

UNITED REFORMED CHURCH

A Bill to make provision as to property held on behalf of the Re-formed Association of Churches of Christ in Great Britain and Ireland and its member churches and for other purposes incidental to or consequential upon the unification of the Re-formed Association of Churches of Christ in Great Britain and Ireland with the United Reformed Church in England and Wales.

Whereas

- (1) The United Reformed Church in England and Wales (hereinafter called "the United Reformed Church") was formed by a Uniting Declaration passed on the Fifth day of October One thousand nine hundred and seventy-two in pursuance of the Scheme of Union approved by the Assembly of the then Congregational Church in England and Wales on the Eleventh day of May One thousand nine hundred and seventy-one and by the General Assembly of the then Presbyterian Church of England on the same day
- (2) The Re-formed Association of Churches of Christ in Great Britain and Ireland (hereinafter called "the Association") consists of local autonomous member churches who share the general convictions and aims of the Association
- (3) Since 1972 representatives of the United Reformed Church and of Churches of Christ have held discussions which have culminated in the Proposals for unification (hereinafter called "the Proposals") which were approved by the General Assembly of the United Reformed Church on and by the Annual Conference of the Association on
- (4) The Proposals provide for the unification of Churches of Christ with the United Reformed Church
- (5) Such unification must involve the variation of trusts of property held for or for the purpose of (amongst other bodies) the Association and local member Churches of Christ
- (6) It is expedient that the variation of trusts for which provision is made in this Act should be made if such unification takes place
- (7) It is expedient that certain provisions of the United Reformed Church Act 1972 should be amended as in this Act provided
- (8) It is further expedient that the other provisions of this Act (being provisions incidental to and consequential upon such unification) should be enacted
- (9) The purposes of this Act cannot be effected without the authority of Parliament

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

Short title

1. This Act may be cited as the United Reformed Church Act 1981.

Interpretation

- 2.(1) In this Act, unless the subject or context otherwise requires -
 - "Churches of Christ" means the member churches of the Re-formed Association of Churches of Christ in Great Britain and Ireland whose names appear as such churches on the list of member churches as it stands on the First day of April One thousand nine hundred and eighty
 - "clerk" means the clerk of the General Assembly
 - "commissioners" means the Charity Commissioners for England and Wales
 - "date of unification" means the date on which is passed the Unifying Declaration
 - "dissolved association" means an association dissolved by section 5 (Dissolution of Unincorporated Bodies) of this Act
 - "enactment" means an enactment in this Act or in any general or local Act or in any order rule or regulation made under any Act
 - "General Assembly" means the General Assembly of the United Reformed Church
 - "land" includes any estate interest or right in over or under land and heritable property
 - "local church" means a local church of the United Reformed Church
 - "Moderator" means the Moderator of the General Assembly of the United Reformed Church
 - "non-uniting church" means any one of the Churches of Christ other than a uniting church
 - "property" means property of every description wheresoever situate and includes property held on trust and securities rights and powers of every description
 - "Proposals for Unification" means the Proposals for Unification approved by resolution of the General Assembly and by resolution of not less than two-thirds of the total number of Churches of Christ and by resolution passed by the votes of not less than three-fourths of the members of the Annual Conference of the Re-formed Association of Churches of Christ present and voting
 - "Unifying Assembly" means the General Assembly and the Annual Conference of the Re-formed Association of the Churches of Christ meeting together in accordance with the Proposals for Unification
 - "Unifying Declaration" means the declaration which under the Proposals for Unification effects the unification of the Churches of Christ with the United Reformed Church thenceforth to be known as the United Reformed Church in the United Kingdom
 - "United Reformed Church" means the church or denomination as defined in section 2 (Interpretation) of the United Reformed Church Act 1972
 - "uniting church" means any one of the Churches of Christ which shall have passed a resolution for unification under and in accordance with the Proposals for Unification
- (2) Any reference in this Act to any enactment shall be construed as a reference to that enactment as applied extended or amended by or by virtue of

any subsequent enactment including any enactment in this Act.

Validity and evidence of Unifying Declaration

3.(1) The declaration by the president of the Unifying Assembly at that Assembly that the Unifying Declaration has been passed in accordance with the Proposals for Unification shall be final and conclusive as to that fact and as to the satisfaction of all preliminary procedures and conditions defined and declared in the Proposals, and the date validity and effectiveness of the Unifying Declaration shall not thereafter be questioned on any ground in any court or proceeding whatsoever

(2)(a) The president of the Unifying Assembly forthwith after the passage of the Unifying Declaration shall certify his declaration of that event and the date thereof and shall send the certificate together with a copy of the Proposals for Unification to the commissioners for safe keeping under section 25(2) of the Charities Act 1960

(b) A copy of the certificate referred to in the preceding paragraph or of the Proposals for Unification authenticated either by the Moderator or by the clerk shall be admissible in all courts and proceedings as evidence respectively of the matters certified and of the contents of the Proposal for Unification and a document purporting to be such a copy shall be received without proof of the position or handwriting of the person authenticating it

Validity and evidence of certain resolutions

4.(1) The declaration by the person presiding at the appropriate meeting that a resolution for unification has been passed shall be final and conclusive as to that fact and as to the satisfaction of all preliminary procedures and conditions, and the date validity and effectiveness of such a resolution shall not thereafter be questioned on any ground in any court or proceeding whatsoever

(2) Subsection (2) of section 3 (Validity and evidence of Unifying Declaration) of this Act shall apply in regard to resolutions for unification and for the purpose of such application:-

(a) paragraph (a) of the said subsection shall have effect as if -

(i) for the reference to the president of the Unifying Assembly there were substituted a reference to the person presiding over the meeting at which the resolution for unification is passed or (in the event of his death or inability or unwillingness to act) to a person present at the meeting

(ii) for the words "passage of the Unifying Declaration" there were substituted the words "passing of this Act"

(iii) for the expression "of that event" there were substituted the words "the passing of the resolution"

(iv) the reference to the Proposals for Unification were omitted

(b) paragraph (b) of the said subsection shall have effect as if the reference to the Proposals for Unification were omitted

(3) The person who sends to the commissioners a certificate of the passage of a resolution for unification or (in the event of his death or inability or unwillingness to act) another person present at the meeting in question shall forthwith send to the clerk a copy of the certificate sent to the commissioners

(4) In this section a "resolution for unification" means a resolution which is referred to in the definition of "uniting church" in section 2 (Interpretation) of this Act

PROPOSED PARLIAMENTARY BILL

UNITED REFORMED CHURCH

Arrangement of Sections

SECTION

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3. Validity and evidence of Unifying Declaration
4. Validity and evidence of certain resolutions
5. Dissolution of unincorporated bodies
6. Lands held in trust for uniting churches
7. Other property held in trust for uniting churches
8. Gifts which are to take effect as gifts to the United Reformed Church
9. Power to make grants etc. to the United Reformed Church
10. Powers vested in dissolved associations
11. Preservation of existing trusteeships
12. Covenants restricting use of land
13. Application of Places of Worship Registration Act 1855 and Marriage Act 1949
14. Sharing of Church buildings
15. Pending representative actions, etc.
16. Indemnities
17. Admission of non-uniting churches
18. Amendment of Act of 1972
19. Arbitration
20. Saving for charges, etc.
21. Saving of powers in regard to charities
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SCHEDULES

Schedule 1—Amendment of Act of 1972

Schedule 2—Adaptation of Trusts

Part I Trusts for places used for Religious Worship

Part II Trusts for Ministers' Residences and other Church Workers' Residences

the ministry (including the auxiliary ministry) and to advise the Church Meeting about its recommendation to the District Council.”

Para. 9(3)(a) - in place of the existing sentence there shall be substituted “All ministers (other than auxiliary ministers), deaconesses and registered local pastors engaged directly in the service of the United Reformed Church within that District.”

Para. 9(3) (b) - line 1 - after the word “ministers” there shall be inserted the words “(including auxiliary ministers)”.

Para. 9(3)(c) to (f) - sub-paragraphs (c) to (f) shall be relettered (d) to (g), and a new sub-paragraph (c) shall be inserted as follows:

“Such auxiliary ministers in the service of the United Reformed Church within that District as the District Council in consultation with the Provincial Synod shall from time to time determine, always with regard to a proper balance between ministerial and lay representation.”

Para. 9(3) (iii) - in place of the existing sentence there shall be substituted “to appoint, in consultation with the local church and the Moderator of Synod, from among its members an interim moderator during a pastoral vacancy, such interim moderator normally being a minister or Minister Emeritus; an auxiliary minister or in exceptional circumstances an elder may be appointed.”

Para. 9(3)(v) - in place of the existing sentence there shall be substituted “to consider on the recommendation of local churches applications for recognition as candidates for the ministry (including the auxiliary ministry) and to transmit them, if approved, to the Synod for decision.”

Para. 9(4)(a) - in place of the existing sentence there shall be substituted “All ministers (including auxiliary ministers), deaconesses and registered local pastors who shall for the time being be members of District Councils within the Province”.

Para. 9(4)(v) - for the word “students” there shall be substituted the word “candidates”.

Para. 9(4)(vi) - in place of the existing sentence there shall be substituted “to give oversight to candidates for the ministry (including the auxiliary ministry) and to candidates for any form of full-time service in the Church at home and abroad, and, in the case of candidates for the ministry, determine their eligibility for a call”.

Para. 9(4)(xiv) - after the word “ministers” there shall be inserted the words “(including auxiliary ministers)”.

Para. 9(5)(g) - in place of the existing sentence there shall be substituted “All former Moderators of the General Assembly of the United Reformed Church and all past Chairmen of the Congregational Union of England and Wales, all past Presidents of the Congregational Church, all former Moderators of the General Assembly of the Presbyterian Church, all former Chairmen and Presidents of the Annual Conference of the Association of Churches of Christ in Great Britain and Ireland, and all former Presidents of the Annual Conference of the Re-formed Association of Churches of Christ in Great Britain and Ireland, provided that such former officers are members of the United Reformed Church.”

Dissolution of unincorporated associations

5.(1) On the date of unification and subject to the provisions of this section every association to which this section applies shall be dissolved and all offices held in or in connexion with each such association shall be extinguished

(2) This section applies to:—

- (a) The Re-formed Association of Churches of Christ in Great Britain and Ireland
- (b) The Annual Conference of the Re-formed Association of Churches of Christ
- (c) each uniting church and
- (d) every committee council or other unincorporated association of or exclusively subsidiary or ancillary to any of the associations previously listed

Lands held in trust for uniting churches

6.(1) All land which immediately before the date of unification is held in trust for or for the purposes of or in connexion with a uniting church shall on and from that date and in accordance with the following provisions of this section be held in trust for or (as the case may be) for equivalent purposes of or in connexion with the local church corresponding to the uniting church in question

(2)(a) The trust deed of any land to which subsection (1) of this section applies being either land held in trust for use as a church chapel church hall mission hall preaching station Sunday school or other place of religious worship or land held in trust for use as a manse or place of residence of a minister lay worker or caretaker shall on and from the date of unification have effect as if the provisions contained either in Part I or (as the case may be) in Part II of Schedule 2 to this Act were substituted for the operative provisions previously contained in that deed and the references in either part of the said Schedule to “the trustees” and “the premises” shall be construed (notwithstanding any definition in the deed) as references to the trustee or trustees for the time being of the deed and to the land and where appropriate the buildings to which the deed relates and references to “the local church” shall be construed as references to the local church corresponding to the uniting church to which the deed relates

(b) In any case where the property subject to any trust referred to in paragraph (a) of this subsection comprises in addition to land any capital money investments or other property paragraph (a) of this subsection shall apply to all the property so comprised

(3) The trust deed of any land to which subsection (1) of this section applies not being a trust deed to which the last foregoing subsection applies shall on and from the date of unification have effect as if words referring to a local church were substituted for any words therein referring to or describing a church of the Churches of Christ in Great Britain and Ireland

(4) The foregoing provisions of this section shall operate in relation to any scheme legally established and affecting land to which subsection (1) of this section applies as if the scheme were a trust deed and as if paragraph 8 in both parts of the said Schedule were omitted

(5) The commissioners shall have power to modify or supersede the trusts imported by the last preceding subsection into any such scheme as is therein

mentioned including any modified or new trusts since incorporated, whether the scheme was established by the commissioners or by the High Court

Other property held in trust for uniting churches

7. All property (other than property to which the preceding section of this Act applies) which immediately before the date of unification is held in trust for or for the purposes of or in connexion with:-

- (a) a uniting church
- (b) the minister or ministers of a uniting church
- or
- (c) the members of or any class of members of a uniting church

shall on and from that date be held in trust for or (as the case may be) for equivalent purposes of or in connexion with the local church ministers or minister of a local church or members or class of members of the local church corresponding to the uniting church for which or for the purposes of or in connection with which the property was previously held but otherwise so far as circumstances will permit upon the same trusts and with and subject to the same powers and provisions as those upon which the property was held before the date of unification

Gifts which are to take effect as gifts to the United Reformed Church

8.(1) Any provision contained in any settlement trust deed deed of covenant will or codicil coming into operation on or after the date of unification and being a provision in favour of or directed to be administered by any dissolved association shall have effect as a provision in favour of or to be administered by the corresponding association of the United Reformed Church but upon with and subject to such trusts powers and provisions as are by such settlement will or codicil expressed concerning the same

Provided that if in any such case a person or class of persons or a society institution charity or fund standing in any relation to any dissolved association is an object named in the provision the object of such provision shall be a person or a class of persons or a society institution charity or fund standing in a similar relation to the United Reformed Church generally

(2) In any case to which the preceding subsection applies the receipt for a gift or bequest of a treasurer appointed by the General Assembly of the clerk or of the treasurer or secretary of the corresponding association referred to in that subsection shall be an effectual discharge to the trustees or personal representatives concerned and shall exonerate them from being concerned to see to the destination or application of the gift or bequest and from being answerable for the mis-application or non-application thereof

(3) In any case where a provision which is referred to in subsection (1) of this section is a provision wholly or partly for the benefit or use of a non-uniting church or any members or class of members thereof the said subsection shall have effect so that on and after the date of unification the provision shall be to the same extent as before a provision for the benefit or use of the same non-uniting church or members or class of members thereof and the property affected by that provision shall be dealt with accordingly under the preceding provisions of this Act

Power to make grants etc to the United Reformed Church

9. The power of any person under any enactment or document to make grants to or to lend property to or to provide benefits for any dissolved

Britain and Ireland at the date of unification, on removing to another local church are eligible for election by that church to the Elders' Meeting, and if elected are then inducted. The ordination and/or induction of elders shall be carried out in the course of public worship by the minister, or one of the ministers, of the local church (or during a pastoral vacancy, the interim moderator) acting with the serving elders (see Schedule B)."

Para. 7(24) - line 1 - the words "either of" shall be deleted.

Para. 7(25) - at the end of the paragraph an asterisk shall be inserted with the following footnote:

"Those in Churches of Christ in Great Britain and Ireland authorised to preside at baptismal and communion services at the date of unification with the United Reformed Church may continue to do so for such period as shall be determined by the District Council. Subsequently, only ordained ministers (including auxiliary ministers) or those authorised under the provisions of this clause shall preside."

Para. 7(26) - in place of the existing paragraph there shall be substituted "**The ordination and induction of ministers (including auxiliary ministers) shall be in accord with Schedules C and D. Appropriate affirmations of faith shall also be made by those entering upon other ministries within the life of the Church. In the United Reformed Church all ministries shall be open to both men and women.**"

Schedule A(c) - the words "either Church" shall be amended to read "the uniting Churches".

Schedule D - para. 4 - in place of the existing paragraph there shall be substituted "The United Reformed Church accepts with thanksgiving the witness borne to the Catholic faith by the Apostles' and Nicene Creeds, and recognises as its own particular heritage the formulations and declarations of faith which have been valued by Congregationalists, Presbyterians and members of Churches of Christ as stating the gospel and seeking to make its implications clear."

Para. 9(1) - line 9 - after the word "minister" there shall be inserted the words "or one of the ministers".

Para. 9(1)(x) to (xiii) - sub-paragraphs (x) to (xiii) shall be renumbered (xi) to (xiv), and a new sub-paragraph (x) shall be inserted as follows: "to consider, always on advice from the Elders' Meeting, any application for recognition as a candidate for the ministry (including the auxiliary ministry) and to transmit it, if approved, to the District Council."

Para. 9(2) - lines 1 and 2 - the words "minister or ministers" shall be amended to read "minister(s) (including auxiliary ministers)".

Para. 9(2) - lines 6 to 8 - in place of the existing third sentence there shall be substituted "The minister, or one of the ministers, or during a pastoral vacancy the interim moderator appointed as hereinafter provided, shall normally preside over the Elders' Meeting."

Para. 9(2)(ix) to (xi) - sub-paragraphs (ix) to (xi) shall be renumbered (x) to (xii), and a new sub-paragraph (ix) shall be inserted as follows: "to consider the suitability of any applicant for recognition as a candidate for

whose conviction it is that baptism can only be appropriately administered to a believer and those whose conviction it is that infant baptism also is in harmony with the mind of Christ. Both convictions are honoured by the Church and both forms of baptism are understood to be used by God in the upbuilding of faith. Should these differences of conviction within the one Church result in personal conflict of conscience it will require to be pastorally reconciled in mutual understanding and charity, and in accordance with the Basis of Union, in the first instance by the Elders' Meeting of the local congregation, and if necessary by the wider councils of the Church. No one shall be required to administer a form or mode of baptism to which he has a conscientious objection, nor shall the form or mode of baptism used in any instance be one to which conscientious objection is taken by the person seeking baptism or by the parent(s) requesting baptism for an infant.

* Admission to the full privileges and responsibilities of membership of the Church shall be in accordance with paragraphs 9(1) and (2)(vi) of the Structure and with Schedule A."

Para. 7(18) - in place of the last sentence and footnote there shall be substituted "It recognises as its own particular heritage the formulations and declarations of faith which have been valued by Congregationalists, Presbyterians and members of Churches of Christ as stating the gospel and seeking to make its implications clear.*

* E.g. among Presbyterians: the Westminster Confession, 1647; A Statement of the Christian Faith, 1956; among Congregationalists: the Savoy Declaration, 1658; A Declaration of Faith, 1967; among Churches of Christ: Thomas Campbell's Declaration and Address, 1809."

Para. 7(21) - Revisions to this paragraph are already before the Assembly of the United Reformed Church and, subject to ratification at the United Reformed Church Assembly in 1980, the Basis will be amended by the addition of the words quoted in the Introduction (page 4). At the end of the paragraph an asterisk shall be inserted with the following footnote:

* Ordained elders of Churches of Christ in Great Britain and Ireland at the date of unification with the United Reformed Church may choose either to be inducted as auxiliary ministers or to serve as elders as described in paragraph 7(22). Those choosing to serve as auxiliary ministers shall be offered opportunity of suitable further training."

Para. 7(22) - in place of the existing footnote there shall be substituted. "Elders elected for the first time after the formation of the United Reformed Church shall be ordained and inducted to that office. Serving deacons of the Congregational Church in England and Wales and serving elders of the Presbyterian Church of England shall continue to serve on the Elders' Meeting of the local church for such period as shall be determined by the Church Meeting. Serving elders of Churches of Christ in Great Britain and Ireland who choose to serve as elders at the date of unification with the United Reformed Church and serving deacons of Churches of Christ at the date of unification shall continue to serve on the Elders' Meeting of the local church for such period as shall be determined by the Church Meeting. