THE CHURCH MEETING

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1. The Church Meeting and its predecessors

The Church Meeting is one of the six species of council of the URC. It plays a role in that government, distinct from civil government, which we believe Christ has appointed in his Church. Although the other councils of the URC reflect the ‘form of church government administered through representative councils or courts’ characteristic of the former Presbyterian Church of England, the Church Meeting is the only council not composed primarily of office-bearers. This is because it is in many ways the successor to the decision-making meetings of the membership of Congregational churches prior to 1972.

It was said of particular Congregational churches in the Savoy Declaration that

‘To each of these churches thus gathered, according to [Christ’s] mind declared in his Word, he hath given all that power and authority, which is any way needful for their carrying on that order in worship and discipline, which he hath instituted for them to observe, with commands and rules for the due and right exerting and executing of that power.’

This seventeenth century emphasis on worship and discipline comprised also the call of office-bearers (including Elders, so long as Congregational churches had them) and had, by the twentieth century, been extended to other aspects of the congregation’s life, in particular to controlling the property held for its use. The Congregational Model Trusts (General) of 1948, otherwise the ‘Alexandra Park Trusts’, required chapel premises to be used ‘as a place for the public worship of God and for preaching the Gospel of the Lord Jesus Christ according to the principles and usages for the time being of the Congregational (sometimes called the Independent) denomination practising infant baptism under the direction of the Church ... and for the promotion of such religious and other charitable purposes as the Church shall from time to time direct’. The affairs of ‘the Church’ were to be managed ‘under the direction of the members of the Church at ordinary meetings of the Church’ except when special meetings, distinguished by advance notice, qualified majority voting and a requirement of six months’ membership, were required.

However, even in URC local churches with a Congregational prehistory, today’s Church Meeting is not the same as the gathered church of Congregationalism. When a Congregational church resolved to unite to form the URC, it did so on the terms of the Scheme of Union. The members of that uniting church became members of a new local

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1 Alongside the Elders’ Meeting, District Council (now lacking its representative character and serving very limited purposes), Area Meeting (in areas of ecumenical co-operation), Synod and General Assembly; S1(3).
2 BU Sch D Version 1 para 8
3 URC Act 1972, preamble
4 The institution of churches, and the order appointed in them by Jesus Christ , 1658, para 4
5 Congregational Model Trusts (General), clause 1 (emphasis supplied). The Model Trusts could be adopted by any church in relation to its buildings by virtue of Baptist and Congregational Trusts Act 1951 s.4.
6 ibid., clauses 12 and 13
7 ‘The Scheme of Union’ (henceforth ‘the Scheme’) as used in the text refers, as the context dictates, either to the original Scheme adopted by the Assemblies of the constituent denominations (‘SU orig’), or
church of the URC, associating together for worship, witness and service as URC members. The uniting Congregational church itself was dissolved. Accordingly, though today’s local church has the freedom of all associations to adopt rules for its own government, it can only do so where its members’ prior commitments do not stand in the way – in other words, its local rules, custom or practice can operate where the Scheme is silent, but cannot contradict the Scheme. The church union of any local church today, regardless of its past, has only those powers and functions which the Scheme and local rules consistent with the Scheme give it.

The Church Meeting is also heir to many functions of Presbyterian courts. In Presbyterianism the Session was the best-known court of the local congregation: it oversaw the congregation’s spiritual life whilst the Deacon’s Court or Board of Managers took decisions affecting its temporal goods. The trustees of congregational land were a separate group again: but acted in many respects under the Deacons’ or Managers’ direction. Today trustees of land remain separate; the members of the URC Elders’ Meeting act as trustees of church funds; but the directing powers of the Deacons or Managers have largely passed to the Church Meeting.

The URC Elders’ Meeting is composed (like the old Session) exclusively of ordained office-bearers; it (not the Minister alone) is said to oversee the local church’s spiritual life. But it has fewer inherent decision-making competences than the Session had. In most questions the Elders inspire, advise or act under delegated powers.

Though Presbyterianism had no regular Church Meeting as did Congregationalists, it gave two roles to an equivalent assembly: to receive annual financial statements and to appoint office-bearers as necessary. Whether Elders were elected by the congregation varied from church to church; but a Presbyterian Minister could only serve in a congregation in response to its Call; no superior court could impose an unwelcome Minister. That remains the case in the URC.

2. The composition, calling and chairing of the Church Meeting

The Church Meeting consists of persons on the local membership roll, all of whom must have been admitted to the full privileges and responsibilities of membership of the URC. The Basis of Union lays down the three-stage procedure by which people are admitted for the first time to those privileges and responsibilities, and the affirmation of faith and commitment that they must make. People have either been through this procedure or they have not: it is therefore not competent for the local church to require additional professions of faith, nor to

to the denominational constitution currently in force, comprising the Basis of Union (‘BU’) and Structure of the URC (‘S’) from the original Scheme as amended from time to time.

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8 SU orig section 5(2); see now S1(1)(a)
9 URC Act 1972 s.5(1)
10 S2(2). The advisory and delegated roles will be mentioned further below. The most important Elders’ Meeting functions not ascribed to the Church Meeting are ‘to see that public worship is regularly offered and the sacraments are duly administered’, an aspect of which is to arrange for pulpit supply in a vacancy; to ensure pastoral care (in which individual Elders have a special part to play); and to institute and oversee youth work. Local rules can build on this, for instance by making the Elders responsible for all pulpit supply invitations for services from which the Minister is absent, or requiring an individual Elder to join the Minister in conversations with each aspirant for membership before the councils of the church decide on the application. The Elders’ Meeting also nominates from among its members a church secretary (or secretaries), to be elected by the Church Meeting; this means that, although the Church Meeting can reject the Elders’ choice and demand a fresh nomination, it cannot choose a secretary itself without the Elders’ approval.
11 S2(1)(vii)
12 S2(1)
13 BU14 and Schedule A. The procedure entails advice from the Elders’ Meeting (which must be assured of the candidate’s sincerity), a resolution of the Church Meeting, and public admission (or, in the case of an unbaptised adult, baptism) following a profession of faith and commitment. In practice the final stage always takes place during worship; local rules may stipulate a communion service.
dispense from the affirmation required by the Basis, nor (since such admission gives the full
privileges and responsibilities of membership) to divide those admitted by this procedure
into membership categories some of which carry only limited privileges.

Once a person has been admitted to membership, it should be automatic that he/she is added
to the membership roll of the church of admission. Admission ‘by transfer’ is mentioned
elsewhere in the Scheme, and is a well-established facet of every local church’s practice. In
broad outline it entails one local church of the URC commending a member in good standing
to another church, typically on the member moving house: on a council of the latter church
accepting him/her into local membership, the member is removed from the ‘sending’
church’s roll. If a church has written local rules the conditions for such acceptance may be
more particularly stated.

The Scheme requires the Elders’ Meeting, as an aid to the discharge of the congregation's
pastoral and evangelistic responsibility, to keep lists of names of adherents and children
attached to the congregation. ‘Adherents’ are not precisely defined by the Scheme, though
local rules can be more precise. Separately, the Scheme allows the Church Meeting to invite
non-members who regularly worship with the local church to attend and speak (but not vote)
at particular church meetings. This is likely to be a narrower class of people than
‘adherents’; furthermore, the implication of this express permission in the Scheme is that
other non-members cannot be so invited (inclusio unius, exclusio alterius). However, many
churches take advantage of the slight ambiguity here to make their church meetings open
events. Local rules can make more precise provision; but they must remain consistent with
the Scheme, and therefore cannot allow non-members to vote.

The Scheme says nothing about how Church Meetings are called, except that they are to take
place at least once a quarter. This can therefore be regulated by local rules, failing which the
Church Meeting can itself appoint dates for one or more subsequent meetings, failing which
the Elders’ Meeting can do so. Local rules may provide for emergency meetings; these can
also stipulate periods of notice and advance information about the agenda. There is
considerable flexibility here; though the propriety of a meeting would be in doubt if there
were so little notice that some members had no chance of knowing of it.

There is no ‘inherent’ quorum for a Church Meeting, though it is not a ‘meeting’ if only one
member is present. Written local rules may specify a quorum, though it is sensible for this to
be a number easily achieved so the local church is not paralysed by inability to take important
decisions.

The Church Meeting is a council of the church, constituted by prayer in the hope that the
gathered community’s listening, deliberations and decisions will be led by the Holy Spirit.
That cannot be claimed in the same way of voting by post or proxy, which is in any case open
to the practical objection that points made in discussion will not have been heard. Although
the Scheme does not state this in so many words, it has been consistent practice in the URC
and its predecessor churches that postal and proxy voting are not admissible. If a church has
written local rules it is sensible for them to make this clear.

The Minister in pastoral charge of a local church, whether he/she is on its membership roll or
not, is ‘normally’ to take the Chair at the Church Meeting. Unless local rules make more
specific provision, this is taken to mean that he/she will moderate the meeting whenever
available and willing to do so. A meeting can however take place without him/her, either by

14 S2(1)(ix), 2(2)(vi)
15 S2(2)(vi)
16 S2(1)
17 S2(1)
18 S2(1)
prior arrangement or because he/she is unable at the last minute to attend a meeting already
called. Local rules can determine who should preside in the normal moderator’s absence;
ailing which the meeting should itself choose an Elder to do so. The Scheme states that the
Interim Moderator appointed by the Synod during a vacancy\(^{19}\) should normally chair Elders’
Meetings\(^{20}\); this provision is not extended to Church Meetings, but many local churches will
still invite the Interim Moderator to preside at them if available.

The occupant of the Chair, if on the membership roll of the local church, has an original and a
casting vote at meetings; if not on the roll he/she has a casting vote only (unless local rules
provide otherwise for cases of tied voting).

### 3. The Church Meeting in ecumenical partnerships

The URC works together with other denominations in many ways. At the local level this may
entail ecumenical hospitality within a local church building, or the more formal sharing of a
building on equal terms under the Sharing of Church Buildings Act 1969. Neither of these, by
itself, would affect the relevant Church Meeting’s composition, calling and chairing; both are
discussed further below under the Meeting’s property functions.

However there are also situations where a URC local church and congregations of other
denominations are served by one minister, who may not have been ordained in the URC; and
situations where a local church and other such congregations have fused *de facto* into one
entity (or ‘single-congregation LEP’), which does not consider itself divisible along
denominational lines and whose newer members have no clear denominational identity. No
URC members’ roll is maintained, and all members of the fused congregation participate in
meetings.

Such arrangements are difficult to reconcile with the Scheme of Union as it stands. The Basis
of Union voices the URC’s aspirations for ecumenical progress\(^{21}\), and the Structure provides
for areas of ecumenical co-operation having a council which undertakes some of the functions
of a URC Synod. But there is no provision in the Scheme to replace in such circumstances the
definition of a local church, the procedures for admission to membership, the composition of
the Church Meeting or its functions. One must ask, therefore, whether deviation from the
Scheme can take place under some other authority. The URC is a member church of the
ecumenical co-operative organisations CTE, Cytûn and ACTS, under whose auspices most (if
not all) local ecumenical partnerships (LEPs) have been formed and their constitutions drawn
up. Of course the Church’s membership of these bodies has been approved by the General
Assembly or a National Synod\(^{22}\) and individual partnerships have been approved by Synods.
The difficulty which the author sees is that Synods have no authority to alter or dispense
from the Scheme of Union, and even the Assembly can only alter it by a special procedure
with inbuilt safeguards.

The agreements or constitutions governing a single-congregation LEP typically provide for a
congregational membership roll, for congregational meetings at which all those on the roll
attend and vote and the minister currently serving the LEP presides. These meetings are not
strictly Church Meetings, at which only those admitted as mentioned above to the full
responsibilities and privileges of URC membership would vote and only a Minister called by

\(^{19}\) S2(4)A(viii). The Interim Moderator is normally a Minister, though in exceptional circumstances an
Elder may be appointed: the Synod must make the appointment in consultation with the local church.

\(^{20}\) S2(2).

\(^{21}\) BU8, S2(5). The possibility that ministers of other denominations may be appointed to serve ‘on
behalf of the URC in charge of a United Reformed church or in an ecumenical group including URC
interests’ is recognised in S2(4)(III) though nothing in the Scheme spells out how or under what
authority such appointments would be made.

\(^{22}\) under S2(6)(iii) and 2(4)(xxii) respectively
those members would take the Chair. Hence nothing that is said in this paper about a local church is strictly applicable to such a congregation. This difficulty appears at its greatest when it relates to functions of the Church Meeting with external effect – for instance giving directions regarding property, or appointing a member of the Synod. It can only truly be solved by inserting further ecumenical provisions in the Scheme of Union. Until then the position in such congregations can only be an approximation to what this paper describes.

4. The role and collaborative working of the Church Meeting

The Church Meeting allows the local church’s members ‘through discussion, responsible decision and care for one another to strengthen each other’s faith and to foster the life, work and mission of the Church’. This last concern is with the life, work and mission of the wider URC, and is not necessarily confined to the locality. However, focusing on the wider URC implies restraint as well as breadth of vision: decisions on the part of any council (including the Church Meeting) are to be reached only after the fullest attempt has been made to discover the mind of other councils or local churches likely to be affected by them.

