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THE PRINCIPAL
ACTS
OF THE
GENERAL ASSEMBLY OF THE FREE CHURCH OF SCOTLAND
MAY MMXI
CLASS I – ACTS THAT HAVE PASSED THE BARRIER ACT

Act I – Act anent Team Ministries
(No 1 of Class I)

Edinburgh, 24th May 2011

1. The General Assembly enact and ordain that team ministries shall be established to serve groups of more than one congregation. Such arrangements shall be authorised by the General Assembly on the recommendation of the Home Missions Board after consultation with the Presbytery concerned.

Team ministries may be set up in any one of the following situations:

- a) A group of two or more congregations, at least one of which does not qualify for the appointment of a minister under current legislation and where the appointment of a District Minister is not appropriate;
- b) A group of two or more congregations, at least one of which is vacant and at least one of which has a settled ministry;
- c) A charge where two or more congregations have been linked and where the linked charge is of sufficient size to require the appointment of more than one minister but where the appointment of an assistant minister is inappropriate.
- d) A group of two or more congregations which have settled ministries but who wish to cooperate on a team ministry basis.

2. *The Presbytery*

2.1 Applications for the approval of a team ministry arrangement shall take the form of a Petition to the General Assembly from the Presbytery / Presbyteries in which the congregations involved are located. The Petition will be accompanied by a Schedule in which the participating congregations' contributions to the maintenance of the team ministry will be indicated.

2.2 The Presbytery shall, through its Strategy Committee, formulate a clear plan for the team ministry arrangement in consultation with the Kirk Sessions and congregations within the area to be covered by the team ministry plan. The plan shall give details of (a) the number and names of the congregations involved; (b) the number of ministers and auxiliary workers which will form the team; and (c) proposals for pulpit ministry, pastoral ministry, and mission/evangelism in the locality served by each congregation. The plan shall be flexible in order to ensure the exercise of all aspects of gospel ministry in the area to be served by the

team ministry arrangement. This plan shall be known as the Team Ministry Plan. The number of ministers in the Team Ministry will be limited by the combined annual remittances of the congregations included in the Plan and the annual direct cost of ministry.

2.3 The Presbytery shall give careful consideration to the membership of the team with particular consideration given to the appointment of a team leader and the preferred location of the team leader.

2.4 Where the proposed group of congregations within the Team Ministry Plan contains one or more settled charges at the time of the creation of the team ministry, the Presbytery shall consult with the Home Missions Board regarding arrangements for ministerial appointments under the proposed Plan.

2.5 Each congregation included in the Team Ministry Plan shall have its own Kirk Session and Deacons' Court / Finance Committee. Kirk Sessions may meet together if they so desire to dispose of matters of common interest.

2.6 Where the congregations comprising a team ministry cross presbytery boundaries, the Team Ministry Plan will indicate which Presbytery will be responsible for the general oversight of the team ministry. In the case of a minister in a settled charge being appointed to the team ministry, the Petition shall include a crave for the minister to be a general assessor to the Presbytery within which he does not reside.

2.7 Having formulated a detailed plan of the team ministry arrangements, the Presbytery shall bring forward a Petition to the General Assembly through the Home Missions Board. The Petition shall indicate the number of ministers and other workers required, and the general nature of the proposed duties of the members of the team.

2.8 The Sustentation Fund Schedule will indicate: (1) the combined remittances of the congregations in the proposed team ministry arrangement over the last three years; (2) the arrangements for the remuneration and financial support of non-ministerial members; (3) the accommodation to be provided for the ministerial members of the team; (4) the amount of financial assistance required from the Home Missions Board. The terms of the Petition, the Sustentation Fund Schedule and the Team Ministry Plan shall be approved by the participating congregations.

2.9 Funding for auxiliary workers who are appointed to the team will normally be according to the terms of Act X, 2006, regarding Auxiliary Workers.

3. *Home Missions Board*

3.1 The Home Missions Board shall give due consideration to the Team Ministry Plan in the light of the strategy of the Presbytery and the overall strategy of the Board with regard to the development of existing ministries and the potential for new ministries within the Presbytery bounds.

3.2 The Home Missions Board shall examine the Sustentation Fund Schedule and give due consideration to the ability of the congregations included in the Team Ministry Plan to meet the financial commitment given in the combined Schedule for the five year term of the Plan. The Board may also, at its discretion, and in the light of its overall strategy, consider

whether additional financial support can be given to the proposal in order to help achieve the total number of ministers required to fulfil the objectives of the Plan.

3.3 The Board shall give due consideration, in the light of its overall strategy, to the financial support required to fund the appointment of ministerial members of the team and also the level of financial support required to fund the appointment of auxiliary workers to the team in terms of Act X, 2006. If the Plan is approved, the Board shall ensure that annual budgetary provision is made for the five-year term of the Plan.

3.4 Where the proposed group of congregations within the Team Ministry Plan contains one or more settled charges at the time of the creation of the team ministry, the Board shall consider the financial viability of the settled charge or charges in terms of Act I, 2009. If a charge is no longer financially viable under the terms of the aforesaid Act, the minister shall be loosed from his charge in terms of the Act, and the minister or ministers will be available for appointment to the Team. A minister in a settled charge which is still financially viable will also have the terms of his appointment adjusted so that his pastoral relationship is extended to include all the congregations in the team ministry plan but without further induction.

3.5 The Board shall have further consultation with the Presbytery as necessary in order to establish a clear and definite proposal with regard to the appointment and location of the team leader and the relationship between the members of the team.

3.6 The Board shall be fully satisfied with the financial and practical arrangements of the Team Ministry Plan before agreeing to support the Plan.

3.7 The Board, after consultation with the Presbytery, may consult with the Board of Ministry with regard to the placement of students entering their year of probation in terms of Act XLVI, 2008, and the possibility of such students being appointed to assist with the Team Ministry Plan.

4. *Implementation of the Team Ministry Plan*

4.1 When authority has been granted by the General Assembly for the establishment of a team ministry, the Home Missions Board, in consultation with the Presbytery and the congregations, shall make arrangements for the appointment of members of the Team according to the Team Ministry Plan.

4.2 Ministers shall be appointed by the Board with concurrence of the Presbytery and the congregations involved in the Team Ministry Plan.

4.3 The Team Leader shall be appointed first. His appointment as such shall be with the concurrence of the Presbytery and the congregations comprising the team ministry. If the Team Leader is a minister in a settled charge within the area covered by the Team Ministry Plan, he will be appointed to the position of Team Leader and retain his seat on the Presbytery. If the Team Leader is a minister not in a settled charge within the area covered by the Team Ministry Plan, the minister will be inducted to the team ministry and granted a seat on the Presbytery. The Team Leader will carry out his duties as leader and as a minister in the team ministry according to the terms of the Team Ministry Plan. A minister not previously

serving in one of the Team ministry congregations shall be inducted by the Presbytery to the Team ministry.

4.4 The above arrangements for the appointment of the team leader will apply *mutatis mutandis* to all other ministers appointed to the team ministry. Where a Probationer is appointed he shall be ordained in accordance with the normal practice following ordination trials. Probationers shall not be appointed team leaders.

4.5 Auxiliary workers will be appointed to the Team according to the terms of Act X, 2006, and will be dedicated to the work of the Team Ministry Plan.

4.6 The Presbytery shall appoint a Team Ministry Council which will have the responsibility of implementing the Team Ministry Plan. The Convener of the Presbytery Strategy Committee shall be a member of the Team Ministry Council and act as Chairman of the Council. The ministers appointed under the Plan will be members of the Council. Auxiliary Workers appointed under the Plan will also be members of the Council. Kirk Sessions served by the Team Ministry Plan will each appoint one representative elder to serve on the Council.

4.7 The Presbytery shall make arrangements for the appointment of moderators of the particular Kirk Sessions within the team ministry. All ministers appointed to a team ministry shall be members of each Kirk Session in the Team Ministry Plan. A minister in a settled charge within the area covered by the Team Ministry Plan may continue as Moderator of his previous Kirk Session.

4.8 Ministerial members of the team shall receive the Stipend for the current year. Other workers shall be remunerated and their terms of appointment shall conform to the current regulations for Auxiliary Workers in Act X, 2006.

4.9 During the first five years of a minister's initial appointment to the team ministry, no Presbytery shall sustain a call to him without the prior agreement of the Home Missions Board. If his appointment is extended beyond the initial five-year period, he shall be eligible for call to another charge in the normal way.

5. *Review*

5.1 The team ministry arrangement will be for an initial period of five years and will be subject to a full and thorough review commencing twelve months before the five year term is due to expire.

5.2 The Presbytery shall report on the Team Ministry to the Home Missions Board on an annual basis. The Report shall give details of progress in each area of ministry and shall draw attention to any adjustments that need to be made to the Team Ministry Plan. Any changes to the original Team Ministry Plan shall be made with the joint agreement of the Presbytery and the Board.

5.3 In the event of a vacancy occurring in the position of team leader, a review will be immediately put in place by the Presbytery who shall report their recommendations to the Home Missions Board. The Board, in consultation with the Presbytery and the congregations,

shall take such steps as they deem necessary for the filling of the vacancy within the terms of the original agreement.

5.4 After a team ministry has been operative for four years from the date of its creation, the Board in consultation with the Presbytery will initiate a Review and report to the next General Assembly. The Report will include (1) recommendations as to the continuance of the arrangement when considered appropriate; (2) recommendations as to adjustments or changes to the Team Ministry Plan; or (3) recommendations as to the terminating of the arrangement and alternative arrangements for ministry in the congregations covered by the arrangement.

5.5 All ministerial appointments to the Team Ministry Plan will be five-year terminable or renewable appointments and the general terms of Act I, 2009, will apply to ministers whose appointment is terminated by the General Assembly. A Minister whose appointment is terminated in this way will have his name added to the Register of Ministers without Charge, Eligible for Call. Ministers appointed to the Team Ministry who were ministers in financially viable congregations at the time of appointment will revert to the original terms of their appointment prior to the setting up of the team ministry.

5.6 The appointment of auxiliary workers will be for a fixed term and the conditions of employment will be according to the terms of Act X, 2006.

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

Act II – Act discharging the Work–Party appointed under Act II, 2009 (No 1 of Class II)

Edinburgh, 23rd May 2011

The General Assembly thank the members of the Assembly Arrangements Committee and the Working Group appointed under Act II, 2009, for their work. They discharge the Committee from their remit to consult with members of the Strategy Committee under the Working Group arrangements.

Act III - Act anent Promotion of Principles or Ideas by Presbyteries, Boards and Committees (No 2 of Class II)

Edinburgh, 23rd May 2011

The General Assembly direct all Presbyteries, Boards and Committees of the Church to seek ways of encouraging ministers and elders to take up a cause for which they have vision and enthusiasm and which they would wish to promote at the Assembly.

**Act IV – Act anent reporting of Committee Business to Presbyteries
and the Website
(No 3 of Class II)**

Edinburgh, 23rd May 2011

The General Assembly welcome the proposal that Presbyteries ought to place on their agenda following each meeting of Committees and Boards an item where those representing the Presbytery would give a report on the important business conducted at these Committees and Boards. The General Assembly call on all Presbyteries to take this up in practice.

The General Assembly recommend that Committees and Boards provide information regularly about their work to the Free Church webmasters, so that, in addition to this information being available on the website, congregational correspondents and newsletter editors may arrange that this information be conveyed to their congregations.

**Act V – Act anent Loyal and Dutiful Address to Her Majesty the Queen
(No 4 of Class II)**

Edinburgh, 24th May 2011

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 24th day of May 2011, humbly 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 continue to commend Your Majesty's Person, His Royal Highness Prince Philip and the Royal Family, to the blessing of Almighty God. We give thanks to God that He continues to bestow upon Your Majesty the health and strength that sustains Your Majesty in fulfilling so graciously the many responsibilities that devolve upon Your Majesty's office. Prayer is constantly offered both in our homes and our Congregations for Your Majesty's Person and family, both for personal blessing and for strength and wisdom in performing their many public duties on behalf of families, communities, charities, nation and Commonwealth.

We also pray for Your Majesty's Ministers and Governments at Westminster and at Edinburgh that they may be blessed by Almighty God with the needed wisdom, understanding and resolve for carrying out their weighty responsibilities as God's servants to do good and deter evil.

We rejoiced with Your Majesty and with the whole Royal Family at the recent marriage of the Earl and Countess of Strathearn. We noted with pleasure the strong Christian emphasis

through the solemn but delightful service. We pledge as a Church to pray for them both before Almighty God, as we are so counselled in Holy Scripture, and we sincerely desire that they may be afforded much happiness by the blessing of God resting upon them in private and in their public duties.

We are thankful to Your Majesty for undertaking the recent visit to the Republic of Ireland and for the wise words spoken and the symbolic actions performed there by Your Majesty. We humbly share Your Majesty's concern for peace between nations and to build for a peaceful and prosperous future and are grateful for the compelling leadership shown by Your Majesty in this regard.

We continue to remember in prayer the members of Your Majesty's Armed Forces as they seek to bring stability to the troubled land of Afghanistan, often in extremely dangerous and demanding circumstances. We thank God for the constant encouragement given by all members of the Royal Family on behalf of the people of the United Kingdom to serving soldiers, sailors and airmen and for the sympathetic support of their families at home, especially to those who have lost loved ones in recent conflicts.

In a year that saw disasters overtake a number of countries, particularly the devastation caused by earthquakes in Christchurch, New Zealand and in Japan, we are grateful for Your Majesty's expressions of Christian compassion through the offering of condolences and sympathy to those most acutely affected.

Although, we are concerned by a continued advance in secular values, and long for a reversal of the drift away from Church attendance and participation, we acknowledge with thankfulness Your Majesty's personal expressions of Christian faith and public support of services of Christian worship, thereby providing spiritual leadership for our nation.

While we recognise and welcome the great racial and cultural diversity of our nation, and deprecate all intolerance or persecution of religious minorities, we are glad that Your Majesty continues to preserve the settlement of the true Protestant Religion, for it is our belief that it is this Protestant basis which most fully confers freedom and toleration for all.

We give thanks for Your Majesty's continued recognition of the contribution to the life of Scotland of the Free Church of Scotland by the annual visit to our General Assembly of Your Majesty's Lord High Commissioner to the General Assembly of the Church of Scotland.

Act VI – Act anent Review of the International Council of Reformed Churches
(No 5 of Class II)

Edinburgh, 24th May 2011

The General Assembly note that a major review of the International Council of Reformed Churches is presently being carried out. They direct the Ecumenical Relations Committee to keep the Assembly informed as to the progress of this review and any proposals which may arise out of it.

Act VII – Act anent Team Ministries in the Presbytery of Glasgow and Argyll
(No 6 of Class II)

Edinburgh, 24th May 2011

The General Assembly instruct the Presbytery of Glasgow and Argyll to continue to report their progress on the preparation of their Strategy Plan to the next General Assembly.

They authorise the Commission of Assembly in October 2011 to take up and dispose of a Report from the Home Missions Board with regard to the establishment of Team Ministries for (1) Argyll and (2) North-East Glasgow in the bounds of the Presbytery of Glasgow and Argyll, in terms of Act I, Class I, 2011.

Act VIII – Act establishing a Team Ministry in the Northern Presbytery
(No 7 of Class II)

Edinburgh, 24th May 2011

The General Assembly ordain that:

1. a team ministry be created for the congregations of Helmsdale and Kinbrace, Lybster, Bruan, Latheron and Berriedale, Olig, Watten and Bower, Thurso and Reay, Tongue, Farr, Strathy and Halladale, and Wick and Keiss;
2. the team ministry shall comprise of three full-time ministers and one 80% post;
3. the ministerial arrangements for the congregation of Olig, Watten and Bower, presently under review in terms of Act IX, 2010, shall be met by this arrangement;
4. the work carried out by each member of the team will follow the job descriptions in the Team Ministry Plan;
5. the Home Missions Board is authorised to provide such finance as may be necessary to support the proposed team up to the level of one stipend;
6. a team ministry council be appointed with the responsibility of overseeing the plan;
7. the Convener of the Northern Presbytery Strategy Committee will be the Chairman of the Council;
8. this plan will take effect from a date to be jointly agreed by the Northern Presbytery and the Home Missions Board.

**Act IX – Act approving Code of Conduct relating to Quinquennial
Buildings Certificates**
(No 8 of Class II)

Edinburgh, 24th May 2011

The General Assembly approve the following Code of Conduct relating to Quinquennial Buildings Certificates and instruct the Board to implement it as soon as possible:

Code of Conduct relating to Quinquennial Buildings Certificates

1. This Code of Conduct is a policy paper of the Home Missions Board setting out how the Board intends to meet its responsibility under Church legislation for Quinquennial Buildings Certificates.
2. The Board's motivation is that all congregations should exercise a high standard of oversight of the fabric of their buildings.
3. Act XXXI, 1988 states that at each quinquennial visitation a Buildings Certificate has to be prepared by "a qualified person" and a Buildings Return by the Deacons' Court. Subsequently presbytery "shall transmit a copy of the Buildings Return to the Clerk to the Buildings Committee, with their comments thereon." The Home Missions Board has inherited the responsibilities of the Buildings Committee.
4. In order to fulfil its function the Board will ask presbyteries to report when a quinquennial visitation is held and to send the Buildings Certificate with the Return and comments.
5. The Board will maintain records including:
 - 5.1 date of all quinquennial visitations;
 - 5.2 confirmation of the receipt of Buildings Return, presbytery comments on the Return and Buildings Certificate;
 - 5.3 statement indicating that documents have been examined and found in order (see 7 below), or action taken to correct deficiencies, giving the name of the person who has checked documents and date.
6. Presbyteries and Deacons' Courts will be reminded regularly about their responsibilities relative to buildings certificates.
7. The Board will:
 - 7.1 check that a Buildings Return and a Buildings Certificate are prepared at every quinquennial visitation, and that the Presbytery comments on the Return, and that all documents (including comments) are supplied to the Board;
 - 7.2 check that each certificate has sufficient content, including whether work is required and if so that it is listed to facilitate attention;
 - 7.3 examine all papers to ensure that the requirements of Act XXXI, 1988, have been considered appropriately;
 - 7.4 obtain if necessary from each Deacons' Court confirmation that the Court has seen the Certificate and that urgent work required is subject to a plan;
 - 7.5 if appropriate ask the presbytery to give further consideration to relevant matters;
 - 7.6 monitor all reports to ensure that urgent work is attended to;

7.7 identify situations where no action being taken, or able to be taken, obtain more information and work with the courts or finance committees to find a solution.

8. The Board will maintain a list of suitably qualified persons understood to be willing to prepare certificates to the standard required by the Church at restricted cost or on a voluntary basis. Presbyteries will be encouraged to access the list and also to provide information that may lead to the inclusion of additional names.

9. The qualification appropriate for the completion of a Buildings Certificate is not formally defined and is largely a matter of common sense. The ideal is a qualified surveyor or architect who is not directly involved in the congregation and so can carry out a competent survey with a high degree of independence. Not acceptable to the Board is an office-bearer of the congregation who has no building experience. The person has to have experience or qualification appropriate to the size and complexity of the buildings and be able to demonstrate independence, either by virtue of professional training or not being directly associated with the congregation.

10. The Buildings Certificate should cover the following areas:

10.1 whether the building complies with disability access expectations;

10.2 whether the building is in a good state of repair;

10.3 what work is required to bring the building up to a good standard;

10.4 if the needs are considerable, a programme of work sufficient to bring the building up to a good standard;

It is not expected that a survey should involve gaining access to difficult to reach areas but comment on the limitations of a survey should be built in to its wording. If the surveyor considers that further investigation on a particular matter is desirable that should be stated. If professional indemnity is excluded from the work, perhaps because of a restricted fee, this should be stated. This Code should be made available to the surveyor before work commences. The nature of survey work proposed and the financial arrangements (amount of fee and the extent of any restriction, or no fee, and rates of expenses) should be clarified before a visit.

11. The Board's intention is that the administration of this Code should be undertaken by a person other than the Board Clerk, on a five-year appointment or by the Church Offices. Some of the work is not routine (e.g. 7.7) and would require the involvement of a senior person who had the confidence of those affected. A person appointed by the Board would work under the direction of the Board, with the Clerk to the Board filling the role of line manager. Offices involvement may require a separate paper setting out expectations, relationships, etc.

12. This Code is subject to review and change by the Board.

Act X – Act anent Stipend and Related Salaries
(No 9 of Class II)

Edinburgh, 24th May 2011

The General Assembly declare a stipend of £20,500 from 1st January 2011, 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.

Act XI – Act renewing permission to the Congregation of Glasgow: Downvale to appoint an Assistant Minister in terms of Act IX, 2007
(No 10 of Class II)

Edinburgh, 24th May 2011

The General Assembly renew permission for the congregation of Glasgow: Downvale to appoint an Assistant Minister in accordance with the terms of Act IX, 2007, such permission to lapse at the General Assembly of 2013.

Act XII – Act authorising the appointment of an Assistant Minister to the Congregation of Inverness: Greyfriars – Stratherrick
(No 11 of Class II)

Edinburgh. 24th May 2011

The General Assembly approve the appointment of an Assistant Minister to the congregation of Inverness: Greyfriars-Stratherrick in accordance with the terms of Act IX, 2007, such permission to lapse at the General Assembly of 2013, on condition that the congregation contributes 300% of the stipend.

Act XIII – Act renewing the Appointment of Rev. Kenneth I. Macleod as Assistant Minister of Stornoway in terms of Act VII, 2007
(No 12 of Class II)

Edinburgh, 24th May 2011

The General Assembly approve the renewal of the appointment of Rev. Kenneth I. Macleod as Assistant Minister of Stornoway Free Church in terms of Act IX, 2007.

Act XIV - Act renewing Redevelopment Status to the congregation of Gairloch and Kinlochewe
(No 13 of Class II)

Edinburgh, 24th May 2011

The General Assembly grant renewal of Redevelopment Status to the congregation of Gairloch and Kinlochewe in accordance with Act XXXIV, 1988, as amended by Act XIV, 1992, and Act XIV, 1993. The General Assembly note the continuing vacancy in the Redevelopment charge of Gairloch and Kinlochewe and commend the congregation to the prayers of the Church

Act XV – Act anent Special Arrangements for the Congregation of East Kilbride
(No 14 of Class II)

Edinburgh, 24th May 2011

The General Assembly continue the congregation of East Kilbride on the Equal Dividend Platform under Special Arrangements for one year on condition that the congregation remit a sum equivalent to 85% of the stipend. They instruct the Home Missions Board through its Executive, with Rev. Neil MacMillan, to meet with the Presbytery or its Strategy Committee in order to assist them formulate proposals for the future of the congregation for the General Assembly for 2012.

**Act XVI – Act anent Special Arrangements for the Congregation of
Lochgilphead and Lochfyneside**
(No 15 of Class II)

Edinburgh, 24th May 2011

The General Assembly continue the congregation of Lochgilphead and Lochfyneside on the Equal Dividend Platform under Special Arrangements for two years on condition that the congregation remit a sum equivalent to 85% of the stipend or until the creation of a team ministry incorporating this congregation, whichever is earlier. They further instruct the Board through its Executive, with Rev. Neil MacMillan, to meet with the Presbytery or its Strategy Committee in order to assist them formulate proposals for the future of the congregation for the General Assembly for 2012.

Act XVII – Act anent the Asian Outreach Work in Glasgow
(No 16 of Class II)

Edinburgh, 24th May 2011

The General Assembly note with approval the formation of a Joint Asian Ministry Sub-Committee.

The General Assembly note that a multi-cultural service has been held in Glasgow every Sunday since December 2011. They instruct the Board in consultation with the Presbytery of Glasgow and Argyll to bring proposals for the future of this work and any necessary amendments to the existing legislation to the General Assembly of 2012

Act XVIII- Act anent Review of the Outreach Work at St Cyrus / Montrose
(No 17 of Class II)

Edinburgh, 24th May 2011

The General Assembly instruct the Kirk Session of Dundee to report on their future plans for the work in St Cyrus / Montrose through the Presbytery of Edinburgh and Perth to the Home Missions Board.

Act XIX - Act renewing the appointment of Mrs Irene Howat as Editor of *The Instructor*
(No 18 of Class II)

Edinburgh, 24th May 2011

The General Assembly appoint Mrs Irene Howat as Editor of *The Instructor* for a further term of five years in accordance with the terms of Act XVIII, 1996.

Act XX – Act anent Study Panel
(No 19 of Class II)

Edinburgh, 24th May 2011

The General Assembly direct that the report of the Study Panel be sent to Presbyteries for their comments and suggestions which should be sent to the Study Panel by 31st January 2012.

The General Assembly renew the remit of the Study Panel and direct the Panel to report to the 2012 Assembly.

Act XXI – Act continuing the Remit of the Special Committee on Praise
(No 20 of Class II)

Edinburgh, 24th May 2011

The General Assembly continue the remit of the Special Committee on Praise and instruct the Committee to report progress to the 2012 Assembly.

Act XXII – Act uniting the Congregation of Thurso and Reay with the Congregation of Tongue, Farr, Strathy and Halladale
(No 21 of Class II)

Edinburgh, 24th May 2011

The General Assembly unite the congregation of Thurso and Reay with the congregation of Tongue, Farr, Strathy and Halladale with one Kirk Session and two Finance Committees from a date not later than 31st May 2011 under the present ministry of Rev. Kenneth Macleod and under the name of Thurso and North Coast Free Church. They appoint that in normal circumstances morning and evening services to be held in Thurso, and an afternoon service in Bettyhill with services on alternate Sundays in Skerray and Port Skerra. Act XLI, 2008, is hereby repealed.

Act XXIII – Act anent Team Ministry in the Presbytery of Skye and Wester Ross
(No 22 of Class II)

Edinburgh, 24th May 2011

The General Assembly authorise the Commission of Assembly in October 2011 to process an application for a Team Ministry within the bounds of the Presbytery of Skye and Wester Ross in accordance with the terms of Act I, Class I, 2011.

Act XXIV – Act anent Draft Budget Schedules for Boards and Committees
(No 23 of Class II)

Edinburgh, 25th May 2011

The General Assembly instruct the Board of Trustees to prepare draft budget schedules for circulation to committees and boards before their first meeting following the General Assembly with a view to approving the 2012 budget at the October meeting of the Commission of Assembly. The General Assembly empower the said Commission of Assembly to take up and finally dispose of a report from the Board on this matter.

Act XXV – Act anent Ministers serving as Congregational Treasurers
(No 24 of Class II)

Edinburgh, 25th May 2011

The General Assembly endorse the view of the Board of Trustees that it is inappropriate for ministers to act as congregational treasurers. They instruct Presbyteries to ensure that no minister is expected to take on the role of congregational treasurer, and thereby be diverted from his primary function.

Act XXVI – Act anent Improvement of Effectiveness of Presbyteries
(No 25 of Class II)

Edinburgh, 25th May 2011

The General Assembly endorse the following recommendations of the Board of Trustees aimed at improving the effectiveness of Presbyteries.

The General Assembly instruct Presbyteries to give careful consideration to these with a view to implementation where appropriate.

1. Devotions, Fellowship and Pastoral Concern

At meetings of Presbytery:

- Two congregations could be asked for a brief report on their work and to give points for prayer.
- A short period could be allocated to prayer in small groups halfway through the meeting.
- Time could be allocated for a book review or short meditation from Scripture.
- The holding of an informal meal before Presbytery meetings could foster a spirit of fellowship.
- All ministers in their first charge should be mentored in accordance with Act XXIV, 2003, with mentors being given a clearly specified role and being required to report back to Presbytery.

2. Presbytery as a Constitutional and Operating Body

Presbyteries should take ownership of decisions made at the General Assembly. In support of this, Business Committees should be tasked with giving thorough consideration to Assembly Deliverances and creating an action plan for their implementation. They should then check periodically on progress against actions identified.

3. Standing Orders and Business Procedures

3.1 In order to improve time management, meetings should begin at the stated time. Unnecessary procedures should also be eliminated. For example, the calling of a roll could be replaced with a signing in sheet. The Presbytery's Business Committee should prioritise matters in advance of the meeting and only in the most exceptional circumstances should permission be given to raise matters not on the agenda.

3.2 The role of the Moderator is critical in the efficient conduct of business. Standing Orders should be applied graciously but firmly in the conduct of debates, discussions and the presentation of papers.

3.3 Chairmanship should be of a quality that ensures that nobody feels left out of a debate.

3.4 Standing Orders should be reissued each year and the Moderator should be fully conversant with these.

3.5 Committees should be used to process much of the business in order that time is not consumed with detailed discussion to the detriment of policy matters.

3.6 The Student Committee should operate under very specific, written guidelines in the mentoring of its subjects.

3.7 Membership of committees should be rotated so that all members of Presbytery are given an opportunity of serving if they are able. Periods of service on a committee could be modelled on the pattern of service used for central standing committees and boards.

3.8 Notwithstanding the above, the application of a skills audit, as being developed for central standing committees and boards, should be kept in mind.

3.9 Committees should be set up on an *ad hoc* basis to deal with specific, non-recurring matters.

3.10 Where possible, the location of meetings should be varied to include even outlying places within the Presbytery. This can not only make members feel less marginalised but also give more of an appreciation of the circumstances under which some are operating.

3.11 Opportunities for more of a more informal, discursive format should be considered in order that the basis of debate can be broadened and the likelihood of an amicable conclusion enhanced when matters are put to a vote.

4. Induction for New – and Old – Members

4.1 Information sheets on functions, structures and operation of the Presbytery should be prepared for all members. These should include explanation of the Latin terms used.

4.2 Plain English should be used wherever possible and speakers should explain any technical terms.

4.3 Experienced members could “shepherd” new members. For example, a one hour class could be held for new members and mentors could give instruction to new ministers.

5. Quinquennial Visitations

5.1 A co-ordinator should be appointed who would ensure that all visitations are conducted in good time.

5.2 Action points should be highlighted in any report.

5.3 Responses to action points should be monitored carefully.

The General Assembly instruct Presbyteries to send to the Board by 31st January 2012 their responses to the following questions, so that the Board may report to the General Assembly of 2012 on progress.

- Which of any of these recommendations does the Presbytery practise already?
- What General Assembly Deliverances has the Presbytery Business Committee been able to process?
- Which of the recommendations is the Presbytery seeking to implement?
- How does the Presbytery practise the induction of new members?

- Has the Presbytery appointed a co-ordinator for quinquennial visitation?

Act XXVII – Act anent Employment of Persons from outwith the European Union
(No 26 of Class II)

Edinburgh, 25th May 2011

The General Assembly instruct any congregation, committee or board to make early contact with the Church’s Compliance Officer for advice when considering employing any person from outside the European Union.

**Act XXVIII – Act anent Implementation of the
Protecting Vulnerable Groups Scheme**
(No 27 of Class II)

Edinburgh, 25th May 2011

The General Assembly instruct the Board of Trustees to keep developments in the implementation of the Protecting Vulnerable Groups Scheme under review. They encourage the Board to explore options for the provision of ongoing safeguarding training for coordinators and workers and for the provision of training on the new scheme. They also encourage the Board to review the Church’s existing policy on the protection of vulnerable groups.

Act XXIX – Act reappointing the Judicial Commission
(No 28 of Class II)

Edinburgh, 25th May 2011

The General Assembly note that Rev. Kenneth Stewart and Rev. Andrew Fraser are no longer members of the Presbytery of Glasgow and Argyll and of the Northern Presbytery respectively and therefore cease to be eligible as members of the Judicial Commission.

The General Assembly reappoint the Judicial Commission as follows:

Judicial Commission			
	Rev. A. J. Macdonald	EP	[3/1]
	Rev. Professor J. R. McIntosh	EP	[3/1]
	Mr J. Macrae	EP	[3/1]
	Mr D. W. Matheson	EP	[3/1]
	Rev. A. J. Howat	GA	[3/1]
	Rev. A. Cowie	GA	[3/1]
	Mr Evan MacDonald	GA	[3/1]
	Mr Norman Smith	GA	[3/1]

	Rev. Gordon Mair	ILR	[3/1]
	Rev. D. C. Meredith	ILR	[3/1]
	Mr Andrew Murchison	ILR	[3/1]
	Dr Gordon Fraser	ILR	[3/1]
	Rev. K. A. Macleod	N	[3/1]
	Rev. I. Macaskill	N	[3/1]
	Mr David Lipp	N	[3/1]
	Dr James Skinner	N	[3/1]
	Rev. John H. MacLean	SWR	[3/1]
	Rev. D. G. MacDonald	SWR	[3/1]
	Mr John A. Gillies	SWR	[3/1]
	Mr Robert MacDonald	SWR	[3/1]
	Rev. James Maciver	WI	[3/1]
	Rev. Malcolm Macleod	WI	[3/1]
	Mr Murdo Macleod (Lochs)	WI	[3/1]
	Mr Murdo Murray (Stornoway)	WI	[3/1]
Chairman:	Rev. A. J. MacDonald		
Clerk:			

Act XXX – Act anent Sale of Properties and Release of Funds
(No 29 of Class II)

Edinburgh, 25th May 2011

1. ***Strathpeffer*** The General Assembly grant authority to sell all or part of the congregational property held in Strathpeffer, the proceeds to be held by the Board of Trustees on behalf of the congregation, and the sum lodged and any interest thereon to be available upon due application for the purpose of purchasing land or property, or for repairing or improving congregational property, or for general congregational purposes including the funding of evangelistic or pastoral work carried out under the oversight of the Kirk Session, the transaction to be carried out under supervision of the Compliance Officer or the Church's Law Agent.

2. ***Aird Mission House*** The General Assembly grant authority to sell the church building at Aird known as Aird Mission House, under supervision of the Compliance Officer or the Church's Law Agent, and direct that the proceeds of sale be held by the Board of Trustees on behalf of the congregation, with interest on the proceeds being added to capital. The General Assembly further direct that the congregation have access to the proceeds for congregational purposes upon application to the Board of Trustees.

3. ***Bonar Bridge*** The General Assembly receive the petition from the Finance Committee of Bonar Bridge Free Church and grant its crave to the extent that they grant authority to sell the piece of land adjacent to the car park of the Old Manse, extending no further than the access gate, 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 Board of Trustees on behalf of the congregation, with interest on the proceeds being added to the Capital. The

General Assembly further direct that the congregation have access to the proceeds for congregational purposes.

4. ***Kilwinning*** The General Assembly receive the petition from the Deacons' Court of Kilwinning and Saltcoats Free Church and grant its crave to the extent that they grant authority to sell the church building at Kilwinning and direct that the proceeds of sale be held by the Board of Trustees on behalf of the congregation, with interest on the proceeds being added to the Capital. The General Assembly further direct that the congregation have access to the proceeds for congregational purposes.

5. ***Dumfries*** The General Assembly grant permission for the sale of the manse at 2 Gillbrae Court, Georgetown, Dumfries, under supervision of the Compliance Officer or the Church's Law Agent, and direct that the congregation be allowed access to the capital for the purchase of a new manse.

6. ***Arran*** The General Assembly receive the petition from the Deacons' Court of Arran Free Church and grant its crave. They amend Act XVII, Class II, 1995, to the extent that they authorise the residue sum of £7691.08 or more to be released to the congregation from the funds realised by the sale of the Corrie church building, ground and cottage, the sum to be used for the purpose of repairing and refurbishing the Brodick Free Church and the Free Church manse in Shiskine.

7. ***Wick and Keiss*** The General Assembly amend Act XXVII, Class II, 2006 and Act XL, Class II, 2009, thereby granting the congregation of Wick and Keiss access to funds from the sale of the Keiss manse and church building, and the Wick manse and church, for congregational purposes, including the support of an evangelist in Wick, as proposed by Northern Presbytery, upon application to the Board of Trustees.

8. ***Callanish*** The General Assembly authorise access to the funds held by the Board of Trustees on behalf of the congregation of Callanish for renovation and repairs to the church and manse at Callanish up to a maximum of £30,000.

Act XXXI - Act anent Synods
(No 30 of Class II)

Edinburgh, 25th May 2011

The General Assembly remind Synod Clerks to ensure that the requirements of Act XXXIX, 2009, paragraphs 3-4 and 6-8, are implemented annually in accordance with the terms set out.

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.

Act XXXII – Act anent Finding of the General Assembly of November 2010
(No 31 of Class II)

Edinburgh, 25th May 2011

The General Assembly receive the Overtures from the Synod of North America, the Presbytery of the Western Isles (A), the Presbytery of Glasgow and Argyll, and the Kirk Sessions of Lochs and Knockbain, but do not grant their crave for the following reasons:

1. The Plenary General Assembly was empowered to decide the question remitted to it by the 2010 General Assembly following Barrier Act procedure;
2. The question whether any proposed legislation is to be presented as an overture to be remitted to Presbyteries under the Barrier Act is to be decided by the Assembly at which the legislation is proposed;
3. The procedure adopted by the Church to settle the question of the form of worship is consistent with the Barrier Act, in that there was very widespread consultation on the issue, the matter was not suddenly decided, and the Plenary General Assembly consisted of all ministers with a seat in Presbyteries together with an equal number of elders.

Act XXXIII – Act anent Ministers' Expenses
(No 32 of Class II)

Edinburgh, 25th May 2011

The General Assembly re-enact the regulations relating to Ministers' Expenses as follows:

1. The General Assembly ordain that legitimate expenses incurred by ministers or lay preachers in the course of their duties shall be reimbursed, or met directly where appropriate, by their congregations. Such expenses shall include council tax, relevant telephone expenses, communion expenses, hospitality, travel, a proportion of heat and light and removal expenses. Payment of such expenses shall not be regarded as a supplement.
2. The minimum rate at which ministers' car expenses shall be met is 30p per mile for the first 10,000 miles in any tax year. Expenses for mileage in excess of 10,000 miles shall be met at the rate of 25p per mile. These rates shall be reviewed on an annual basis by the Finance Sub-Committee of the Board of Trustees, in consultation with the Personnel Committee. A congregation may pay expenses at a higher rate if they so desire but any such higher rate should not exceed the approved rates set by HMRC. Expenses for travel on motor cycles or bicycles shall be met at the prevailing rates set by HMRC.
3. In all congregations the agreement regarding reimbursement of ministers' expenses should be reviewed annually.

4. Claims for reimbursement of expenses should be made on a regular basis and must be submitted on the claim form approved for use by the Finance Sub-Committee of the Board of Trustees. All expenses claimed must relate to actual expenses incurred and must be backed by receipts. In the case of mileage expenses, claims must detail actual journeys undertaken.

5. In the case of a vacant Congregation, the Interim Moderator shall have refunded to him by the Congregation, all travelling and other expenses incurred by him in discharging such duties on behalf of the Congregation as would normally fall to be undertaken by the minister if the charge were settled.

6. Expenses incurred in respect of travel to church courts or committees shall be met by the Presbytery or Committee concerned.

7. Cash supplements in addition to payment of expenses shall only be allowable by congregations meeting all required levies payable under the prevailing remittance system. In no case shall cash supplements exceed 50 per cent of the Equal Dividend.

8. The General Assembly repeal Act XV, 1983, Act XXIII, 2005 and Act X, 2008.

Act XXXIV – Act appointing Rev. Dr Malcolm Maclean as Editor of *The Record*
(No 33 of Class II)

Edinburgh, 25th May 2011

The General Assembly, noting the recommendation of the Communications Committee, appoint Rev. Dr Malcolm Maclean to be Editor of *The Record* in accordance with the terms of Act XXX, 2007.

Act XXXV – Act renewing the appointment of Mrs Chris Nicholson as Editor of *Free*
(No 34 of Class II)

Edinburgh, 25th May 2011

The General Assembly reappoint Mrs Chris Nicholson as Editor of *Free* for a further period of five years in accordance with the terms of Act XIX, 1996.

Act XXXVI – Act anent Student Examinations amending Act XXVI, 2003
(No 35 of Class II)

Edinburgh, 26th May 2011

The General Assembly amend Act XXVI, 2003, by deleting paragraphs 1 and 2 and substituting for them:

The General Assembly, recognising the importance of candidates for the ministry acquiring a competent knowledge of the whole English Bible, enact that:

1. All students for the ministry are required to study the English Bible under the supervision of their presbyteries;
2. 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;
3. To achieve this end a two-hour written examination in Scripture shall be included by Presbyteries in their regular examination of students before each year of their attendance at College;
4. This examination shall be held not later than 31st August each year; and that the date of re-sits shall be at the discretion of the Presbytery;
5. The Syllabus shall be determined by the Board of Ministry in conjunction with Presbyteries.

Act XXXVII - Act repealing Act XLVI, 2008 anent Probationary Placements
(No 36 of Class II)

Edinburgh, 26th May 2011

The General Assembly note the multiple difficulties encountered in the proposed implementation of Act XLVI, Class 2, 2008, anent Probationary Placements, and agree to pass from the implementation of this Act.

Act XXXVIII – Act amending Act XLVIII, 2008 anent Structure of Committees
(No 37 of Class II)

Edinburgh, 26th May 2011

The General Assembly amend Act XLVIII, 2008, §1.1, by inserting the words ‘and to receive and process applications from Ministers or Probationers from other Churches for admission as Ministers or Probationers of the Free Church of Scotland’ after the words ‘Finance Sub-Committee of the Board of Trustees’.

Act XXXIX – Act admitting Rev. Rhett Crabtree to the Ministry of the Free Church of Scotland
(No 38 of Class II)

Edinburgh, 26th May 2011

1. The General Assembly receive the application from Rev. Rhett Crabtree, and noting the recommendation of the Board of Ministry, admit him as an ordained minister of the Free Church of Scotland with effect from his signing the Formula.
2. The General Assembly charge the Board of Ministry to ensure that, prior to signing the Formula, Mr Crabtree has satisfied the requirements of the courses prescribed by the Board in Hebrew language and Old Testament Theology, New Testament Greek and New Testament Theology, Systematic Theology, and the Free Church Ministry Module, to be undertaken over two academic sessions under the supervision of the Senate. Upon satisfaction of the said requirements the Board is to notify the Presbytery of Glasgow and Argyll to that effect.
3. The General Assembly instruct the Presbytery of Glasgow and Argyll, upon receipt of the notification in 2. above, to make arrangements for Mr Crabtree to sign the Formula under their supervision and thereafter by extract to notify the Principal Clerk of Assembly thereanent.
4. The General Assembly instruct the Principal Clerk of Assembly, upon notification that Mr Crabtree has signed the Formula, to place Mr Crabtree's name on the Register of Ministers eligible for Call.
5. The General Assembly order the supporting documents to be held *in retentis*.

**Act XL – Act admitting Rev. Gavino Fioretti to the Ministry of the
Free Church of Scotland**
(No 39 of Class II)

Edinburgh, 26th May 2011

1. The General Assembly receive the application from Rev. Gavino Fioretti, and noting the recommendation of the Board of Ministry, admit him as an ordained minister of the Free Church of Scotland with effect from his signing the Formula.
2. The General Assembly charge the Board of Ministry to ensure that, prior to signing the Formula, Mr Fioretti completes a short course of instruction on Free Church Principles and Practice to the satisfaction of the Professor of Church Principles. Upon satisfaction of the said requirements the Board is to issue a certificate to that effect to the Presbytery of Inverness, Lochaber and Ross.
3. The General Assembly instruct the Presbytery of Inverness, Lochaber and Ross, upon receipt of the notification in 2. above, to make arrangements for Mr Fioretti to sign the Formula under their supervision and thereafter by extract to notify the Principal Clerk of Assembly thereanent.
4. The General Assembly instruct the Principal Clerk of Assembly, upon notification that Mr Fioretti has signed the Formula, to place his name on the Register of Ministers eligible for Call.

5. The General Assembly order the supporting documents to be held *in retentis*.

**Act XLI – Act admitting Rev. Thomas J. R. Mackinnon to the Ministry of the
Free Church of Scotland**
(No 40 of Class II)

Edinburgh, 26th May 2011

1. The General Assembly receive the application from Rev. Thomas Mackinnon, and noting the recommendation of the Board of Ministry, admit him as an ordained minister of the Free Church of Scotland with effect from his signing the Formula.
2. The General Assembly charge the Board of Ministry to ensure that, prior to signing the Formula, Mr Mackinnon completes a short course of instruction on Free Church Principles, Practice and Doctrine under the supervision of the College Senate to the satisfaction of the Professor of Church Principles and with the help of suitable Presbytery personnel. Upon such satisfaction of the said requirements the Board is to issue a certificate to that effect to the Presbytery of Skye and Wester Ross.
3. The General Assembly instruct the Presbytery of Skye and Wester Ross, upon receipt of the notification in 2. above, to make arrangements for Mr Mackinnon to sign the Formula under their supervision and thereafter by extract to notify the Principal Clerk of Assembly thereanent.
4. The General Assembly instruct the Principal Clerk of Assembly, upon notification that Mr Mackinnon has signed the Formula, to place his name on the Register of Ministers eligible for Call.
5. The General Assembly order the supporting documents to be held *in retentis*.

**Act XLII– Act admitting Rev. Calum I. Macleod to the Ministry of the
Free Church of Scotland**
(No 41 of Class II)

Edinburgh, 26th May 2011

1. The General Assembly receive the application from Rev. Calum Iain Macleod, and noting the recommendation of the Board of Ministry, admit him as an ordained minister of the Free Church of Scotland with effect from his signing the Formula.
2. The General Assembly charge the Board of Ministry to ensure that, prior to signing the Formula, Mr Macleod completes a short course of instruction on Free Church Principles and Practice under the supervision of the College Senate to the satisfaction of the Professor of Church Principles and with the help of suitable Presbytery personnel. Upon satisfaction of the said requirements the Board is to issue a certificate to that effect to the Presbytery of Inverness, Lochaber and Ross.

3. The General Assembly instruct the Presbytery of Inverness, Lochaber and Ross, upon receipt of the notification in 2. above, to make arrangements for Mr Macleod to sign the Formula under their supervision and thereafter by extract to notify the Principal Clerk of Assembly thereanent.
4. The General Assembly instruct the Principal Clerk of Assembly, upon notification that Mr Macleod has signed the Formula, to place his name on the Register of Ministers eligible for Call.
5. The General Assembly order the supporting documents to be held *in retentis*.

**Act XLIII – Act conferring the title of Professor Emeritus upon
Rev. Professor Donald Macleod, and other purposes**
(No 42 of Class II)

Edinburgh, 26th May 2011

1. The General Assembly receive with regret the resignation of Professor Donald Macleod from the post of Professor of Systematic Theology with immediate effect. They thank Professor Macleod for his delivery of the Systematics course for over thirty years, and congratulate him on his publications and on his academic achievements. They wish him God's blessing in retirement.
2. The General Assembly confer on Professor Donald Macleod the designation of Professor-Emeritus with immediate effect.

**Act XLIV – Act authorising the Commission of Assembly to dispose of any Proposals
with regard to Appointments to the Chair of Systematic Theology in 2012**
(No 43 of Class II)

Edinburgh, 26th May 2011

The General Assembly note the difficulties experienced by the College Board in filling the vacancy in the Chair of Systematic Theology. Recognising that financial constraints and personal considerations may make it difficult to apply current legislation concerning College appointments, the Assembly authorise the Board to review this situation as a matter of urgency. The General Assembly empower the Commission of Assembly to deal with any proposals or changes of legislation which the Board might bring to it to facilitate an appointment in Systematic Theology to be made in 2012.

**Act XLV – Act appointing Special Review Committee to conduct Quinquennial Review
of the College in terms of Act L, 2006**
(No 44 of Class II)

Edinburgh, 26th May 2011

1. The General Assembly note the oversight regarding the appointing of a Quinquennial Review Committee to carry out a Review of the Free Church College, and authorise the appointing of a committee to report to the 2012 General Assembly.
2. The General Assembly appoint Rev. Dr Malcolm Maclean, Rev. Dr John Ross, Rev. Alex MacDonald, Dr Marten Walker, Dr Iain Maciver and Dr Grant Macaskill, to be members of the Special Review Committee to conduct a Quinquennial Review of the Free Church College in accordance with the terms of Act L, 2006, Dr Maclean to be Convener, the Committee to report to the General Assembly of 2012.

**Act XLVI - Act appointing General Assessors to the Presbytery of
Glasgow and Argyll
(No 45 of Class II)**

Edinburgh, 26th May 2011

The General Assembly appoint Mr William M. Mackay, retired, Edinburgh, Mr Norman MacKay, minister at Falkirk and Mr Nigel Anderson, minister at Livingston, to be General Assessors to the Presbytery of Glasgow and Argyll, the terms of the appointment to be until next General Assembly.

**Act XLVII– Act appointing a General Assessor to the Presbytery of
Inverness, Lochaber and Ross
(No 46 of Class II)**

Edinburgh, 26th May 2011

The General Assembly appoint Mr Douglas MacKeddie, retired, Fearn, to be a General Assessor to the Presbytery of Inverness, Lochaber and Ross, the term of appointment to be until the next General Assembly.

**Act XLVIII – Act anent Difficulties of Conscience arising from
Act I, November 2010
(No 47 of Class II)**

Edinburgh, 26th May 2011

The General Assembly, noting that the change in the form of worship in the Church authorised by Act I, Class II, November 2010, is permissive and not mandatory, enact and ordain as follows:

1. The General Assembly recognise that the practice of the Free Church of Scotland prior to the passing of Act I, Class II, November 2010 was to avoid the use in public worship of uninspired materials of praise and instrumental music and that the Questions and Formula referred to such practice.
2. The General Assembly affirm that, while the Questions and Formula have not been changed by Act I, Class II November 2010, nevertheless the said Act allows for a wider understanding of the Questions and Formula with regard to worship.
3. The General Assembly recognise that the change authorised by Act I, Class II, November 2010, may have created difficulties of conscience for some office-bearers and some who may be elected to office in the Church.
4. The General Assembly, therefore, ordain that, in order to address such difficulties, candidates for office, at the time of licensing, ordination or induction, may intimate to the relevant Church Court their own personal conviction with regard to sung praise and the use of instrumental music in public worship.
5. The General Assembly further ordain that existing office-bearers may intimate to the relevant Church Court at any suitable opportunity their own personal conviction with regard to sung praise and the use of instrumental music in public worship.
6. It shall be the duty of the Clerk of Presbytery or Kirk Session in all cases to record any such intimation.
7. The General Assembly exhort all office-bearers, members and adherents to maintain the unity of the Spirit in the bond of peace.

**Act XLIX – Act granting a seat in the Presbytery of Glasgow and Argyll to
Rev. Seoras MacGillivray
(No 48 of Class II)**

Edinburgh, 26th May 2011

The General Assembly grant to Rev. Seoras MacGillivray a seat in the Presbytery of Glasgow and Argyll so long as he remains resident within the bounds of the Presbytery undertaking the work of Asian Ministry, on condition that he submits an Annual Report through the Glasgow and Argyll Presbytery to the International Missions Board for consideration by the Joint Asian Outreach Committee

**Act L – Act discharging the Committee on Disciplinary Procedures and appointing the
Committee on Church Practice and Procedure and amending Act XXIII, 2007
(No 49 of Class II)**

Edinburgh, 27th May 2011

1. The General Assembly appoint the Committee on Disciplinary Procedures with its existing membership, as an advisory Committee on matters of Church practice and procedure and alter its name to “The Committee on Church Practice and Procedure.” They extend the remit of the Committee to include the issuing of advice on matters of Church practice and procedure to Presbyteries and Kirk Sessions and to other Committees and Boards of the Church, subject always to the rules and procedures laid down in *The Practice* and in the legislation of the Church. In addition the Principal Clerk of Assembly shall have authority to approach the Committee for advice on such matters of church law and procedure as he considers may be required in other instances. Issues of practice and procedure which require the consideration of the Board of Trustees shall be passed to them from the Committee through the Principal Clerk.

2. The General Assembly amend Act XXIII, Class II, 2007, paragraph 1, by the deletion of the following sentence, “*the Principal Clerk of Assembly shall have the right to approach the Board of Trustees to request that they act as a Law and Advisory Committee with regard to matters of church legislation.*”

3. The General Assembly direct the Committee to examine further and report on the other subjects mentioned in the report and any other matters which may arise within its existing remit.

**Act LI – Act appointing Rev. Iain D. Campbell and Rev. David C. Meredith as
Members of the Special Committee on Praise**
(No 50 of Class II)

Edinburgh, 27th May 2011

The General Assembly appoint Rev. Dr Iain D. Campbell and Rev. David C. Meredith to the Special Committee on Praise in accordance with Act I, Class II, November 2010.

**Act LII- Act amending Act X, Commission of Assembly, October 2000, by appointing
one Deacons’ Court for the Congregation of Maryburgh and Killearnan**
(No 51 of Class II)

Edinburgh, 27th May 2011

The General Assembly amend Act X of the Commission of Assembly, October 2000, to the extent that they ordain that the Killearnan Finance Committee and the Maryburgh Finance Committee be discharged and ordain that one Deacons’ Court shall discharge all the duties and responsibilities formerly belonging to the two Finance Committees, the first meeting of the Deacons’ Court to be called by the Minister or Interim Moderator of the charge at a date to be agreed with the former Finance Committees and not later than 31st December, 2011.

Act LIII – Act appointing the Commission of Assembly
(No 52 of Class II)

Edinburgh, 27th May 2011

The General Assembly did, and hereby do, nominate and appoint a Commission consisting of all members of Assembly with the addition of Rev. Kenneth M. Ferguson, 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 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 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 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, 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; to receive a report from the Assembly Clerk anent the records of the Psalmody Committee; to take up and dispose of a report from the Board of Trustees anent 2012 budgets, to approve the church's accounts for 2011 through a report from the Board of Trustees; to take up and dispose of a Report from the Home Missions Board with regard to the establishment of Team Ministries for (1) Argyll and (2) North-East Glasgow in the bounds of the Presbytery of Glasgow and Argyll, in terms of Act I, Class I, 2011, anent Team Ministries; to take up and dispose of an application for a Team

Ministry within the bounds of the Presbytery of Skye & Wester Ross in accordance with Act I, Class I, 2011, anent Team Ministries; to receive any proposals or changes of legislation which the College Board might bring to it to facilitate an appointment in Systematic Theology to be made in 2012.

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.

Act LIV – Act appointing the General Assembly of 2012
(No 53 of Class II)

Edinburgh, 27th May 2011

The General Assembly appoint the next General Assembly to meet in Edinburgh on 21st May 2012 at 6 o'clock in the evening.

ACTS OF THE COMMISSION OF ASSEMBLY

Act I – Act anent Expenditure Budget for 2011

Edinburgh, 6th October 2010

1. The Commission of Assembly receive the report of the Board of Trustees and thank the Board.
2. The Commission of Assembly support the principle that the Church should prepare budgets with the aim of balancing anticipated income with anticipated expenditure.
3. The Commission of Assembly approve the committee and board budgets included as an Appendix to the Board's Report and instruct budget holders to operate within the constraints of these budgets.
4. The Commission of Assembly instruct the Board to provide budget holders with details of the proposed savings contained within the revised budgets.

ACTS OF THE PLENARY GENERAL ASSEMBLY OF NOVEMBER 2010

Act I – Act anent Public Worship

(No 1 of Class II)

Edinburgh, 19th November 2010

1. The General Assembly receive and adopt the Report of the Board of Trustees, and thank the Chairman, members of the Board, the Chief Administrative Officer and his staff for their work.
2. The General Assembly, recognising the divisive nature of the issue dealt with in this Report, affirm their commitment to unity and urge officebearers and members to find ways of continuing in unity after the Assembly has determined the issue.
3. The General Assembly, recognising that, after consideration of the Biblical and theological questions and widespread consultation throughout the Church on the question of the form of worship presently practised, there are equally conscientious and Biblically grounded but differing views on the subject, ordain and enact in the following terms.
4. The General Assembly hereby repeal Act V, Class II, 1932; Act I, Class I, 1910; Act VI, Class II, 1910; Act VII, Class II, 1910; Act V, Class II, 1905; Act of Assembly, of date 31st May 1883, entitled “VII. Act anent Instrumental Music (No. 4 of Class II)””; and resolutions authorising and sanctioning the use of uninspired hymns, of dates 3rd June 1872; 27th May 1881; 26th May 1896; and 24th May 1897.
5. The General Assembly declare that purity of worship requires that every aspect of worship services, including sung praise, be consistent with the Word of God and with the whole doctrine of the Confession of Faith approved by previous Assemblies of this Church.
6. The General Assembly ordain that every service of congregational worship shall include the singing of Psalms.
7. The General Assembly ordain that, with regard to the sung praise of congregations in worship, each Kirk Session shall have freedom, either to restrict the sung praise to the Psalms, or to include paraphrases of Scripture, and hymns and spiritual songs consistent with the doctrine of the Confession of Faith; that each Kirk Session shall have freedom whether to permit musical accompaniment to the sung praise in worship, or not.
8. The General Assembly advise that, notwithstanding the foregoing, no Kirk Session should agree to a change in sung praise or musical accompaniment against the wishes of the minister of the congregation, and that a visiting minister, presiding at a service in a congregation where the aforementioned freedom to use uninspired materials of praise and musical instruments has been exercised, may exercise that freedom or not as he sees fit.
9. The General Assembly ordain that in meetings of Church Courts the use of uninspired materials of praise and of instrumental music shall be avoided.
10. The General Assembly appoint a Special Committee (using consultants as required) to investigate the feasibility and desirability of producing a recommended list of paraphrases of Scripture and hymns and spiritual songs consistent with the Word of God and the whole doctrine of the Confession of Faith, and whether the Free Church ought to produce a praise resource supplementary to the Psalter, and to report to the 2011 General Assembly.”

11. The General Assembly instruct this Committee to investigate, collect and, if necessary prepare from within the resources of the Church appropriate portions of Scripture, other than the 150 Psalms, in a form which accurately renders the thought of the original and is suitable for singing in public worship. The Committee is empowered to seek the cooperation of others with the requisite linguistic, theological, literary and musical skills and is required to report progress to the 2011 General Assembly.

12. The General Assembly instruct Presbyteries to organise a day of prayer within their own bounds at a suitable date after the Church has determined the matter, to focus on maintaining the unity of the Church.

**Act II – Act anent Transmission of Act I, November 2010, to Presbyteries
under the Barrier Act
(No 2 of Class II)**

Edinburgh, 19th November 2010

Bearing in mind the unity of the Church and the several years' discussion, debate and papers on the subject of worship, and taking into account the purposes of the Barrier Act of 1697 to ensure that no sudden alteration or innovation in either doctrine or worship be enacted without the more general opinion of the Church being agreed; the Plenary General Assembly hereby declare that the decision of the Assembly as put forward by Rev. Alex MacDonald has already fulfilled the purposes of the Barrier Act of 1697 and therefore does not require to be sent down under that Act.

**Act III – Act appointing Special Committee on Praise
(No 3 of Class II)**

Edinburgh, 19th November 2010

In accordance with their earlier finding the General Assembly proceeded to appoint the members of the Special Committee to prepare suitable items of praise. It was moved, seconded and agreed that the following be appointed:

Rev. F. H. MacKenzie, Mr Evan Macdonald, Rev. D. M. MacDonald, Rev. J. M. MacPherson, Rev. A. J. MacDonald, and Mr Tom Muir.
