assembly with the addition of Rev. A. J. MacDonald, Buccleuch and Greyfriars, Edinburgh, named by the Moderator: To be a Commission of this General Assembly with power to the said Commission or their quorum which is declared to be any fifteen or more of their number, whereof eight at least are always to be ministers, to meet and convene at Edinburgh on the first Wednesday of October and the first Wednesday of March next to come at 7 o'clock in the evening, and oftener when and where they shall think fit and convenient, and with power to choose their own Moderator; and the General Assembly fully empower the said Commission, or their quorum above-mentioned, to cognosce and finally determine as they shall see cause in every matter referred to them, or which shall be referred to them, by, or in virtue of, any act or order of the Assembly; and to do everything contained in, and conform to the instructions given, or to be given, by the General Assembly; and to advert to the interests of the Church on every occasion, that the Church do not suffer or sustain any prejudice which they can prevent, as they will be answerable; provided always that, save as hereafter stated, this general clause be not extended to particular affairs or processes before Synods or Presbyteries that are not of universal concern to, or influence upon, the whole Church. And further, in view of the ongoing question of relations with the self-styled Free Church Continuing, the occupation of property belonging to the Free Church of Scotland by the said Free Church Continuing, the freezing of bank accounts, and the processing of legal action in the civil courts, the General Assembly empower the Commission to take all steps necessary and proper to take in the interests of the Church in connection with these matters, and authorise the Commission to meet as required to consider any matters relating to, or arising from, the action taken by the Free Church Continuing, and declare that meetings of the Commission shall have the full powers of a General Assembly to deal with all such matters which may arise, provided always that notice of proposals in terms of this empowerment shall be sent to commissioners at least ten days before the Commission is to convene, this requirement not implying any curtailment of amendment to such proposals. And further, the said Commission are hereby particularly empowered to receive and fully dispose of applications that may be forwarded to them for raising preaching stations or suppressed charges to fully sanctioned charges, for consolidating congregations into one charge, for the appointment of Ministers overseas and Foreign Missionaries in the Mission Fields of the Church, to appoint teachers seconded by the Reformed Missions League as missionary teachers to Colegio San Andres, for authority to sell such property as is not held under the Model Trust Deed, or to sell such properties being under the Model Trust Deed as are to be sold in order to provide for new buildings, to receive the submission of the Committee appointed to answer Reasons for Dissent, and to receive any references and appeals that shall be made to them from Synods in matters of doctrine, and ripen such affairs for next General Assembly, and to contribute what they can to the suppression of vice and immorality, and to give all needful advice and assistance to Synods, Presbyteries and Committees of Assembly upon application to them for that end. And the said Commission are hereby strictly prohibited and discharged to meddle in any other matters than what are committed and referred to them as above-mentioned. And in all their

actings they are to proceed according to the Acts and Constitution of this Church, and to do nothing contrary thereto, or to the prejudice of the same, declaring that, in and for all their actings, they shall be accountable to, and censurable by, next General Assembly, as they shall see cause. And this Commission shall continue and endure until another Commission is appointed. And members are required to attend the diets of the said Commission.

XLIII - Act appointing next General Assembly
(No. 43 of Class II)

Edinburgh, 21st May 2004

The General Assembly appoint the next General Assembly to meet in Edinburgh on Monday 23rd May 2005 at 6 o'clock in the evening.

ACTS OF THE COMMISSION OF ASSEMBLY

I - Act anent Sales of Property: Applecross and Helmsdale

Edinburgh, 1st October 2003

1 The Commission of Assembly authorise the sale of the Free Church Manse at Applecross, the transaction to be carried out under the supervision of the Church's Law Agent, and direct that the proceeds of sale be held by the General Trustees and made available to the congregation for purposes agreed to by the Presbytery of the bounds.

2 The Commission of Assembly authorise the sale of the Manse and Church building at Helmsdale, subject to the Titles being cleared by the Law Agent, the transaction to be carried out under the supervision of the Church's Law Agent, and direct that the proceeds of the sale be held by the General Trustees for behoof of the congregation, and that they be made available to the congregation for the purpose of obtaining a more suitable church and manse.

OVERTURE SENT DOWN TO PRESBYTERIES UNDER THE BARRIER ACT

Draft Act anent Admission of Ministers and Probationers from other Presbyterian Churches

The General Assembly, in accordance with previous practice regarding proposals to amend the legislation governing the admission of ministers and probationers from other denominations, direct that the following Overture be sent under the Barrier Act to Presbyteries:

Whereas the General Assembly, having regard to the need for clearly defined procedures anent

the admission of ministers and probationers from other denominations, repeal Act VIII, Class 1, 1846, and Act II, Class 1, 1995, and hereby enact and ordain as follows:

The General Assembly declare that in cases where a congregation of the Free Church of Scotland wishes to address a call to an ordained minister of another Presbyterian church it shall be competent for it to do so, subject to the following conditions and in accordance with the following procedures:

(1) When a presbytery receive a request to moderate in a Call to an ordained minister of another Presbyterian church they shall immediately inform the Training of the Ministry and Admissions Committee of this fact, and shall sist all further procedure till the Committee report (in terms of Paragraph (8) below) that there is no impediment to the Call proceeding.

(2) The Clerk of the Committee shall ask the minister concerned to complete and return the prescribed Schedule of Application, along with (a) a certificate of good standing from the presbytery with which he is connected and (b) certification that he has provided appropriate disclosure in terms of the Protection of Children (Scotland) Act 2003 and Police Act 1997 or any statutory modification or re-enactment thereof for the time being in force. The Clerk shall also take steps to obtain from one of the Committee's medical examiners a report on the minister's state of health and his medical fitness for the work of the ministry.

(3) The Clerk of the Training of the Ministry and Admissions Committee shall (by letter) inform all Presbytery Clerks of the request, stating the name and denominational affiliation of the minister, along with the name and presbytery of the congregation which has requested moderation in a Call. The letter shall state that if any presbytery have objections to the Call proceeding they must lodge these with the Clerk of the Training of the Ministry and Admissions Committee within twenty-one calendar days of the letter being tabled at presbytery.

(4) If any presbytery raise objections, the Training of the Ministry and Admissions Committee shall refer the matter *simpliciter* to the General Assembly. The Presbytery shall be entitled to send representatives to state its objections at the bar of the Assembly; and the reference shall automatically sist procedure until a final decision is pronounced by the Assembly.

(5) If, within sixty calendar days of the letter being addressed to presbyteries by the Clerk of the Training of the Ministry and Admissions Committee, no objections are received, the Committee shall arrange to interview the minister concerned at an early date.

(6) Through this interview, the Committee shall:

a) Assure itself that the minister is prepared to give an unqualified subscription to the Formula; and to do so in accordance with the explanation as to 'Purity of Worship' required by Act V, 1932.

b) Satisfy itself that the minister's educational qualifications and professional training are comparable to those required of applicants for Licence by the Free Church of Scotland.

c) Ensure that the minister has such a knowledge of the *Practice of the Free Church of Scotland* to render him a competent person to act as Moderator of a Kirk Session and to assume the responsibilities which normally fall upon Free Church ministers in the courts of the Church.

d) Ascertain that the minister is fully committed to maintaining the peace and unity of this

Church and does not hold opinions or follow practices likely to be divisive.

(7) When the interview has been completed the Committee shall deliberate whether the minister concerned is a suitable person to hold a ministerial charge in the Free Church of Scotland. To allow a Call to proceed, the decision in favour of the minister must be carried by a majority of at least two-thirds of those present.

(8) The Committee shall intimate its decision to the Presbytery.

(9) If the decision is in favour of the minister, the Presbytery shall proceed as normal in the case of a Call, with the exception that the Call may be placed directly in his hands without the need to prosecute it at the bar of the presbytery from which he is to be disjoined.

(10) No induction shall take place till the relevant Free Church presbytery receives from the other denomination presbyterial certification that the minister has resigned from his previous charge.

(11) Once inducted to the pastoral charge of a congregation of the Free Church of Scotland the minister shall be under the exclusive oversight of the courts of the Free Church of Scotland.

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THE PRINCIPAL
ACTS
OF THE
GENERAL ASSEMBLY OF THE FREE CHURCH OF
SCOTLAND
MAY MMIV

**CLASS I - ACTS WHICH HAVE PASSED THE
BARRIER ACT**

None.

**CLASS II - ACTS WHICH ARE OF GENERAL INTEREST
TO THE CHURCH**

**I - Act appointing a Commission to assist with
the Establishment of a Reformed Presbyterian Church in Sweden, including member-
ship of the Commission**
(No 1 of Class II)

Edinburgh, 18th May 2004

Edinburgh, 21st May 2004

The General Assembly approve the proposal to establish a Reformed Presbyterian Church in Sweden, committed to the Westminster Standards. They appoint a Commission of four, three ministers and one elder, consisting of Rev. Fergus A.J. Macdonald, Rev. David A. Robertson, Rev. James Maciver and Dr Allan MacPherson. They declare that the said Special Commission shall have full powers to carry out all the actions required in the establishment of a Reformed Church in Sweden, and instruct the Commission to report to next General Assembly.

II - Act anent Equal Dividend and Related Salaries

(No. 2 of Class II)

Edinburgh, 18th May 2004

The General Assembly declare a stipend of £16,500 from 1st April 2004, this figure being based on the variation permitted by Act XII, 1989. The General Assembly approve the continuance of the other categories of salary that are paid at a fixed proportion of the stipend.

III - Act anent Travelling Expenses of Supply Preachers

(No. 3 of Class II)

Edinburgh, 18th May 2004

1 The General Assembly amend Act XXI, 2000, § 7 to read:

All congregations shall be responsible for meeting the travelling expenses of supply preachers in full. Such preachers shall make use of public transport wherever available. When such transport is not available and suitable, payment shall be at the rate of 20p per mile.

2 The General Assembly declare that wherever in the case of a union or linking of congregations provision has been made for the payment by the Committee of supply travelling expenses to different parts of the consolidated charge, such payment shall now be the responsibility of the consolidated charge.

The amended Act shall read as follows:

The General Assembly approve the following revised arrangements for pulpit supply:

1 Only persons in the following categories may be employed for Weekend or Temporary Resident Supply: Ministers whose names appear on the Register of Ministers without charge; retired ministers of the Free Church; Probationers; recognised students of the Free Church; and students sponsored by the Presbyterian Church of Eastern Australia.

2 In all vacant congregations preaching fees shall be not less than the Scale of Fees approved by the General Assembly.

3 In special circumstances persons outwith the above categories may be employed by the authority of an Interim Moderator or the local Presbytery and shall be eligible for the appropriate fees and expenses.

4 Congregations shall be responsible for providing accommodation and board for weekend supply; and accommodation and travelling expenses for Temporary Resident Supply.

5 The Committee is authorised to negotiate an increased fee for resident supply with any

recognised student as above.

6 Where supply involves the conduct of only one service on the Lord's Day the fee to be paid shall be at half the level that would otherwise obtain.

7 Travelling expenses of Supply Preachers

a) All congregations shall be responsible for meeting the travelling expenses of supply preachers in full. Such preachers shall make use of public transport wherever available. When such transport is not available and suitable, payment shall be at the rate of 20p per mile.

b) The General Assembly declare that wherever in the case of a union or linking of congregations provision has been made for the payment by the Committee of supply travelling expenses to different parts of the consolidated charge, such payment shall now be the responsibility of the consolidated charge.

c) Exceptional cases shall be considered on their merits.

8 Scale of Fees from 1st January 2001 As from 1st January 2001 a standard fee of £30 shall be paid by the congregation to a weekend supply preacher. This fee shall not be paid to a Minister in a settled charge.

9 Act XII, 1995, Act X, 1999 and any other legislation inconsistent with these enactments are hereby repealed.

IV - Act anent Status of Kirkcaldy, Kinglassie and Glenrothes
(No. 4 of Class II)

Edinburgh, 18th May 2004

The General Assembly approve the action of the Committee on Sustentation and Ministry in placing the congregation of Kirkcaldy, Kinglassie and Glenrothes on the Equal Dividend Platform in terms of Act XVIII, 1998, § 3.4 to 3.7, the arrangement to be reviewed at the 2009 General Assembly. They confirm the appointment of Rev. Neil M. MacMillan as minister of the congregation subject to the terms of the foregoing sections of the said Act.

**V - Act granting Redevelopment Status to the Congregation of Glenurquhart
and Fort Augustus**
(No. 5 of Class II)

Edinburgh, 18th May 2004

The General Assembly, noting the recommendation of the Sustentation and Ministry Committee, designate the congregation of Glenurquhart and Fort Augustus a Redevelopment Charge in accordance with Act XXXIV, 1988, as amended by Act IV, 1992, and Act XIV, 1993.

VI - Act anent Appointment of an Assistant Minister for the Congregation of Smithton-Culloden

(No. 6 of Class II)

Edinburgh, 18th May 2004

The General Assembly, noting the recommendation of the Committee on Sustentation and Ministry, approve the appointment of an Assistant Minister to the congregation of Smithton-Culloden in terms of Act XIX, 2000.

VII - Act anent Loyal and Dutiful Address to Her Majesty the Queen

(No 7 of Class II)

Edinburgh, 18th May 2004

To The Queen's Most Excellent Majesty

The Loyal and Dutiful Address of the General Assembly of the Free Church of Scotland

We, the Ministers and Elders of the Free Church of Scotland met in General Assembly at Edinburgh this 18th day of May 2004, respectfully pledge our allegiance and loyalty to Your Majesty's Person and Throne.

Prayers are offered in this Assembly and throughout our Churches for Your Majesty's Person that in the execution of Your royal duties You may be daily granted health and strength, wisdom and courage.

We pray for all Your Majesty's subjects that they may do justice, love mercy and walk humbly with God in pursuit of that righteousness which exalts a nation.

We rejoice in Your Majesty's advocacy of democracy, human rights and the rule of law at December's opening of the Commonwealth Heads of Government meeting in Abuja, Nigeria, and also in Your challenge to the Commonwealth leaders to combat the evils of poverty, hunger, environmental degradation, the scourge of HIV/AIDS and the lack of educational opportunities.

We pray for Your Majesty's armed services engaged in military operations in Iraq that they, with the coalition forces, may speedily and honourably succeed in establishing a lasting peace and in promoting democratic rule in that country.

As Your Majesty prepares to take part next month in the 60th Anniversary of D-Day, we give thanks to Almighty God for the deliverance from the threat of fascism wrought by divine intervention and human bravery, praying that this and future generations of Your Majesty's British subjects may for ever treasure the freedoms secured through the supreme sacrifice of others.

May Divine Blessing rest upon Your Majesty's Person and Throne, upon His Royal Highness Prince Philip Duke of Edinburgh and upon all the members of Your Royal House.

So pray Your Majesty's most faithful subjects, the Ministers and Elders of the Free Church of Scotland, in General Assembly convened.

VIII - Act disjoining Rogart and Eddrachillis
(No. 8 of Class II)

Edinburgh, 18th May 2004

The General Assembly repeal Act III, Commission of Assembly, October 1982, and disjoin the congregations of Rogart and Eddrachillis from a date to be fixed by the Northern Presbytery not later than 31st August 2004, instructing the Presbytery to make appropriate arrangements for the spiritual oversight and supply of Gospel ordinances in the two congregations as separate units in accordance with current legislation.

IX - Act anent transfer of the Rev. Gavin Smith to the Register of Ministers without Charge eligible for Call
(No. 9 of Class II)

Edinburgh, 18th May 2004

The General Assembly authorise the transference of the name of Rev. Gavin Smith from the Roll of Resigned and Retired Ministers to the Register of Ministers without Charge eligible for call in terms of Act XIII, 1990, § 9.

X - Act authorising the Stewardship and Policy Committee to Borrow Funds
(No. 10 of Class II)

Edinburgh, 19th May 2004

The General Assembly confirm the powers of the Committee to borrow such funds by means of bank overdraft as are necessary for the running of the Church.

XI - Act anent Pensions
(No. 11 of Class II)

Edinburgh, 19th May 2004

The General Assembly authorise the Stewardship and Policy Committee to increase pensions each year as much as considered affordable subject to a maximum of stipend (or other relevant

wage) inflation. The Committee is instructed where possible to pay each year an increase on the full pension based on RPI (at September in the previous year) or its equivalent, and to keep open the possibility of awarding higher increases.

XII - Act anent Child Protection Policy

(No. 12 of Class II)

Edinburgh, 19th May 2004

Edinburgh, 20th May 2004

1 The General Assembly encourage the Stewardship and Policy Committee to build upon the enormous amount of work done by the Youth Committee to ensure legislative compliance and in particular to create a robust Child Protection framework. To that end they authorise the Committee to take such steps in regard to staffing as it sees fit to ensure the effectiveness of the Church's Child Protection policy.

2 The General Assembly note the arrangements made by the College Board with respect to the application of the Church's Child Protection Policy to private students. They instruct congregations and other organisations using private students from the College for any purposes involving children to ensure that they activate and complete the disclosure mechanisms with the appropriate authorities.

XIII - Act anent Power and Authority of the Chief Administrative Officer

(No. 13 of Class II)

Edinburgh, 19th May 2004

The General Assembly grant the power and authority previously inherent in the post of General Treasurer to the post of Chief Administrative Officer and in particular grant the Chief Administrative Officer the power to discharge legacies on receipt of notification. The General Assembly instruct the Committee to prepare a specification of such powers and to report to next General Assembly.

XIV - Act anent Appointment of National Youth Coordinator

(No. 14 of Class II)

Edinburgh, 19th May 2004

The General Assembly approve the appointment of a National Youth Coordinator based in Edinburgh and directed by the Youth Committee, to help with the recruitment, to establish training and to raise external funding for the development of youth workers, both paid and voluntary, in the Free Church.

XV - Act anent Revised Committee Structure

(No. 15 of Class II)

Edinburgh, 19th May 2004

The General Assembly approve the modifications to the Committee structure in respect of the Nominations Committee and other adjustments as hereby specified. They hereby amend Act VIII, 2003, to the extent that (1) the Nominations Committee be appointed a Standing

Committee; (2) the Convener of the Ecumenical Relations Committee be appointed a member of the Stewardship and Policy Committee; (3) the number of General Trustees eligible to vote as members of the Stewardship and Policy Committee be increased from 4 to 6, thereby raising the number of voting members of the latter Committee to 25; (4) there be added to the details in paragraph 5.1, concerning the Convener of the Stewardship and Policy Committee the words "*who shall always be an elder and who shall not be employed by the Church*"; (5) the following sentence be deleted from the specification in paragraph 5.1(1) regarding nominations sent to the Nominations Committee, namely, "*Presbyteries may nominate elders from without their bounds in exceptional circumstances*".

The amended Act shall read as follows:

The General Assembly enact and ordain that the work of the Assembly between their meetings shall be prosecuted by the following Committees divided into four Groups:

1 GROUP 1 COMMITTEES

Group 1 - to be designated the Home Mission Group, to comprise of twelve members of whom six shall be ministers and six shall be elders, and who shall constitute the following Committees:

1.1 Church Extension Committee

Remit: to formulate policy for Church Extension for the Church in recognition of her responsibility to the whole of Scotland; to identify areas where such work could be established and where evangelists and church planters are required; to consult with presbyteries regarding this; to assess the strength of applications from presbyteries for the establishment of Church Extension charges and Church Planting appointments; to supervise the appointment and employment of evangelists and church planters, the appointment and employment of International Outreach workers in the United Kingdom and workers for the Service to Overseas Students; to administer the Highways and Byways Mission; to make provision for the financing of such appointments and for the erection and maintenance of churches and manses required for them; to undertake programmes of training for 'laity'; and any other functions presently discharged by the Church Extension Committee unless otherwise provided for in this Act; and as the General Assembly may appoint.

1.2 Sustentation and Ministry Committee

Remit: to promote the interests of the Sustentation Fund, which has been historically regarded as the main fund of the Church; to fix the Stipend in concurrence with the Stewardship and Policy Committee and represent the needs of Sustentation and Supply to that Committee in relation to the Church's overall budget; to scrutinise Sustentation Fund Schedules in order to authorise the filling up of vacancies as required by Assembly legislation; to assess the strength of the case made out by congregations which request Special Arrangements and consult with the Stewardship and Policy Committee about the resources available for the support of ministries in such charges; to promote the union or linking of non-viable congregations to form viable consolidated charges in terms of current legislation; to administer the Ministers' Car Expenses Scheme; to supervise the operation of all legislation regarding the Stipend to secure a more economically realistic distribution of personnel; to give practical effect to the Church's concern for situations where the cause is

weak through the creation and supervision of Redevelopment Charges and the Appointment of District Ministers; to supervise arrangements for Resident and Weekend Supply and all that is involved in the financial provision for Supply in vacant congregations; to interview, appoint and supervise the employment of Resident Lay Preachers; to put into effect legislation for presbytery workers; to allocate buildings maintenance grants and loans; to undertake care services for ministerial personnel and promote pastoral support for ministers and their families; and any other functions presently discharged by the Sustentation, Supply and Buildings Maintenance Committee unless otherwise provided for in this Act; and as the General Assembly may appoint.

Clerk: Assembly Clerk's Department

1.3 *Training of the Ministry and Admissions Committee*

Remit: (1) to receive and process all applications of candidates for the Free Church Ministry and interview all candidates; to advise all pre-College recognised students for the Free Church Ministry of the subjects which should be studied during their pre-College course(s); to examine and assess students' College work through the appointment of examiners, responsible to and reporting to, the Training of the Ministry Committee; to administer the scheme for the placement of students; to administer the applications for, and allocations of, grants/bursaries to students and to see to the provision of adequate financial provision for their support; to deal with accusations of heresy or immorality on the part of any of the Professors at the Free Church College; (2) to consider applications from ministers and probationers from other churches seeking admission to the Free Church of Scotland when received from presbyteries and to take due steps to process the same; and any other functions presently discharged by the Training of the Ministry Committee unless otherwise provided for in this Act; and as the General Assembly may appoint.

Membership: in addition to those mentioned above two members of the Senate to be appointed by the Senate.

2 GROUP 2 COMMITTEES

Group 2 - to be designated the Communications Group, to comprise of twelve members of whom six shall be ministers and six shall be elders with the additional *ex officio* members indicated in each case, and who shall constitute the following Committees:

2.1 *Public Questions Committee*

Remit: (1) to watch over questions bearing on public morality, the interests of religion and questions of Christian doctrine, the relation between Church and State, and whatever bears on the honour of Christ, the great Head of the Church, and the spiritual and moral well-being of the community; to take such action as may seem best fitted to further the great ends of a Christian Church in connection therewith; (2) to consider the returns from Presbyteries and other relevant material about the Social Responsibility of the Church; to reflect on what may be legitimate and feasible for the Free Church in the direction of further social involvement having regard to the number of people supporting the Church, the Church's financial position and its resources in experienced personnel; to receive and collate and analyse answers received from congregations in the Social Responsibility Schedules completed at Quinquennial Visitations in terms of Act X, 1994; and to fulfil any

other functions presently discharged by the Public Questions, Religion and Morals Committee unless otherwise provided for in this Act; and as the General Assembly may appoint.

Ex officio Members: the Moderator of the General Assembly, the Editor of *The Monthly Record*, and the Media Officer.

2.2 *Youth Committee*

Remit: (1) to promote the spiritual welfare of the children and young people of the Free Church of Scotland and to reach out with the Gospel to those outside the Church: by the provision of teaching materials for Sabbath Schools and Bible Classes and such other resources as may be of assistance to teachers and leaders; by the organisation of examinations and award of prizes and certificates as appropriate; by provision and staffing of camps for young people and appointment of a camps supervisor, subject to the approval of the General Assembly, and oversight of his/her duties and those of the camps organiser; by the oversight of *The Instructor* and *Free* magazines and appointment of editors subject to approval of the General Assembly; by the provision or support of conferences for young people and families; and (2) in light of the Church's responsibility to promote the observance of Christian principle in the realm of education, to examine the field of education with reference to Scotland both in general terms and with specific regard to religious education in schools and colleges; and any other function presently discharged by the Youth Committee except the oversight of *The Monthly Record* and the administration of the Church's Child Protection policy which are otherwise provided for in this Act; and as the General Assembly may appoint.

Ex officio Members: The Media Officer, the Editors of *The Instructor* and *Free* and the Youth Camps Supervisor. The Youth Committee shall have powers to appoint advisers with expertise in educational issues.

2.3 *Communications Committee*

Remit: to exercise oversight of: the Church Bookshop, denominational publications and Knox Press; to consider and give guidance on media issues including the supply or recommendation of materials for education in belief and practice; to oversee *The Monthly Record*; to facilitate the flow of information about matters of general interest to and from individuals, congregations, presbyteries and committees of the Church; to collect and distribute to local congregations and other relevant agencies information supplied by committees and courts of the Church including the General Assembly with a view to stimulating informed prayer for the Church's work and witness; to oversee the Church's web site; to promote the application of new technology to the work of the Church where appropriate; to supervise the work of the Church's Media Officer including taking the necessary steps for recommending to the General Assembly candidates for appointment in the event of vacancy according to procedure analogous to that used in the appointment of the Editor of the Church's magazines; to carry out the functions presently discharged by the Publications Department unless otherwise provided for in this Act; and as the General Assembly may appoint.

Ex officio member: The Editor of *The Monthly Record*.

2.4 *Ecumenical Relations Committee*

Remit: to promote relations with other Churches and religious bodies, and with delegates to and from these to the General Assembly, and to take steps to protect the position of the Free Church of Scotland with respect to her place in the wider Church, and other functions presently discharged by the Assembly Arrangements and Ecumenical Relations Committee under its Ecumenical Relations remit, unless otherwise provided for in this Act; and as the General Assembly may appoint.

Clerk: Assembly Clerk's Department.

Ex officio Members: The Moderator and previous Moderator of the General Assembly; the Editor of *The Monthly Record*; and the Media Officer.

3 GROUP 3 COMMITTEE

Group 3 - to be designated the International Missions Group.

3.1 *International Missions Board*, consisting of six ministers and six elders with the Editor of *From the Frontiers* as an *ex officio* member. Each Synod in Scotland shall have at least three representatives on the Board and the period of appointment shall be for four years with eligibility for a second term without interval after which there shall be no immediate return.

Remit: the functions of the International Missions Board as presently constituted, the oversight of the Disaster and Relief Fund, and liaison with other missionary organisations.

Meetings: as business requires but not on the dates of the statutory meetings of the groups.

4 GROUP 4 COMMITTEES

Group 4 - to incorporate Miscellaneous Boards and Committees.

4.1 *College Board*

Remit: to promote the interests of the Free Church College within and outwith the Free Church; to implement a strategy designed to heighten awareness of the status of the College as a centre of Biblical and Reformed teaching; to maintain and improve the fabric and furnishings of the College and the facilities and resources of the College Library; to foster the personal and spiritual welfare of staff and students, especially in areas of staff/student interaction; to assess general student and staff performance through reviewing statistics on pass, failure, attendance, student drop-out and course satisfaction rates and on class size; to determine the starting and closing dates of College sessions; to adjudicate with regard to disciplinary or disputed matters affecting College non-Senatus staff, both full-time and part-time; to consider any failure by a member of the Senatus to comply with academic duties, as brought to it by the Senatus, and to refer this, if unresolved, to the General Assembly for their attention; to determine the terms and conditions of employment of all non-Senatus staff (including casual), other than as determined by Act of Assembly; to

keep the salaries of Professors under regular review and, if necessary, to bring proposals thereon to the attention of the Assembly; to process arrangements for the retirement and appointment of professors in accordance with General Assembly legislation; to administer the finances of the College; to prepare the College Budget submitting it to the Stewardship and Policy Committee; and any other functions presently discharged by the College Board unless otherwise provided for in this Act; and as the General Assembly may appoint.

Membership: thirteen ministers or elders which number shall include (1) three ministers in pastoral charges appointed by the General Assembly on a Synodical basis; (2) three elders, having relevant qualifications or experience in education, preferably tertiary education, or in the administration and promotion of education, to be appointed by the General Assembly on the basis of presbytery returns; (3) the Principal of the College *ex officio*; (4) the three remaining members of the Senate, this position to be reviewed if or when the College reverts to the full complement of five professors; (5) one of the General Trustees nominated as their representative; and (6) the Convener and Vice-Convener of the Training of the Ministry Committee. In addition to the foregoing twelve the President of the Students' Representative Council of the College shall be a member *ex officio*. The Chairman of the Board will be appointed by the General Assembly on the recommendation of the Nominations Committee. Members of the Senatus are excluded.

Secretary: the Secretary to the College.

Meetings: at least twice yearly.

4.2 *Psalmody Committee*

Remit: the functions performed by the Psalmody Committee as at present constituted, except as may otherwise be provided for in this Act; and as the General Assembly may appoint.

Membership: six, of whom at least two shall be elders, to be appointed by the General Assembly on the recommendation of the Nominations Committee.

Meetings: as required.

4.3 General Trustees

Remit: (1) to hold any property bequeathed or conveyed to them for behoof of the Free Church of Scotland, subject to the General Assembly as to their management and disposal; (2) to sell, or otherwise dispose of or burden with debt the said property, provided always that any proceeds arising from the exercise of the said powers, or any of them, shall be held for and applied and appropriated to the Free Church of Scotland; (3) subject to Assembly legislation, to administer the funds and heritable property held by them for behoof of the Free Church of Scotland, and in particular to deal with and dispose of such applications for loans from capital held by them as may be transmitted to them through the Stewardship and Policy Committee; (4) to report each year to the General Assembly funds that have been invested in the course of the previous year and also the whole funds under their control at that time; (5) to maintain a register of all heritable properties held in their name and keep it up-to-date annually; (6) to maintain a Let Property Account (Revenue and Capital) in respect of properties held by the Church and leased to tenants,

such account to contain all relevant data; (7) to prepare and maintain an up-to-date record of pictures, busts and objects of historic interest referred to in Churches (Scotland) Act 1905, Commission Order 1261, together with such pictures and objects as have since come or may come to be held by the Trustees as property of the Church and are presently located, or may be located within the Mound Buildings in accordance with Act II, 1979, § 12; (8) to consult with the Senate regarding any proposal to dispose of any such object of interest located in the part of the Mound Buildings occupied by the College, or to dispose of any portion of the College Library; (9) to invest the assets of the Church together with those Special Trusts where the General Assembly has appropriate authority (hereinafter called the Trust Estate); (10) to manage and invest such trusts in accordance with Act II, 1979, § 1; (11) to discharge their responsibility with regard to the maintenance of the Assembly Hall as laid down in Act X, 1978; (12) to provide housing for newly appointed Professors as set forth in Act XIX, 1978; (13) to appoint a Property Management Committee and implement other arrangements for the maintenance of centrally held property and church flats in accordance with Act VII, 2002; (14) to carry out any other functions presently discharged by the General Trustees; and as the General Assembly may appoint.

Membership: twelve of whom not more than four shall be ministers in accordance with the terms of Act XX, 1999, (A).

Meetings: the General Trustees shall meet as required to transact business other than business relating to the Trust Estate. When required to transact business in connection with the Trust Estate the General Trustees shall meet in their capacity as the General Trustees' Nominees Company and only business relevant to the Trust Estate shall be transacted at such a meeting. The General Assembly confirm that the Nominee Company is the Trustee of the Church's Pension Scheme.

Chairman: The General Trustees shall have power to appoint their own Chairman.

Quorum: Three

Secretary: The General Treasurer

4.4 *Assembly Arrangements Committee*

Remit: to make arrangements for the General Assembly, such as hospitality, care of the Assembly Hall; employment and duty of Assembly officials; Moderator's expenses; and such matters as are directly connected with the Assembly; and any other functions presently discharged by the Assembly Arrangements and Ecumenical Relations Committee under its Assembly Arrangements remit unless otherwise provided for in this Act; and as the General Assembly may appoint.

Membership: four ministers or elders to be appointed from the Southern Synod and one from each of the Northern and Western Synods; Principal Clerk of Assembly; present and previous Moderator of the General Assembly; Moderator-designate of General Assembly following upon his nomination.

Executive: this Committee shall appoint from its membership an Executive composed of members living in or adjacent to Edinburgh to whom immediate oversight of specified practical matters may be remitted.

Meetings: meeting in January each year; other meetings as required.

4.5 *Board of Pastoral Advice*

Remit: to give advice to ministers and Church courts on perplexing problems which are not open to formal process and which do not obviously fall within the remit of any existing body. The Board shall report to the General Assembly through the Sustentation and Ministry Committee.

Membership: one minister or elder from each presbytery as appointed by the General Assembly on the recommendation of the Nominations Committee; one of whom shall be a member of Group 1 Committees.

Convener: member of the Board who is also a member of Group 1 Committees.

Clerk: the Assembly Clerk's Department.

4.6 *Nominations Committee*

Remit: to receive nominations from presbyteries for vacancies on standing committees when they occur, and to make recommendations from these submissions to the General Assembly.

Membership: Conveners of Committees and Chairmen of Boards as follows: Sustentation and Ministry, Church Extension, Training of the Ministry and Admissions, Public Questions, Youth, Ecumenical Relations and Communications Committees, and the Chairmen of the International Missions and College Boards, together with the Principal Clerk and one representative from any Presbytery not otherwise represented, to be appointed by the General Assembly on the recommendation of the Committee.

Convener: to be appointed by the General Assembly on the recommendation of the Committee.

Clerk: the Assembly Clerk's Department.

The Committee shall meet at the conclusion of the Commission of Assembly in March annually, and otherwise as required, to receive nominations from Presbyteries for vacancies on these Committees and Boards when they occur, and to make recommendations from these submissions to the General Assembly. The Committee shall have power to make alternative nominations where the overall balance of Committee membership or the needs of the Church appear to them to require such action. In submitting nominations to the Committee Presbyteries should endeavour to give reasons for the suitability of the persons whom they nominate. In the interests of continuity a Convener who has served for only one year when his membership of that particular Committee expires, may be reappointed for a further period not exceeding two years if desired. A minister who is translated to a charge in another Presbytery during his term of service on Committees may continue to serve for the rest of his term if this is desirable, with the concurrence of both Presbyteries.

5 STEWARDSHIP AND POLICY COMMITTEE

An overview of the work of the above Committees and Boards shall be provided by a Stewardship and Policy Committee.

Remit: to focus on the development of policies and strategic planning for the Church in consultation with other Committees; to discharge the present functions performed by the Finance, Law and Advisory Committee; and as the General Assembly may appoint.

Membership: a Convener appointed by the General Assembly on the recommendation of the Nominations Committee who shall always be an elder and who shall not be employed by the Church; he shall hold office for four years, renewable for one further term of four years; the Conveners of the Sustentation and Ministry, Church Extension, Training of the Ministry, Public Questions, Youth, Communications and Ecumenical Relations Committees; the Chairmen of the International Missions and College Boards; the Principal Clerk of Assembly; two further men appointed from each of Groups 1 and 2 and up to four additional elders whose names shall be submitted to the Nominations Committee. The majority of the Committee shall be composed of elders. The Committee shall not number more than 25 voting members. All General Trustees may attend meetings of the Committee but only six shall have voting rights: the others may attend meetings but shall not be eligible to serve on sub-committees or hold convenerships.

Sub-Committees: the Stewardship and Policy Committee shall have the following sub-committees:

(1) *Finance Sub-Committee* to perform the financial functions of the Stewardship and Policy Committee and those functions presently performed by the Monthly Review Sub-Committee. The Convener and members of this Sub-Committee shall be appointed by the Stewardship and Policy Committee.

(2) *Law, Compliance and Audit Sub-Committee* who shall discharge the functions of the Sub-Committee as at present constituted. The Convener and members of this Sub-Committee shall be appointed by the Stewardship and Policy Committee.

(3) The Stewardship and Policy Committee may appoint other sub-committees from time to time as may be necessary for the discharge of its remit.

(4) The Stewardship and Policy Committee shall be responsible for reporting on Custody of Titles and processing petitions relating to properties whether addressed to the General Assembly or its Commission. The Clerk of Assembly shall act as Custodian of Titles and report regularly to the Committee.

6 MATTERS AFFECTING ALL COMMITTEES

6.1 *Clerks* Unless otherwise stated Clerks of Committees and Secretaries of Boards shall be appointed by the Stewardship and Policy Committee in consultation with the particular committee or board in accordance with Act III, 2001.

6.2 *Consultants* Consultants or advisers may be appointed to committees either by the General Assembly or by the committees themselves. Such advisers need not be ministers or elders but shall have special expertise relating to particular aspects of the remit of a committee. They shall only be present at meetings of committees for parts of the business to which their expertise relates and shall not be members of the Committee nor shall they have any voting rights. Only ministers or *bona fide* acting elders of the Church, or on an *ex officio* basis members of the Church, may act as members or co-opted members of Committees.

6.3 *Executives* The Conveners and Vice-Conveners of any Committee shall form, with such other members, if any, as the Committee may appoint, the Executive of the Committee. The Executive shall be appointed at the June meeting of the Committee.

6.4 *Timetable of meetings* The Committees in Groups 1 and 2 and the Stewardship and Policy Committee shall meet on the first Wednesday of March and October and previous day and on Tuesday and Wednesday in June each year as appointed by the Stewardship and Policy Committee according to the following timetable:

Tuesday	Training of Ministry	1	2 - 5
	Ecumenical Relations	2	2 - 4

	Communications	2	4 - 7 (with break)
	Public Questions	2	7 - 9
	Church Extension	1	6 - 9
Wednesday	Sustentation and Ministry	1	9 - 1
	Youth	2	9 - 1
	Stewardship and Policy		2 - 7 (with break)
	Commission of Assembly		7

In both cases meetings of Executives and Consultations with presbyteries to be held on Monday evenings and Tuesday mornings as required.

6.5 *Presbyterial representation* All Presbyteries shall be represented on Groups 1 and 2; duration of service shall be for four years and members shall not be eligible for immediate reappointment. During the phasing-in period representation of Presbyteries and duration of service may be subject to adjustment if required.

Appointments to other Committees, unless otherwise stated above, shall normally be for periods not exceeding four years with eligibility for immediate return.

6.6 *Repeal of previous legislation* The General Assembly hereby repeal Act VIII, 1987, and all other acts bearing on the structure and remit of Committees insofar as they are inconsistent with the foregoing. They direct that Standing Orders be adjusted in terms of this Act with immediate effect.

XVI - Act anent Communications with the self-styled Free Church (Continuing)
(No. 16 of Class II)

Edinburgh, 19th May 2004

The General Assembly empower the Stewardship and Policy Committee to communicate as and when required with the self-styled Free Church (Continuing) and its legal representatives and if appropriate to initiate an appeal against a finding of relevancy at the Court of Session.

XVII- Act anent Sale of Properties and Release of Funds
(No. 17 of Class II)

Edinburgh, 19th May 2004

Edinburgh, 20th May 2004

1 The General Assembly receive the Petition (A) of the Deacons' Court of Nairn, Croy and

Ardersier Free Church, and grant its crave. They authorise the sale of the Church building at Croy, the transaction to be carried out under the supervision of the Church's Law Agent, and direct that the congregation be allowed access to the capital to assist in the purchase of an additional house for use of pulpit supply, and for the renovation of the existing properties of the congregation.

2 The General Assembly receive the Petition of the Finance Committee of Strathconon Free Church, and grant its crave. They grant authority to sell the church building at Strathconon, the transaction to be carried out under the supervision of the Church's Law Agent, and direct that the proceeds of sale be lodged with the General Trustees, with interest added, and that the congregation have access to these funds for congregational purposes.

3 The General Assembly receive the Petition (A) of the Finance Committee of Strathy and Halladale Free Church, and grant its crave. They authorise the sale of the church building at Strath Halladale, the transaction to be carried out under the supervision of the Church's Law Agent, and direct that the congregation have access to these funds for the repair, maintenance and improvement of the congregation's buildings.

4 The General Assembly receive the Petition of the Finance Committee of Harris Free Church, and grant its crave. They grant authority to sell the church building at Manish, subject to the superior's consent to change of use, the transaction to be carried out under the supervision of the Church's Law Agent. They direct that the proceeds of sale be lodged with the General Trustees on behalf of the congregation, with interest added to capital, and that the congregation have access to these funds for congregational purposes.

5 The General Assembly receive the Petition of the Deacons' Court of Fort William and Kilmonivaig Free Church, and grant its crave. They grant authority to sell the church building at Gairloch, subject to the superior's consent to change of use, the transaction to be carried out under the supervision of the Church's Law Agent. They direct that the residue of the sale be made available to the Deacons' Court to fund renovation and repair work at both the church and the manse.

6 The General Assembly receive the Petition of the Deacons' Court of Mull Free Church, and grant its crave. They grant authority to sell the plot of land adjacent to the manse at Tobermory, the transaction to be carried out under the supervision of the Church's Law Agent. They direct that the proceeds of the sale be applied to the funds of the congregation.

7 The General Assembly receive the Petition (B) of the Finance Committee of Strathy and Halladale Free Church, and grant its crave. They amend Act III, Class II, 1983, and Act XXII, Class II, 1999, to the extent that the congregation be permitted access to the capital from the sale of the Strathy church and manse for such work to the congregation's buildings as may be necessary for their maintenance, upkeep and improvement.

8 The General Assembly receive the Petition (B) of the Finance Committee of Nairn, Croy and Ardersier Free Church and grant its crave. They amend the following Acts of General Assembly and Commissions: Act 1, Class II, 1977, regarding the sale of the Church and Mission Hall at Cawdor and adjoining land; Act IV, Class II, 1990, regarding the sale of the manse at Croy; Act I, Class II, 1995, Commission of Assembly, regarding the sale of the church at

Ardersier; and Act VIII, Class II, 1997, regarding the sale of the Church Cottage at Culcharry, Cawdor, to the extent that the congregation be allowed to apply the capital sums realised from these sales for the renovation of existing properties and to assist in the purchase of an additional house for the use of resident supply.

9 The General Assembly receive the Petition from the Finance Committee of Kiltarlity and Kirkhill Free Church and grant its crave. They amend Act III, paragraph 1, Commission of Assembly, March 2002, to the extent that the proceeds from the sale be held by the General Trustees for behoof of the congregation and that they be made available for the procurement of a more suitable manse and that an amount not exceeding £60,000 be used for the upgrading and improvement of the church building at Kiltarlity.

10 The General Assembly receive the Petition of the Deacons' Court of Kilwinning and Saltcoats and grant its crave. They amend Act VIII, 1997, paragraph 3.1, so as to give unrestricted access to the capital for repairs and improvements to the properties of the congregation.

XVIII - Act appointing Assessor Presbyteries to Synods

(No. 18 of Class II)

Edinburgh, 19th May 2004

In accordance with the requirements of Act V, 2002, paragraph 2.1, the General Assembly appoint the Northern Presbytery as Assessor Presbytery to the Western Synod; the Presbytery of Inverness, Lochaber and Ross as Assessor Presbytery to the Southern Synod; and the Presbytery of Edinburgh and Perth as Assessor Presbytery to the Northern Synod. The General Assembly remind the North American Synod that such cases as require either of the two Presbyteries comprising that Synod to be at the bar of Synod should be forwarded directly to the General Assembly, or Commission of Assembly, whichever is the more appropriate.

XIX - Act anent Seats on Presbyteries

(No. 19 of Class II)

Edinburgh, 19th May 2004

The General Assembly amend Act IX, 2002, by removing the following words from Paragraph 7:

They also direct Presbyteries to appoint corresponding Elders for each seat in Presbytery granted to Ministers without a pastoral charge from a Kirk Session of their choice.

The amended Act shall read as follows:

1 The General Assembly discontinue the present arrangements whereby ministers in pastoral charges, upon attainment of retirement age, or who retire on the grounds of ill health, continue as of right to hold a seat in Presbytery.

2 The General Assembly ordain that, as of today's date, ministers retiring upon attainment of retirement age, or on the grounds of ill health, may petition the Presbytery within whose bounds they are to reside, for a seat in that Presbytery. The General Assembly stipulate that this right shall be afforded also, as of today's date, to all ordained ministers of the Free Church retiring, through attainment of retirement age, or for health reasons, from service in overseas mission fields where this has been under the supervision of the Foreign Missions Board. In the same way as with ministers retiring from a pastoral charge, they may petition the Presbytery within whose bounds they are to reside. The General Assembly direct that, in the case of ministers who take up residence in a Presbytery other than that receiving their application to retire, an extract minute from the Presbytery receiving their application to retire, in support of the Petition, be obtained. The General Assembly also direct that ministers retiring from work in overseas mission fields obtain a like certificate from the Foreign Missions Board.

3 The General Assembly direct that seats in Presbytery granted to retired ministers as in 2. above continue to be held while they reside within the bounds of that Presbytery. Upon relocation to another Presbytery they must apply for a seat in that Presbytery in the same terms as stated in 2. above.

4 The General Assembly authorise Presbyteries to take up and dispose of Petitions for a seat in Presbytery from the parties specified in 2. above, the rights of all parties to complaint and appeal being preserved.

5 The General Assembly direct that ministers who, at retirement, choose not to apply for a seat in a Presbytery shall continue to be under the jurisdiction of the Presbytery within whose bounds they are resident. In the event of any such minister moving outwith the bounds of a Presbytery of the Free Church, he shall be under the jurisdiction of the Presbytery within whose bounds he last resided. The General Assembly direct Presbyteries to keep the names of the said ministers on the Roll of Resigned Ministers, which is hereby renamed the Roll of Resigned and Retired Ministers, maintained by the Clerk of each Presbytery and reviewed annually. Presbytery Clerks shall inform the Assembly Clerk at the beginning of each calendar year of the names on the said Roll. The Assembly Clerk shall maintain a complete Roll of Resigned and Retired Ministers upon such information.

6 The General Assembly, in accordance with the terms of Act IV, 1991, direct that retired ministers who are granted a seat in a Presbytery, and retired ministers who do not apply for a seat in Presbytery, shall be eligible for election as Ruling Elders of the congregation to which they belong, provided this be not their last charge before retirement, but they may not be elected, as Ruling Elders, either to represent the Kirk Session at Presbytery and Synod, or as Commissioners to the General Assembly.

7 The General Assembly direct that for each Assistant Minister duly inducted and granted a seat in Presbytery, there be a corresponding Ruling Elder from the Kirk Session of the congregation in which the Assistant is placed. Corresponding elders for seats granted in terms of 2. above, and for Assistant Ministers, shall retain their seats in Presbytery only for such time as seats are retained by the said ministers.

8 The General Assembly amend Act I, 1981, paragraph (d), by the deletion of the last sentence, “But retirement shall not involve resignation of a seat in the Presbytery.” They also amend Act XIII, 1990, by renaming the Act, “Act anent Resigned and Retired Ministers”, and by amending the name of the Act throughout accordingly. Act XIX, 1999, is also hereby amended by renaming the Act, “Act anent Roll of Resigned and Retired Ministers”, and by amending the name of the Act throughout accordingly.

9 The provisions of this Act shall be without prejudice to the position of those granted seats in Presbyteries prior to the passing of this Act.

XX - Act reappointing the Rev. Duncan Peters to the work of Asian Outreach in Glasgow

(No. 20 of Class II)

Edinburgh, 19th May 2004

The General Assembly reappoint Rev. Duncan Peters to the work of Asian Outreach in Glasgow for a further two years, to be reviewed by the General Assembly of 2006.

XXI - Act renewing the appointment of the Rev. Finlay H. McKenzie to the work of Service to Overseas Students, Glasgow

(No. 21 of Class II)

Edinburgh, 19th May 2004

The General Assembly reappoint Rev. Finlay McKenzie to the work of Service to Overseas Students, Glasgow, for a further five years, to be reviewed by the General Assembly of 2009.

XXII - Act appointing Committee on Worship

(No. 22 of Class II)

Edinburgh, 19th May 2004

Edinburgh, 21st May 2004

1 The General Assembly appoint a Committee on Worship (1) to examine in the light

of Scripture the Church’s testimony on worship, particularly on the purity of public worship and uniformity of the same, setting out the Scriptural parameters which should guide and inform the Church’s practice; (2) to examine the role of women in the public worship of the Church in the light of Scripture and current practice. The General Assembly hereby empower the Committee to consult, as they think fit, with individuals and Presbyteries both as to difficulties which may already exist and as to recommendations which it is proposed to bring to the General Assembly.

2 The General Assembly also remit the matter specified in the Reference of the Northern Presbytery as to whether it is competent or not for the *Scottish Paraphrases* to be used in public worship in Free Church congregations to this Committee.

3 The General Assembly appoint Rev. John M. MacPherson, Rev. Ronald G Mackay, Rev. Professor Donald M. MacDonald, Rev. Angus Macrae, Rev. Professor John L. Mackay, Rev. Dr Iain D. Campbell, Rev. John S. Ross, Mr Peter Morrison and Mr John M. Graham to be members of this Committee, with Rev. John M. MacPherson as Convener.

XXIII - Act anent Disposal of Sale Proceeds of Maxwell House
(No. 23 of Class II)

Edinburgh, 20th May 2004

1 The General Assembly approve the action of the Committee on Eventide Homes in clearing the operating deficit for 2003 from the remaining capital held on behalf of Maxwell House, from the funds held by the Board in Glasgow in the Royal Bank of Scotland account, and from part of the proceeds realised from the sale in November 2003.

2 The General Assembly, whilst acknowledging that the sale proceeds of Maxwell House are ordinary revenue receipts, recognise the Church's continuing responsibility to demonstrate the truth of the Gospel by practical social care, and direct that three hundred and fifty-five thousand pounds be set aside from the receipts for specific social responsibility purposes.

3 The General Assembly allocate one hundred and fifty thousand pounds from the above sum to the Thomas Chalmers Housing Association Ltd. as follows: fifteen thousand pounds *per annum* for five years toward the work at Westland Court, Glasgow, beginning in 2004; and seventy-five thousand pounds to be invested for the use of the Milngavie project; or, if either project should fail or lose its Christian input, for other uses as determined by the Stewardship and Policy Committee at that time; the interest accruing being accumulated and used to reduce the cost to the Church of the honorarium for the Chaplain at Westland Court.

4 Furthermore, from the specified sum, the General Assembly also allocate two hundred thousand pounds to the Grant Aid Scheme administered by the Social Responsibility Sub-Committee Council of Reference, to be made available at the rate of twenty thousand pounds *per annum* beginning in 2004, with any accruing interest or unspent funds accumulating in the scheme. The General Assembly authorise the Public Questions Committee at their next meeting to adjust the remit of the Grant Aid Scheme so

as properly to administer these increased funds, and instruct the Public Questions Committee to report fully on these adjustments and the overall operation of the scheme to the next Assembly.

5 Furthermore, from the specified sum, the General Assembly also authorise a gift of five thousand pounds without interest to the Scottish Churches Housing Agency, to be paid at the rate of one thousand pounds *per annum* beginning in 2004, this being in addition to the normal annual subscription.

6 The General Assembly direct that the remaining revenue from the sale of Maxwell House (namely ninety-three thousand, four hundred and sixteen pounds and fifty-eight pence) be used

to strengthen the Church's capital reserves.

XXIV - Act Discharging Committee on Eventide Homes

(No. 24 of Class II)

Edinburgh, 20th May 2004

1 The General Assembly instruct the Presbytery of Glasgow and Argyll to discharge the Board of Management of Maxwell House from any further responsibility, and instruct the Presbytery Clerk to deal with any matter that may arise.

2 The General Assembly discharge the Committee on Eventide Homes.

XXV - Act anent Course of Studies for Mr Ruairidh Macrae

(No. 25 of Class II)

Edinburgh, 20th May 2004

The General Assembly, recognising the severity and duration of the illness suffered by Mr Ruairidh Macrae, divinity student,

(1) direct the Training of the Ministry and Admissions Committee:

1) to draw up a modified course of study for Mr Macrae, in consultation with the College Senate;

2) to review Mr Macrae's progress in this modified curriculum at each of the stated meetings of the Committee;

3) to provide Mr Macrae, on his attaining the requirements of this modified curriculum to the satisfaction of the Committee, with a Certificate to that effect, such permission to be valid only until next General Assembly;

(2) furthermore instruct the Presbytery under whose pastoral oversight Mr Macrae is to accept this modified Certificate as fulfilling the relevant requirements under legislation regarding licensing.

XXVI - Act anent Admission of Ministers from Non-Presbyterian Churches

(No. 26 of Class II)

Edinburgh, 20th May 2004

The General Assembly, having regard to the need for clearly defined procedures with regard to the admission of ministers or probationers from other non-presbyterian denominations, hereby ordain as follows:

- (1) Authority to grant any such application lies solely with the General Assembly.
- (2) All such applications must be made, in the first instance, to the Presbytery within whose bounds the applicant has his ordinary residence; or, if the applicant's residence be not within a Presbytery of this Church, it shall be made to a Presbytery to whose members the applicant is well known.
- (3) All applications shall be made on an official Schedule of Application drafted by the Training of the Ministry and Admissions Committee and shall be accompanied by a certificate of good standing from the church or denomination with which the applicant is connected.
- (4) This Schedule shall be in two parts, one part to be completed by the Applicant and the other by the Presbytery, and attested by their Clerk. As well as containing requests for such information from the applicant and the Presbytery as the Admissions Committee deems appropriate, this schedule shall require (a) that the applicant indicate his willingness to subscribe to the questions put to licentiates, these questions being incorporated in full in the Schedule; and (b) that the Presbytery state that they are satisfied that the applicant is a suitable person to hold a ministerial charge in the Free Church of Scotland.
- (5) The Presbytery shall transmit the completed Schedule of Application to the Training of the Ministry and Admissions Committee; and the Clerk of the Committee, on receipt of the application, shall inform all Presbytery Clerks, stating the name and denominational affiliation of the minister concerned and advising them that the application will be disposed of by the General Assembly.
- (6) Before considering an application for admission to the ministry of the Free Church of Scotland, the Admissions Committee shall (a) obtain a report from one of the Committee's panel of medical examiners on the applicant's state of health and medical fitness for the ministry and (b) satisfy itself that the applicant has made appropriate disclosure in terms of the Protection of Children (Scotland) Act 2003 and Police Act 1997 or any statutory modification or re-enactment thereof for the time being in force.
- (7) The Committee shall arrange to interview the applicant. Through this interview the Committee shall:
 - a) Assure itself that the minister is prepared to give an unqualified subscription to the Formula; and to do so in accordance with the explanation as to 'Purity of Worship' required by Act V, 1932.
 - b) Satisfy itself that the minister's educational qualifications and professional training are comparable to those required of applicants for Licence by the Free Church of Scotland.

c) Ensure that the minister has such a knowledge of the *Practice of the Free Church of Scotland* as to render him a competent person to act as Moderator of a Kirk Session and to assume the responsibilities which normally fall upon Free Church ministers in the courts of the Church.

d) Ascertain that the minister is fully committed to maintaining the peace and unity of this Church and does not hold opinions or follow practices likely to be divisive.

(8) The Committee, having interviewed the applicant and considered all aspects of the application (including the medical report) shall forward the Application Schedule to the Assembly Clerk together with an Extract Minute detailing the Committee's recommendation in relation to the application.

XXVII - Act appointing Joint Committee to consider implication of appointing Youth Workers
(No. 27 of Class II)

Edinburgh, 20th May 2004

The General Assembly authorise the Training of the Ministry and Admissions Committee (1) to appoint a Joint Committee of the Training of the Ministry and Admissions Committee and the Youth Committee to discuss the overall implications of appointing Youth Workers, with the Convener of the Training of the Ministry Committee as Convener; and (2) to report back with its proposals to the next General Assembly.

XXVIII - Act anent Recognition of Students
(No. 28 of Class II)

Edinburgh, 20th May 2004

The General Assembly direct that Act V, 1979, anent Recognition of Students, etc., as consolidated in Act XX, 1985, be amended by inserting the following as Paragraph 3 of Section 1 of the Act:

The General Assembly enact that before the Training of the Ministry and Admissions Committee recognises an individual as a candidate for the ministry of the Free Church of Scotland, there shall be first obtained appropriate certification in terms of Protection of Children (Scotland) Act 2003 and Police Act 1997 or any statutory modification or re-enactment thereof for the time being in force.

XXIX - Act anent Certification of Applicants for the Ministry in terms of the Protection of Children Legislation
(No. 29 of Class II)

Edinburgh, 20th May 2004

The General Assembly enact that before the Admissions Committee forwards any application for admission to the General Assembly there shall first be obtained for the applicant appropriate certification in terms of Protection of Children (Scotland) Act 2003 and Police Act 1997 or any statutory modification or re-enactment thereof for the time being in force.

**XXX - Act admitting the Rev. T.C. Donachie to the ministry of the
Free Church of Scotland**
(No. 30 of Class II)

Edinburgh, 20th May 2004

The General Assembly admit Rev. T.C. Donachie to the status of a minister of the Free Church of Scotland and direct that his name be added to the Register of Ministers eligible for call with effect from his signing of the Formula, to be arranged by the Presbytery of Glasgow and Argyll.

The General Assembly order the supporting documents to be held *in retentis*.

**XXXI - Act approving Discontinuation of the Report to the General Assembly from the
Principal of the College**
(No. 31 of Class II)

Edinburgh, 20th May 2004

The General Assembly amend Act XVI, 1995, paragraph 4, by deleting the words, “this Report will include, as an item, the Principal’s Report.”

XXXII - Act anent Regulations for Professors’ Sick Leave and Leave of Absence
(No. 32 of Class II)

Edinburgh, 20th May 2004

The General Assembly approve the undernoted regulations for Professors’ Sick Leave and Leave of Absence:

(a) *Sickness or Injury Absence*

If a professor is absent from work due to sickness or injury, firstly, the Principal shall be notified (and in the case of the Principal, the Chairman of the Board) and, secondly, a self-certificate shall be completed and provided to the Chief Administrative Officer in

respect of any absence of three calendar days or less, or the first three days of any longer absence. If the illness exceeds three days a medical certificate must be submitted to the Chief

Administrative Officer.

Entitlement to paid sick-leave is up to six months on full pay and six months on half pay in any rolling twelve month period. The above amounts will be inclusive of any Statutory Sick Pay (SSP). If there is no entitlement to SSP, or if the entitlement has been exhausted, the professor will be notified and must then claim the appropriate state benefit, the amount of which, if payable, shall be deducted from the salary paid under the sick pay scheme as detailed above.

If the illness is likely to exceed six months the Senatus shall report the case to the College Board at the end of the fifth month and the Board shall obtain an independent medical report.

The professor, failing whom the Principal, shall ensure short term arrangements during illness. The Senatus shall be responsible for interim arrangements when a professor is ill for a prolonged period.

Pension rights shall be conserved as long as leave extends.

A professor on sick-leave may not attend a court or committee of the Church.

The above regulations shall not debar any professor from applying at any time for Disability Pension under the Church's Pension Scheme.

Where a professor is unable to fulfil his duties for more than twelve months, the College Board shall review the situation and, if it has been confirmed that the professor is permanently unfit for duty, the Board shall report to the next General Assembly, or its Commission, recommending that the professor be loosed from his Chair.

A professor who resigns or is loosed from his Chair under these regulations may be eligible for a grant from the Invalid Ministers' etc Fund.

A professor's salary shall cease as from the day after the date of his resignation or the date of his being loosed from his Chair.

(b) *Leave of Absence for Reasons other than Illness*

A professor's primary responsibility is to the College and this should be recognised by all who seek his services for other work in the Church. Every effort, therefore, must be made so that disturbance to the work of the College is kept to a minimum.

Interchange has always played an important and useful role in the academic world and, whilst it is to be encouraged, primary consideration must be given to the work of the College.

A professor may not, without the permission of the Senatus and the concurrence of the College Board, undertake any engagements during the teaching term time which would preclude him

from his professorial responsibilities in the College.

A professor may be granted leave of absence outwith teaching term time by the Senatus at the specific request of a department of the Church.

A professor may be granted leave of absence, at any time, by the Senatus, to undertake academic work at the specific request of another college. The total cost of such leave will require to be borne by those making the request, unless there are reciprocal arrangements agreeable to the Senatus.

Holiday leave may not exceed 42 working days in any one calendar year and may not be taken during teaching term time. All holiday entitlement shall be taken up before 31st December. Any one holiday period shall not exceed 28 successive days without the consent of the Senatus. A professor on holiday leave is obligated to carry out his examination and other College commitments.

Compassionate leave on grounds of family illness or other exceptional circumstances may be granted by the Principal.

Pension rights shall be conserved as long as paid leave extends.

The General Assembly to this end repeal Act IV, 1994, para 3: Sick Leave for Professors in the Free Church College. Para 4: Leave of Absence for Professors in the Free Church College for Reasons other than Illness. Act I, Class 1, 1995, para 2: Act anent Ministers, Professors and Ordained Missionaries unable to Fulfil Duties (para 2 relates to professors).

**XXXIII - Act authorising the Appointment of
Professor of Church History and Church Principles**

(No. 33 of Class II)

Edinburgh, 20th May 2004

The General Assembly authorise the College Board to take the necessary steps to appoint a Professor of Church History and Church Principles, the appointment to be made by the 2005 General Assembly.

XXXIV - Act anent Quinquennial Visitation of Free Church College

(No. 34 of Class II)

Edinburgh, 20th May 2004

The General Assembly instruct the College Board to conduct a Quinquennial Visitation of the College and to report to the 2005 General Assembly, the membership of the Visitation Committee to be Dr Allan MacPherson (Ayr) as Convener, Rev. Donald MacIver (Fearn) and Mr Murdo MacLeod (Lochs), together with the Convener and Vice-Convener of the

Training of the Ministry and Admissions Committee. The General Assembly authorise the Visitation Committee to co-opt such other ministers and elders with appropriate experience and expertise as they may require.

**XXXV - Act uniting the Finance Committee of Olig with the
Finance Committee of Watten and Bower**
(No. 35 of Class II)

Edinburgh, 20th May 2004

The General Assembly amend Act III, Commission of Assembly, October 1980, and unite the Olig Finance Committee and the Watten and Bower Finance Committee, so that the congregation's financial affairs may be administered by one Committee only.

**XXXVI - Act appointing General Assessors to the Presbytery of
Skye and Wester Ross**
(No. 36 of Class II)

Edinburgh, 20th May 2004

The General Assembly appoint Mr Farquhar Renwick, Minister at Knockbain, Mr Ranald F. Morrison, Minister at Tain, Mr Kenneth MacDonald, retired from Rosskeen, Mr Murdo Macleod, retired from Duirinish, Mr Angus Campbell, Elder at the Free North Church, Inverness, Mr Kenneth Robertson, Elder at Tain, Mr William S. Wyllie, Elder at Knockbain, Mr Thomas Cook, Elder at Knockbain, to be General Assessors to the Free Presbytery of Skye and Wester Ross, the terms of the appointment to be until next General Assembly.

**XXXVII - Act authorising the Sale of the Colegio San Andres
and other Properties**
(No. 37 of Class II)

Edinburgh, 20th May 2004

The General Assembly renew Act XXI, 1981, in the following terms:

The General Assembly authorise the General Trustees, upon advice from the International Missions Board, to sell the buildings occupied by the Colegio San Andres together with the other properties, inclusive of the Edificio San Andres, situated on Avenida Du Petit Thouars 179, Lima 1, or alternatively arrange for the development and subsequent sale of the site. They direct that the proceeds of such sale should be applied to the acquisition and building of a new school.

The foregoing authorisation is conditioned upon the Trustees and the Stewardship and Policy Committee being satisfied with the financial arrangement of the whole transaction and the General Assembly direct the Board to consult with the General Trustees and the Stewardship and Policy Committee on necessary measures of interim-financing of the project and for providing assistance to the Trustees' Nominees. The Stewardship and Policy Committee and General Trustees are authorised to advance such 'bridging loans' as may be necessary and available.

XXXVIII - Act appointing meetings for Prayer
(No. 38 of Class II)

Edinburgh, 21st May 2004

The General Assembly, noting that:

- 1) the Free Church of Scotland faces the prospect in October 2004 of defending herself in the Civil Courts against an action raised by the self-styled Free Church (Continuing);
- 2) it is imperative that prayer be made unceasingly in regard to the said Court action;
- 3) with regard to situations of such gravity the General Assembly has in the past issued a call to prayer;

call upon all Kirk Sessions to arrange meetings for prayer concerning the impending Court action and in particular to pray for the Legal Counsel and Law Agent representing the Church, and members of the Legal Group of the Stewardship and Policy Committee directly involved in these proceedings.

XXXIX - Act appointing General Trustees
(No. 39 of Class II)

Edinburgh, 21st May 2004

The General Assembly appoint Mr W. Scott Lauder, elder at Smithton-Culloden Free Church, and Mr Murdo Murchison, elder at Dunblane Free Church, as General Trustees of the Free Church of Scotland, in accordance with Act XX, Class II, 1999.

XL - Act appointing Committee to answer Reasons for Dissent
(No. 40 of Class II)

Edinburgh, 21st May 2004

The General Assembly appoint a Committee to answer Reasons for Dissent entered by Rev. Professor Donald M. MacDonald, consisting of Rev. R.F. Morrison, Rev. R.J. Akroyd and Mr

W.S. Wyllie, with Rev. R.F. Morrison as Convener, and direct that the Committee report to the Commission of Assembly of October 2004.

**XLI - Act appointing Mr Donald Matheson to the
Committee to Review Disciplinary Procedures**

(No. 41 of Class II)

Edinburgh, 21st May 2004

The General Assembly appoint Mr Donald Matheson to be a member of the Committee to Review Disciplinary Procedures in place of the Rev. Dr. Iain D. Campbell.

XLII - Act appointing Commission of Assembly

(No. 42 of Class II)

Edinburgh, 21st May 2004

The General Assembly did, and hereby do, nominate and appoint a Commission consisting of all members of Assembly with the addition of Rev. A. J. MacDonald, Buccleuch and Greyfriars, Edinburgh, named by the Moderator: To be a Commission of this General Assembly with power to the said Commission or their quorum which is declared to be any fifteen or more of their number, whereof eight at least are always to be ministers, to meet and convene at Edinburgh on the first Wednesday of October and the first Wednesday of March next to come at 7 o'clock in the evening, and oftener when and where they shall think fit and convenient, and with power to choose their own Moderator; and the General Assembly fully empower the said Commission, or their quorum above-mentioned, to cognosce and finally determine as they shall see cause in every matter referred to them, or which shall be referred to them, by, or in virtue of, any act or order of the Assembly; and to do everything contained in, and conform to the instructions given, or to be given, by the General Assembly; and to advert to the interests of the Church on every occasion, that the Church do not suffer or sustain any prejudice which they can prevent, as they will be answerable; provided always that, save as hereafter stated, this general clause be not extended to particular affairs or processes before Synods or Presbyteries that are not of universal concern to, or influence upon, the whole Church. And further, in view of the ongoing question of relations with the self-styled Free Church Continuing, the occupation of property belonging to the Free Church of Scotland by the said Free Church Continuing, the freezing of bank accounts, and the processing of legal action in the civil courts, the General Assembly empower the Commission to take all steps necessary and proper to take in the interests of the Church in connection with these matters, and authorise the Commission to meet as required to consider any matters relating to, or arising from, the action taken by the Free Church Continuing, and declare that meetings of the Commission shall have the full powers of a General Assembly to deal with all such matters which may arise, provided always that notice of proposals in terms of this empowerment shall be sent to commissioners at least ten days before the Commission is to convene, this requirement not implying any curtailment of amendment to such proposals. And further, the said Commission are hereby particularly empowered to receive and fully dispose

of applications that may be forwarded to them for raising preaching stations or suppressed charges to fully sanctioned charges, for consolidating congregations into one charge, for the appointment of Ministers overseas and Foreign Missionaries in the Mission Fields of the Church, to appoint teachers seconded by the Reformed Missions League as missionary teachers to Colegio San Andres, for authority to sell such property as is not held under the Model Trust Deed, or to

sell such properties being under the Model Trust Deed as are to be sold in order to provide for new buildings, to receive the submission of the Committee appointed to answer Reasons for Dissent, and to receive any references and appeals that shall be made to them from Synods in matters of doctrine, and ripen such affairs for next General Assembly, and to contribute what they can to the suppression of vice and immorality, and to give all needful advice and assistance to Synods, Presbyteries and Committees of Assembly upon application to them for that end. And the said Commission are hereby strictly prohibited and discharged to meddle in any other matters than what are committed and referred to them as above-mentioned. And in all their actings they are to proceed according to the Acts and Constitution of this Church, and to do nothing contrary thereto, or to the prejudice of the same, declaring that, in and for all their actings, they shall be accountable to, and censurable by, next General Assembly, as they shall see cause. And this Commission shall continue and endure until another Commission is appointed. And members are required to attend the diets of the said Commission.

XLIII - Act appointing next General Assembly
(No. 43 of Class II)

Edinburgh, 21st May 2004

The General Assembly appoint the next General Assembly to meet in Edinburgh on Monday 23rd May 2005 at 6 o'clock in the evening.

ACTS OF THE COMMISSION OF ASSEMBLY

I - Act anent Sales of Property: Applecross and Helmsdale

Edinburgh, 1st October 2003

1 The Commission of Assembly authorise the sale of the Free Church Manse at Applecross, the transaction to be carried out under the supervision of the Church's Law Agent, and direct that the proceeds of sale be held by the General Trustees and made available to the congregation for purposes agreed to by the Presbytery of the bounds.

2 The Commission of Assembly authorise the sale of the Manse and Church building at Helmsdale, subject to the Titles being cleared by the Law Agent, the transaction to be carried out under the supervision of the Church's Law Agent, and direct that the proceeds of the sale be

held by the General Trustees for behoof of the congregation, and that they be made available to the congregation for the purpose of obtaining a more suitable church and manse.

OVERTURE SENT DOWN TO PRESBYTERIES UNDER THE BARRIER ACT

Draft Act anent Admission of Ministers and Probationers from other Presbyterian Churches

The General Assembly, in accordance with previous practice regarding proposals to amend the legislation governing the admission of ministers and probationers from other denominations, direct that the following Overture be sent under the Barrier Act to Presbyteries:

Whereas the General Assembly, having regard to the need for clearly defined procedures anent the admission of ministers and probationers from other denominations, repeal Act VIII, Class 1, 1846, and Act II, Class 1, 1995, and hereby enact and ordain as follows:

The General Assembly declare that in cases where a congregation of the Free Church of Scotland wishes to address a call to an ordained minister of another Presbyterian church it shall be competent for it to do so, subject to the following conditions and in accordance with the following procedures:

- (1) When a presbytery receive a request to moderate in a Call to an ordained minister of another Presbyterian church they shall immediately inform the Training of the Ministry and Admissions Committee of this fact, and shall sist all further procedure till the Committee report (in terms of Paragraph (8) below) that there is no impediment to the Call proceeding.
- (2) The Clerk of the Committee shall ask the minister concerned to complete and return the prescribed Schedule of Application, along with (a) a certificate of good standing from the presbytery with which he is connected and (b) certification that he has provided appropriate disclosure in terms of the Protection of Children (Scotland) Act 2003 and Police Act 1997 or any statutory modification or re-enactment thereof for the time being in force. The Clerk shall also take steps to obtain from one of the Committee's medical examiners a report on the minister's state of health and his medical fitness for the work of the ministry.
- (3) The Clerk of the Training of the Ministry and Admissions Committee shall (by letter) inform all Presbytery Clerks of the request, stating the name and denominational affiliation of the minister, along with the name and presbytery of the congregation which has requested moderation in a Call. The letter shall state that if any presbytery have objections to the Call proceeding they must lodge these with the Clerk of the Training of the Ministry and Admissions Committee within twenty-one calendar days of the letter being tabled at presbytery.
- (4) If any presbytery raise objections, the Training of the Ministry and Admissions Committee shall refer the matter *simpliciter* to the General Assembly. The Presbytery shall be enti-

tled to send representatives to state its objections at the bar of the Assembly; and the reference shall automatically sist procedure until a final decision is pronounced by the Assembly.

(5) If, within sixty calendar days of the letter being addressed to presbyteries by the Clerk of the Training of the Ministry and Admissions Committee, no objections are received, the Committee shall arrange to interview the minister concerned at an early date.

(6) Through this interview, the Committee shall:

a) Assure itself that the minister is prepared to give an unqualified subscription to the Formula; and to do so in accordance with the explanation as to 'Purity of Worship' required by Act V, 1932.

b) Satisfy itself that the minister's educational qualifications and professional training are comparable to those required of applicants for Licence by the Free Church of Scotland.

c) Ensure that the minister has such a knowledge of the *Practice of the Free Church of Scotland* as to render him a competent person to act as Moderator of a Kirk Session and to assume the responsibilities which normally fall upon Free Church ministers in the courts of the Church.

d) Ascertain that the minister is fully committed to maintaining the peace and unity of this Church and does not hold opinions or follow practices likely to be divisive.

(7) When the interview has been completed the Committee shall deliberate whether the minister concerned is a suitable person to hold a ministerial charge in the Free Church of Scotland. To allow a Call to proceed, the decision in favour of the minister must be carried by a majority of at least two-thirds of those present.

(8) The Committee shall intimate its decision to the Presbytery.

(9) If the decision is in favour of the minister, the Presbytery shall proceed as normal in the case of a Call, with the exception that the Call may be placed directly in his hands without the need to prosecute it at the bar of the presbytery from which he is to be disjoined.

(10) No induction shall take place till the relevant Free Church presbytery receives from the other denomination presbyterial certification that the minister has resigned from his previous charge.

(11) Once inducted to the pastoral charge of a congregation of the Free Church of Scotland the minister shall be under the exclusive oversight of the courts of the Free Church of Scotland.