The Church Meeting never acts in isolation. Within the URC it considers and supports the Church’s wider work; it raises concerns for consideration by Synod or (through Synod) the General Assembly, and receives material from these councils. Looking beyond the URC it develops local ecumenical relationships and considers public questions in relation to the Christian faith. In particular it is guided by, and delegates tasks to, the Elders’ Meeting. There are three specific functions which the Church Meeting can discharge only on Elders’ advice, another in which it must ‘have regard’ to the recommendations of other councils including the Elders’ Meeting, and another in which – in effect – Church and Elders’ Meetings must concur. All are considered in more detail below. Church Meeting decisions are also subject to appeal (as outlined below) to the Church’s wider councils.

The Scheme lists functions ‘concerning the outgoing of the Church’ and others ‘concerning the nurture of the fellowship’, but there is a catch-all commission ‘to do such other things as may be necessary in pursuance of its responsibility for the common life of the Church’. These general words must, of course, be read in conformity with the rest of the Scheme, so they do not empower the Church Meeting (for example) to require additional professions of faith from members, nor to usurp the responsibilities of another council of the church.

5. The Church Meeting and membership

(i) admission and transfer

The Church Meeting admits members by profession of faith or by transfer, and commends those in good standing when they seek to move as members to another local church. It ‘maintains standards of membership’, and has power to suspend or remove names from the membership roll. This membership function is exercised only on advice from the Elders’ Meeting.

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23 S2(1)
24 S4
25 S2(1)(iv)
26 S2(1)(vi), (xii)
27 S2(1)(ii)
28 S2(1)(v)
29 S2(1)(ix), (x), (xiii)
30 URCA 1972 or 1981 Sch 2 Pt I or II, para 1
31 S2(2)(iv)
32 S2(1)(xiv)
33 S2(1)(ix)
In most cases the Church Meeting’s role in the admission of members is straightforward. Any serious question as to the suitability of a candidate will already have been addressed confidentially in the Elders’ Meeting, which should have heard a report from the Minister (and possibly others) regarding a new aspirant to join the URC, or considered a letter of commendation from the former church of an applicant by transfer. The Elders’ Meeting must be assured of the sincerity of the candidate’s intention – in the light, inter alia, of the membership affirmations which will be required, including that ‘to live in the fellowship of the Church and to share in its work’. It will also have considered what preparation, if any, is necessary to enable the candidate to undertake the privileges and responsibilities of membership with a clear understanding of what these involve.

However, there may be rare occasions when the Minister considers a candidate is ready for admission but a majority of the Elders do not, or where an existing church member who is not an Elder feels a particular concern about a candidate. There may be two views whether a candidate for membership in the URC who seeks also to maintain an active commitment to another fellowship will have the time and means to take a meaningful part in local church life. Such matters are for the Church Meeting to resolve if the candidacy is brought before it: its decision to admit should never be a mere formality.

**Baptism as an adult** and infant baptism are quite different in this respect. Whenever administered, baptism is the same sacrament: but in the context of church membership its effect differs according to the candidate’s maturity. Infant baptism does not confer those privileges or responsibilities that are specific to URC members. The decision whether to baptise a child can therefore be for its parents or guardians and the officiating Minister alone, and will not involve the Church Meeting; considerations are pastoral and evangelistic and directed largely to the parents’ state of mind. By contrast, adult baptism within a local church of the URC confers full membership, and must be approached with the same care and preliminary stages as the admission of an already-baptised candidate.

**Admission by transfer** presupposes that a candidate has been commended by the ‘sending’ church to the ‘receiving’ one. The **transfer of members** is a Church Meeting function, and it should be remembered that in accepting a transferring member without a fresh profession of faith, the receiving church is relying on the sending church’s testimony to the member’s good standing. Provision of a letter of transfer is not therefore in the sole discretion of the Church Secretary or the Minister: it should, at the very least, be authorised by the Elders’ Meeting under delegated powers from the Church Meeting. Alternatively, a motion at the Church Meeting to authorise a letter of transfer could become the opportunity for a formal farewell and tribute to the departing member or family.

There are variations of practice in relation to two issues: Admission by transfer from a church of another Christian denomination, and the local church membership of ministers in pastoral charge or provincial/denominational posts.

In some quarters it is argued that the URC’s close ecumenical relations with some other denominations preclude treating their members as strangers, and that they should be received into local churches of the URC with minimal hurdles to jump, in the same way as members from other such churches. Against this, there is the fact that the concept of membership in many protestant denominations is not the same as ours (and may not exist at all in less protestant bodies). Such denominations may have no mechanism for commending a departing member to another church – and may indeed not look on the departure with any favour. Most importantly, the declarations or promises made on joining the former denomination will not have been those of the URC Basis of Union. The candidate for

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34 BU Schedule A
35 The URC honours convictions both that baptism can only be appropriately administered to a believer and that infant baptism also is in harmony with the mind of Christ; BU 14
admission to the URC will certainly not have promised to ‘live in the fellowship of the Church and to share in its work’ meaning thereby the URC at both local and denominational level. It seems important that the URC local church admitting a new member to its fellowship should either hear for itself the making of that (and other) promises, or receive assurance from another URC local church in which they were made and have since been honoured. The author’s conclusion, therefore, is that less formal reception into membership ‘by transfer’ should be confined to individuals already admitted to church membership elsewhere in the URC. All others should be admitted ‘on profession of faith’, making the required affirmations publicly, whether they have a Christian background or not.

To be ordained a minister of Word and sacraments in the URC is (like ordination as an Elder) to be admitted to an office in the Church Universal. These acts have a significance reaching beyond this denomination in this kingdom and the neighbouring Islands. Yet it is also to become an officer of the denominational association that is the URC in these territories. To become or remain such an officer without being a member of the association would be strange indeed; and the only mechanism currently provided for becoming a member of the URC is to become and remain a member of a local church, entered upon its roll. The present author concludes that ministers of word and sacraments should, in all cases, be entered upon such a roll, as a prerequisite of Call, ordination, induction, continuance in office and membership of church councils36 (the explicitly ecumenical membership of wider councils excepted, and subject also to such special arrangements as may be made for local ecumenical partnerships).

It does not follow that a minister needs to be on the roll of a local church where he/she serves. Some may wish to be so, seeking membership of their new church by transfer (which the Church Meetings that called them as ministers can hardly refuse). Those who serve in provincial/national or denominational positions can seek membership in any church where they worship with some regularity and are known. It seems quite acceptable for others to retain a ‘spiritual home’ where they have roots, which perhaps predate their ordination, provided they are still able to return from time to time and participate in the life of that church as a member. If, however, the connection with an earlier church dwindles to the point where it is merely historic, it must be for the Church Meeting there to decide whether it is prepared to keep names on its roll on that basis. If it prefers its roll to show only those actively involved in its life, it should advise the minister to seek admission to one of his/her current churches by transfer.

(ii) standards of membership

‘Maintaining standards of membership’ is a gentler expression for ‘church discipline’. By contrast with its Presbyterian predecessor, the URC goes into very little detail about this in its constitutional documents. There are separate disciplinary procedures for those on the Rolls of Ministers and CRCWs (whether serving or retired), with specialist decision-making panels, careful safeguards and sanctions appropriate to the office held: it would never be appropriate for a local church to undertake the initial disciplinary investigation of a member who is on one of these Rolls. The Church Meeting also has no clearly-stated power to disqualify an Elder from election elsewhere to exercise the office to which he/she is ordained,37 though there is precedent for recalling a serving Elder in the midst of his/her term of office, withdrawing the call the local church has given to exercise that ministry there.

36 Although individual trusteeship of local church land is now rare, it is a significant pointer that no person not on membership the roll of some local church can be a trustee of such land for any local church; URC Act 1972 Sch 2 Pt 1 para 7(2)-(3).
37 The Presbyterian Session was the competent court for the discipline of Elders, and could depose from the office of Elder altogether, and restore on proof of repentance and consistent conduct. Until restored by the Session imposing the censure (or on appeal), such a person could not be elected to serve on any other Session.
The function in the Scheme is to maintain, not to set, membership standards. URC members ‘participating in the common life of the Church within the local church, enter into the life of the Church throughout the world’ since membership in the local church carries with it membership of the wider URC and is one way of sharing in the Church Universal, the standards expected of members are the common standards of Christianity as the whole URC understands them, coupled with fidelity to the denomination of Christians within which the member has agreed to live. Statements of Assembly can serve as a guide in this, though they are not always made with the precision appropriate to a norm of conduct. It should be remembered that the URC makes no pretence to unanimity in either faith or morals: it ‘upholds the rights of personal conviction’ unless these are ‘asserted to the injury of its unity and peace’, so a member whose course of conduct was taken in good faith and does not significantly injure the fellowship should not usually face discipline for it.

Even when a member is perceived to have departed from the standard expected of him/her, there are many ways to maintain that standard. The standard itself could be reiterated, in a Church Meeting resolution or a sermon during public worship, without confronting the perceived offender personally. A pastoral approach is sometimes appropriate, by the Minister or an Elder or a group deputed by the Elders’ Meeting. Sometimes this may produce a return to the expected standard, sometimes it may lead the member to see that he/she is no longer in sympathy with the standards of the URC and to resign from membership accordingly (see below). At other times the Elders’ Meeting may feel a formal admonition can close the matter unless the contentious behaviour is repeated. If the Elders feel inclined to bring a disciplinary matter before the Church Meeting – which will inevitably make it public – they would do well to seek advice first from officers of the Synod.

Having heard the member concerned, the Church Meeting may find there has been no departure from expected standards. It can record a departure from standards but find there are good reasons to take no further action, or simply to record a warning. It can, finally, make use of its powers to suspend or remove a name from the membership roll. Suspension, to be meaningful, should either be for a specified period or – perhaps better – until some stated condition of restoration is satisfied. A person suspended or removed from the roll ceases to be a member of the URC and therefore to hold any position for which such membership is essential (for example as a serving Elder, a member of Synod, an Interim Moderator of another church or a Trustee of URC property). In all these decisions the Church Meeting acts in consultation with the Elders’ Meeting.

Although the Church Meeting is not the appropriate forum for the initial disciplinary investigation of a Minister or CRCW (or arguably of an Elder), it must be remembered that the Assembly Commission which removes a person from the Roll of Ministers or of CRCWs or the authority deposing an Elder will have found allegations of a serious disciplinary offence proven; yet these cannot affect the offender’s underlying church membership. Indeed the Scheme emphasises that a person removed from the Roll of Ministers or of CRCWs may retain such membership and the privileges and responsibilities that go with it. It must therefore be open to the councils of the local church where the offender is a member, in extreme cases, to consider that standards of membership can only be maintained by removing him/her from the membership roll as well. Such a step should never be taken before the initial disciplinary proceedings and any appeal are concluded. The same safeguards will apply as for any other removal, except that the local church can accept the factual findings of an Assembly Commission so far as these are made public.

(iii) non-disciplinary suspension and removal

38 BU16
39 BU7
40 BU Schedule E para 5, Schedule F Pt II para 5
Suspension and removal from the membership roll are more likely to happen in a context where no disciplinary issue arises. These can take completely uncontroversial forms: local membership may be **suspended** when a member in the armed forces or at university moves away for a temporary posting or a course during which he/she will join another local church; it will be ended when a member dies or is admitted to another church on permanent transfer. Since the URC does not seek to retain members against their will, a person should also be removed from the roll automatically at his/her own request. The Church Meeting is likely to delegate the decision to remove in such cases to the Elder responsible for the roll.

A potentially more difficult situation arises when it is proposed to remove from the roll a **member who has not attended** church for some considerable time but who has neither moved away nor requested removal. This is not normally treated as a disciplinary matter: although members promise ‘to live in the fellowship of the Church and to share in its work’,

there is no rule to say this has to take the form of church attendance. Rather, the intention is administrative: to make the roll reflect those who maintain a genuine connection with the local church. It makes sense for non-attendance to be addressed first in a pastoral way: if practical, the Minister or the member’s Elder can visit to discover what keeps the member away, and whether there are other ways in which a member who has transport difficulties or who works on Sundays can be kept in touch with the church’s life. If Elders are minded to recommend removal, written notice could helpfully explain the reasoning behind this and its practical consequences, stressing that a person is welcome to attend worship whether a member or not. A member who wishes to address a Church Meeting considering administrative removal from the roll should be allowed to do so.

6. The Church Meeting and candidature for ministry

URC members who sense a call to the ministry of Word and sacraments or ministry as a church-related community worker will discuss this first with their Elder and Minister, with friends and family and perhaps at an occasion organised by the Synod to encourage vocations. But before the selection process can begin, candidates need the support of the church community which knows them best. Recognition as a candidate therefore begins with a resolution of the Church Meeting, which in turn acts on advice from the Elders’ Meeting.

7. The Church Meeting and appointments

(i) Election of Elders

Elders and Ministers serve in a particular local church only by the invitation of its membership. This invitation takes the form, for Elders, of election which may be (and today usually is) for a fixed term; and, for Ministers, of a Call for an indefinite period.

The Elders’ Meeting must call for the **election of new serving Elders** when necessary, and advise on the number required. A candidate for election as a serving Elder must be a member of the local church; local rules may specify a minimum period of membership for eligibility, a ‘fallow’ period between periods of tenure, or any other preliminaries necessary before the Church Meeting considers candidates. Although there is a minimum age for trustees (see below in relation to property) there is no minimum age for the Eldership as such, and no maximum age, unless local rules provide them. The number of serving Elders and their period of service are ultimately matters for the Church Meeting; these can be decided on an **ad hoc** basis, or can be addressed in local rules adopted before any particular need

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41 BU Schedule A
42 A Call for a fixed term is sometimes issued in local ecumenical projects.
43 S2(2)(viii)
44 S2(1)(viii)
arises. If local rules specify a fixed number of serving Elders and the number of candidates does not exceed the number of vacancies, the default outcome is that all candidates are elected: if it is desired that the Meeting should vote to accept or reject individual candidates in such circumstances, local rules should make this clear.

(ii) Call and Settlement of a Minister

A candidate to be Minister in pastoral charge of a local church must be (a) a person already ordained to the Ministry of Word and sacraments in the URC or a predecessor church,\(^{45}\) (b) an ordinand declared eligible for Call by a Synod,\(^{46}\) or (c) a person ordained to the Ministry of Word and sacraments in another church and granted a Certificate of Eligibility by the appropriate Assembly committee.\(^{47}\) He/she must not have been removed from the URC Roll of Ministers (unless subsequently reinstated).\(^{48}\) Subject to this, and to the need for the Synod’s concurrence in a Call before induction, a local church has free choice as to whom to call; but there are a number of constraints regarding the process.

First, the payment of a Minister’s stipend and certain grants and provision for his/her pension out of central funds of the URC (the Ministry & Mission Fund) are made on the terms of the Plan for Partnership. This was originally adopted by the General Assembly in 1980. Since neither the URC Acts nor the Scheme of Union, nor (it is suggested) the trusts implied from the intentions of the individual donors of local church funds give the Assembly power to direct the trustees of those funds as to their use, the Plan’s original status was merely that of an offer to those churches who wished to have a minister remunerated centrally under the Plan, and an exhortation to those which – not having such a minister – to make contributions nevertheless to the work of the wider Church. However, churches which have called a centrally-remunerated minister must be taken to have accepted that offer, and all others appear in practice to have responded to the exhortation. Churches which continue to accept central stipend payment after changes to the Plan must be taken to have accepted its amended form. By providing for Ministry & Mission contributions in its annual budget, the Church Meeting effectively directs the trustees of the local church funds to make payments accordingly.

The current (2013) version of the Plan describes contribution to the costs of the whole Church’s ministry according to the congregation’s means as ‘the first charge on the local church’s income’. Local stipend supplements are discouraged; but a manse in good condition is provided, and related costs paid, by the local church or an allowance made in lieu; the local church reimburses travel and other expenses of church business, and allows the Minister a fixed length of annual leave. Terms of Settlement detailing the variable aspects of this understanding between local church and Minister are prepared and agreed between them, and approved by the Synod before it concurs in the Call. In considering these questions on the local church’s side the final authority is that of the Church Meeting but it may delegate this, or aspects of it, to the Elders’ Meeting or the ‘call group’ (see below).

Secondly, the General Assembly has published a document entitled ‘Movement of Ministers’ (latest version July 2010) outlining the common procedure for filling ministerial vacancies and the duties of Interim Moderators. The procedure in this document must be followed if the local church wishes candidates to be introduced by the Synod Moderators. (An eligible candidate may be called by the Church Meeting without following this process, but the Synod’s concurrence in that event is less certain.) The ‘Movement’ document refers throughout to ‘the pastorate’. If a Minister is to serve only one local church, the pastorate and the local church are the same thing in this context. But the local church may be part of a

\(^{45}\) BU Sch E para 1(a)-(d)
\(^{46}\) S2(4)A(xvi)
\(^{47}\) BU Sch E para 1(e)
\(^{48}\) BU Sch E para 5
Group of Churches or Joint Pastorate (see below), in which case there will be a Group constitution or Pastorate statement of intent under which certain functions may be transferred to a joint Church Meeting.\textsuperscript{49}

Under the ‘Movement’ document, the ‘scoping’ (percentage of the standard ministerial stipend available) for the pastorate is determined by or on behalf of the Synod. If a single local church pastorate is scoped at 100% then that church can expect to be served by a Minister full-time. A Minister will devote his/her whole time to serving a Group or Joint Pastorate scoped at 100%, but that time will be divided between the local churches concerned. If a single local church is scoped at 25% then it will probably be unable to call a Minister unless he/she can find additional paid roles to meet the 75% income shortfall. Until a pastorate has been scoped (which may be a matter of years in some cases), a pastorate profile prepared and draft Terms of Settlement approved on behalf of the Synod, the introduction procedure cannot begin. (References to ‘full time’ do not exclude the Minister occasionally assisting other churches or accepting limited Synod responsibilities.)

The Church Meeting or Meetings of a pastorate may appoint a ‘call group’. Its main functions are to sift candidate profiles submitted to them, decide which candidate to invite for an initial confidential meeting with Interim Moderator and Elders, and following that meeting to decide whether to invite the candidate to ‘preach with a view’ to Call. In a single-church pastorate the Church Meeting can entrust these tasks to the Elders; but a distinct call group may be advantageous in reducing numbers and securing an age and gender balance. Even if there is a separate call group, all serving Elders are entitled to join the confidential meeting, and the Elders’ Meeting may elect to make a positive or negative recommendation to the Church Meeting after the candidate has ‘preached with a view’.

After a candidate has ‘preached with a view’, it is for the Church Meeting (or a Group or Joint Pastorate Church Meeting) to decide whether to issue a Call. The constitution of a Group of Churches or the Statement of Intent in a Joint Pastorate should prescribe how this decision will be taken (quorum and voting majority required, in each local church if they meet separately, and overall; in a single church pastorate, unless already laid down in local rules, these questions should be determined by a Church Meeting before the introduction process begins. It is desirable for the constitution, Statement or local rules also to determine ahead of time whether non-members will be permitted to attend and speak at a meeting to consider a Call (they cannot in any event vote), and whether the voting should be by show of hands or secret ballot. As at any Church Meeting, it is not in order for members to vote if they have not been present for the preceding discussion.

A Call does not make the candidate the Minister: it is followed by finalisation and signature of the Terms of Settlement, the concurrence of the Synod,\textsuperscript{50} public affirmations by the Minister\textsuperscript{51} and his/her \textit{induction} by the Synod during worship with its Moderator or a deputy presiding.\textsuperscript{52} Ordination to the Ministry of Word and sacraments takes place, where necessary, alongside induction.

(iii) Presidency at the Sacraments

As a matter of good order rather than ‘validity’, the normal president at the Holy Communion and the normal minister of Baptism is a minister of Word and sacraments. The Minister in pastoral charge of a local church usually officiates, and if the Minister is going to be elsewhere on the date of a scheduled Communion service or Baptism, the Elders’

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\textsuperscript{49} S1(I)(b) and (c)
\textsuperscript{50} S2(4)A(vii). ‘Deep pastoral concern for the church’ may lead the Synod to withhold concurrence, in which case the Call is ineffective and the call group returns to sifting candidates.
\textsuperscript{51} BU21 and Schs C and D
\textsuperscript{52} S2(4)A(vii)
responsibility for pulpit supply is exercised by inviting another Minister to replace him/her. These are not questions that would come before the Church Meeting.

However, if ‘pastoral necessity so requires’ (typically when the pastoral charge is vacant), other URC members (normally Elders or accredited lay preachers) may be recognised by the Synod as eligible to preside at the sacraments, and subsequently invited by local churches to do so. This is sometimes done to enable a wider outreach from the church building, for example in a hospital chaplaincy context. The Church Meeting comes into this during the process of discerning or reviewing ‘pastoral necessity’. As it approves candidates for ministerial training, so it may commend particular members to the Synod for recognition. The final decision to give or refuse recognition, and as to its duration, is the Synod’s: the final decision to invite a recognised person to preside on a particular occasion is akin to a ‘pulpit supply’ decision, and so lies with the Elders’ Meeting.

A more spontaneous decision is required if a Communion service or Baptism is scheduled with a Minister or recognised person presiding, the intended president fails at the last moment to appear, and no other Minister or recognised person is present to step in. In that event the assembled congregation is specifically empowered by the Scheme to act ‘as a Church Meeting’ with power (a) to decide whether to postpone the service or to appoint one of their number to preside, and (b) if the decision is not to postpone, to select a suitable person to preside (for that one occasion).

(iv) Appointment of Officers and Representatives

Every local church must have one or more Church Secretaries, who serve both the Elders’ and the Church Meeting. The Elders’ Meeting nominates candidates from amongst its members, whom the Church Meeting can elect if it sees fit. The Church Meeting cannot elect a Secretary not nominated by the Elders, so if it rejects an initial nomination the office remains vacant until the Elders’ Meeting makes another.

With this exception, the Church Meeting appoints such officers of the local church as it considers necessary, and regulates their terms of office. The most obviously necessary officer is a Treasurer (see below as to property).

The Church Meeting appoints one (or occasionally two) persons to represent the church on the Synod. These should normally be serving Elders. Further provision, such as a limit on the term of service, can be made by local rules.

(v) Employment decisions

Many local churches have a caretaker or a paid administrator; larger ones may pay musicians, youth workers and other staff. If the Church Meeting takes final decisions in selection or dismissal, this suggests the church’s entire membership to be joint employers, with the liability this entails. To leave such decisions to those who, as trustees, administer the funds from which such salaries are paid (see below on property) is probably wise. This would not prevent the Church Meeting being the council that decides whether a new employed post should be created, or an existing (but vacant) post abolished. It also does not prevent the relevant trustees consulting the Church Meeting about the standing instructions they propose to give their employees, or about adoption of safeguarding, grievance and disciplinary procedures.

53 BU25
54 BU25
55 S2(2)(iv)
56 S2(1)(viii)
57 S2(4)(c). The Minister is a member of Synod under S2(4)(a).
8. The Church Meeting and church property

The Church Meeting, in succession to the role played by Presbyterian Deacons or Managers and ascribed to particular Congregational churches at least since the nineteenth century, has a number of property-related functions. These are best described as powers of direction and consent, and should be distinguished from the powers of control and management belonging to trustees. The duties and accountability of trustees are also different from those of councils of the Church.

Guidance notes on the responsibilities of trustees of local church land, including the financing of those responsibilities and the relationship between trustees and the local church’s councils, are currently in course of preparation by Mission Council’s Law and Polity Advisory Group in consultation with the Provincial and Legal Trust Officers (PLATO). These are likely to appear late in 2014 (for Trust Companies) and during 2015 (for local churches). So as not to pre-empt those notes, only a brief summary of the position as it affects the Church Meeting will be given here at present.

The property used for the purposes of the local church can be divided into **real** (in Scotland heritable) **property** (i.e. land, with the buildings on it and any fixtures) and **personal property**, including cash, investments and movable objects such as church furnishings.

Both real and personal property used for the purposes of the URC at any level are held on charitable trusts. The trusts of real property are stated in writing and, in relation to most local church land, can be found in Schedule 2 to one of the three URC Acts. The trusts of personal property are, as a rule, not stated in writing: they are imposed by the circumstances surrounding the giving of the asset concerned and the donors’ intentions as they can be inferred from those circumstances.

If the trusts or trusteeship of personal property serving the local church were ever in serious dispute, they would have to be determined by a court on evidence specific to the property concerned. General guidance can only be tentative and is subject to local facts suggesting a different outcome. But as a general rule it is suggested that when people give money or objects to the local church they anticipate that the Minister and Elders will control and administer them, that they will serve the church as a local church of the URC, and that their precise use will be determined through budgets, frameworks and instructions by the Church Meeting.

If the above is correct, it would follow that the personal property serving the local church is held for URC charitable purposes as determined by the Church Meeting (which, in other words, has a power of direction), but that its trustees are the qualified members of the Elders’ Meeting for the time being.

The word ‘qualified’ is inserted because there are certain individuals who cannot be trustees (or trustees of charities), yet are still eligible to be elected Elders or called as Ministers. The most obvious example would be that of a church member aged 16 or 17, whom a Church Meeting might elect to the serving Eldership but who could not act in trustee business. Bankruptcy and certain orders made by courts or regulators can also exclude from active trusteeship of a charity, but cannot prevent ordination as an Elder or Minister, which are exclusively matters for the Church. Hence it may be necessary for the Elders’ Meeting to

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divide its business into two sessions – those in which disqualified members can take a full part, and those decisions (affecting assets) in which they cannot. The Church Meeting, since it is not exercising trustee functions, need not be concerned with this.

In relation to personal property, therefore, the role of the Church Meeting is to determine its use and direct the trustees (usually Minister and Elders) accordingly. In many churches the Church Meeting sets only a broad framework, for example by setting a budget, and leaves detailed uses within that framework to be determined by the trustees. But it is free to give a specific direction as to use (for example that the salaries of church employees are to be paid, or that a stated sum shall be paid over by the trustees to trustees for the wider URC by way of Ministry & Mission contribution), with which the trustees must comply. It may also (and will usually need to) direct payments from local church funds to the trustee of the local church land to cover its expenses and outgoings.

The trustees of local church funds are not only accountable to the Church Meeting. They are also bound by the trusts affecting the funds, which flows from the inferred intentions of the donors who gave them. And they are bound by general principles of trust and charity law, for which they can be held to account by the courts and charity regulators. Consequently they can and must disregard a Church Meeting direction if it asks them to commit a breach of trust. They cannot apply church funds to something that is not a charitable purpose of the URC; they cannot spend money on building work from which one of their own number stands to profit; they cannot make investment decisions which they believe are not in their charity’s interest.

Turning to real property, there are of course some land and buildings which serve local churches but are not covered by the provisions in Schedule 2 of the relevant URC Act. To give just three examples, this might include

a. A manse purchased out of provincial (not local) church funds and made available only so long as the current minister is in post;
b. The chapel of another denomination, used by the local UR church pursuant to a formal sharing agreement; or
c. An office building given to (or purchased by) the local church as an investment to produce income.

These notes cannot cover all situations and they do not cover the above cases.

Trusteeship of local church land is usually – but not always – vested in the Trust Company serving the province or nation concerned. As a reminder of this point, these notes refer to ‘trustee’ in the singular (meaning the Company) in the local church land context.

However, when the Schedule 2 provisions (hereafter ‘the Scheduled Trusts’) do cover a local church building or chapel, adjoining church halls or a manse, then the Church Meeting enjoys three powers:

a. to direct the use of the land, provided this falls within the broad primary use in paragraph 1 of the Scheduled Trusts (for charitable purposes of the URC);
b. to give or withhold consent to certain transactions within the discretion of the trustee (licences for ‘reputable use’ by third parties, alterations and improvements, mortgages, lettings and sales) under some provisions in paragraphs 2 and 3 of the Scheduled Trusts; and
c. to direct the application (within the broad spectrum of charitable purposes of the URC) of proceeds from sales of land under paragraph 2(c).

Since, under certain provisions of the Scheduled Trusts, a consenting or directing power is also enjoyed by the Synod, consultation and agreement between Church Meeting, Synod and trustee may be required, depending on the decision to be taken.
The trustee has most of the usual responsibilities of a trustee of charity land, but very little in the way of liquid funds with which to discharge them. Since the local church has the use of the buildings concerned it is incumbent upon the local church to fund the necessary outgoings and expenses connected with them (repairs, insurance, physical security, trustee expenses, etc.) This is done by a Church Meeting direction to the trustees of local church funds to make payments for specific purposes to the trustee of the local church land (unless, by arrangement with the latter trustee, the local church makes certain arrangements direct).

A trustee of local church land is not only accountable to councils of the church. It is bound by the Scheduled Trusts and cannot accept directions inconsistent with them, either in relation to land or to sale proceeds, whether from the Church Meeting or from the Synod. And it too is bound by general principles of trust and charity law, for which it can be held to account by the courts and charity regulators.

The Church Meeting is required by the Scheme of Union ‘to make or provide for the making of arrangements for the proper maintenance of buildings and the general oversight of all the financial responsibilities of the local church’, and also to adopt financial reports.59 ‘Making arrangements’ means what it says, and no more. Thus making arrangements for financial oversight does not require the Church Meeting itself to exercise day-to-day oversight: it is enough to ensure that oversight is in place, for instance by making sure that the trustees of the church’s general funds know who they are and understand their responsibilities.

Apart from identifying trustees, financial oversight ‘arrangements’ can, for example, include requiring local church committees and groups with delegated budgets to keep their own proper accounts and submit them to the trustees through the church Treasurer; offering ethical investment guidance to the trustees; recommending policy to the trustees on the operation of bank accounts; and nominating independent examiners.

‘Making arrangements’ for the proper maintenance of buildings does not mean that the Church Meeting must carry out maintenance itself. However, it will be concerned to see that buildings are regularly inspected (usually under arrangements made by the trustee) and that any necessary repairs are undertaken and funded. If a chapel or manse is let, repairs may be a tenant’s responsibility and any necessary enforcement will be a matter for the trustee, though the local church may need to fund the initial steps.

For the Church Meeting to adopt financial reports (which may relate not only to the general funds, but to any other funds administered in connection with the church) does not prevent the trustees of the relevant assets from themselves receiving and approving their own accounts, which they will have to submit (and for which they will take responsibility) to the relevant regulator if the church’s general funds are (or, in the case of lands, the trustee itself is) a registered charity.

9. The Church Meeting, local rules and qualified majorities

The local church is a part of the wider URC; but it is also a local association of URC members for worship witness and service.60 Thus, as in any association, its members have the right to govern their own common life where their prior commitments (in this case the Scheme of Union) do not preclude it. The Scheme says nothing about local rule-making but it does not exclude it, and the power of the General Assembly ‘to make, alter or rescind rules for the conduct of … proceedings … of other councils … of the URC and such other rules, bye-laws and standing orders as [it] may from time to time think desirable … for the conduct of the

59 S2(1)(xi), (xiii).
60 S1(1)(a)
business and affairs ... of [those] other councils' has never been exercised in relation to councils of the local church.

Accordingly the Church Meeting, as an assembly of the local membership, can adopt rules to supplement the Scheme of Union’s provisions with local effect. It can do so by agreement expressed verbally or evidenced in conduct, which is why this note refers in places to local ‘custom and practice’. However such custom can be superseded by express written resolution and it is usually sensible to adopt written local rules for the matters which, according to what is said elsewhere in this note, such rules can provide.

Written local rules should provide for their own amendment by the Church Meeting and it may be appropriate that such amendment can only be made by a qualified majority (e.g. 2/3 of those present and voting), or perhaps with the agreement of the Elders’ Meeting (possibly with a provision enabling a vote at a second Church Meeting to override an Elders’ ‘veto’). If once a qualified majority provision is included in local rules, it must be followed thereafter. If local rules do not already provide for qualified majority voting at the meeting to call a Minister, it will often be sensible for an earlier Church Meeting, held during the vacancy but before any candidate preaches with a view, to impose this.

The constitution adopted at the formation of a group of churches, and the Statement of Intent adopted at the formation of a joint pastorate, both have the character of local rules, though they are of course agreed simultaneously by two or more local churches in consultation with the Synod and cannot thereafter be altered save in accordance with their own terms. They will supersede any contrary provision in the local rules of an individual church, and should therefore only be adopted by that church with the qualified majority (if any) for which its own existing rules provide.

10. The Church Meeting and delegation

The Church Meeting meets only occasionally and habitually delegates many of its powers. But it remains responsible for what is done in its name, and always has power to take back roles it has delegated.

Delegation by trustees (of either real or personal property) is only legitimate in very limited circumstances, and must usually be formal rather than implied. These notes do not cover delegation of trustee discretions, since the Church Meeting’s role in relation to property is not one of trusteeship.

Delegation is not appropriate where this would merge the Church Meeting’s and the Elders’ Meeting’s complementary roles under the Scheme of Union: for example, the Church Meeting makes membership decisions on a report from, or in consultation with the Elders’ Meeting; though in uncontroversial matters, such as authorising a letter of transfer for a departing member or removing departing and deceased members from the roll, it may decide to lay down general rules and leave it to the Elders to implement them. The Elders’ Meeting nominates the Church Secretary, but the Church Meeting must confirm the appointment.

The Church Meeting has regard to Elders’ advice before giving broad directions for the use of the chapel, but may then leave points of detail to the Elders to resolve.

Commending a candidate for ministry, electing Elders, calling a Minister, finally agreeing Terms of Settlement, electing members of Synod, appointing new Trustees, participation in ecumenical arrangements and approval of the more far-reaching transactions affecting chapel, hall or manse (major alterations, letting, sale and the application of proceeds) should

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61 S2(6)A(xii)
62 See S1(1)(b) and (c)
never be delegated, except perhaps as to detailed aspects of a decision already taken in principle.

11. Appeals from the Church Meeting

There are three ways in which a difficult question, normally within the discretion of the Church Meeting, may come before the Synod on which the church is represented. Firstly by a voluntary ‘reference up’: the Meeting may itself recognise the difficulty of the question and, instead of pressing it to a vote (or acting upon a slim majority), appeal to the Synod to resolve the difference. Secondly, if an individual member of the local church is aggrieved by a Church Meeting decision, he/she may appeal to the Synod to resolve the dispute. Thirdly, the Elders’ Meeting may collectively do the same if its advice has not persuaded the membership.63

If the Church Meeting resolves to refer a question to the Synod, the Church Secretary should transmit all relevant papers to the Clerk of Synod within ten days. An Elders’ Meeting resolution to appeal should be passed within ten days of the Church Meeting and the Church Secretary should transmit papers to the Clerk of Synod within another ten. If the appeal is by an individual member, he/she should apply to the Church Secretary for a copy minute of the Church Meeting decision by which he is aggrieved within ten days of it being taken; within another ten days he/she should notify the Clerk of Synod in writing of the background and basis of the appeal, and at the same time inform the Church Secretary that the appeal has been lodged.64

The effect of lodging an appeal with the Clerk of Synod is to stay (i.e. halt) action based on the Church Meeting decision until the Synod has given a ruling.65 The Synod must consider the appeal, either through delegates66 or in plenary session, hearing representatives of both the Church Meeting and the appellant(s). It can refer a particularly difficult decision further, to the General Assembly, or give its own ruling, which the appellant(s) or the Church Meeting may themselves appeal further to the Assembly.67 Rules of Procedure made by the Assembly regulate the procedure in greater detail and should be consulted.

The council determining an appeal can remit a question to the Church Meeting for reconsideration. It seems arguable (though the Scheme is not entirely clear on this) that it can also substitute its own decision for the Church Meeting’s. (Thus it can, e.g., accept a candidate for membership rejected by the Meeting and direct his/her admission during worship; substitute a warning for a decision to remove an offender from the roll, nullify a disputed election of Elders and call for a fresh election; vary a direction to Trustees concerning the use of the manse; or consent to a letting which the Church Meeting has declined to approve.)

12. The Church Meeting and the dissolution of the local church

A local church of the URC ceases to exist as such if all its members leave the URC, if the last of its members dies, if it merges with another local church or churches, or if it resolves to close. If its membership falls below two it is no longer capable of holding a Church Meeting since one person alone is not a ‘meeting’.

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63 SS(2)
64 Rules of Procedure (RP) 8.2
65 RP 8.5
66 RP 8.4, 8.5, 8.8, 8.9 – A hearing through delegates (the Moderator or a Committee of Synod) is only permissible if all parties agree.
67 SS(2)
The death or departure of the last member is not something that the Church Meeting can influence. However, the possibility of many members leaving the URC at once makes it appropriate to say something here about secession.

A Church Meeting of the URC can only act within the Scheme of Union. With the single exception mentioned below, this does not entitle the Meeting as such to secede from the wider Church and renounce the authority of its councils. The individuals who make up the Church Meeting can leave the URC, either individually or in a body; but a resolution to do so cannot be considered a resolution of the Church Meeting. It is simply, when made public or communicated to an appropriate council of the URC such as the Synod, an indication of those individuals’ departure, and should be recognised by their removal from the roll of members.

Consequently, if such a collective decision is made, the first question is whether all members of the local church are party to it. If some are not, then those non-seceding members will remain members of the local church. They, and they alone, constitute the Church Meeting from that moment. If a secession includes the Minister, a vacancy in the pastoral charge will ensue. If it includes all the serving Elders, the Church Meeting will need to elect new Elders as soon as possible. The Synod will appoint an Interim Moderator, offer advice and assistance and make arrangements for pastoral care of the continuing membership.

If all members of a local church are party to a decision to secede, either by voting for it in a general meeting or by associating themselves with it afterwards, then the URC local church ipso facto ceases to exist. The seceding members do not constitute a URC Church Meeting and do not have its powers and functions. Any individual members who were trustees of URC property cease to be such. The same consequences follow as if all members of the local church had died: namely, that any property held on the Scheduled trusts will be dealt with under the authority of the Synod under paragraph 5 of the Scheduled Trusts (see above). The assistance of the Charity Commission may be necessary in relation to liquid and other assets.

The exception to the above is where secession ‘with property’ is agreed by the General Assembly. If members of a local church which is the successor to a former Congregational church, Church of Christ or Presbyterian congregation feel they have grounds to leave the URC as a body but are prepared to wait until an orderly separation can be considered, they should follow the guidance in this regard published by Mission Council. They remain members, with the full powers of a Church Meeting, until the General Assembly considers their case. If leave to secede with property is given by resolution of the Assembly, then they cease from that moment to be a local church of the URC but the assets held for the former local church at the date of union become held once more on Congregational, Church of Christ or Presbyterian trusts as the case may be.

Merger of two or more local churches takes place by agreement with the consent of the Synod. The Scheme of Union provides that, where there are a number of small congregations in proximity to one another, unable separately to provide leadership and resources for the work of the Church, they are to consult with the Synod to formulate an acceptable scheme for joining together but local churches are free to merge voluntarily with the Synod’s approval even if those conditions do not exist. The effect would be to bring into being new local rules replacing any rules of the merging churches, and a common membership roll from which a common Church Meeting would be drawn. This would elect Elders afresh unless the merger scheme contained transitional arrangements for previously serving Elders to continue. A Minister already serving all merging churches would continue in office; if he/she was not previously the Minister of one or more of the churches, he/she would need to be called and

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68 Fresh guidance on Secession has been drafted in the Law & Polity Advisory Group and is likely to be presented to Mission Council by 2015.
69 URC Act 1981 s.21; URC Act 2000 s.25
70 S1(1)(a)
inducted afresh to the new church. Assets held on trust to serve a merging church or subject to the directions of its Church Meeting would become held on trust to serve the new church and subject to the directions of its Church Meeting.

It may occasionally be appropriate for a local church to close without a formal merger, even though it still has members. The Synod will be concerned to see that arrangements are in place for the members’ continuing pastoral care and church affiliation, which will normally mean acceptance by transfer into the membership of a nearby local church. Until the Church Meeting passes a formal resolution to dissolve (for which local rules may require a qualified majority), it retains all the powers and functions of a Church Meeting, including in most cases power to direct the application of liquid assets held for the church (see above). It can, therefore, determine the destination and future trusteeship of such assets, provided they remain used for charitable purposes of the URC. Typical resolutions would be for such assets to be paid into the general funds of the local church to which the members would in future belong, or into the general funds of the Synod. A resolution would not need to cover the future of the chapel, hall and manse, which are more conveniently dealt with by the Synod under the Scheduled Trusts (see above).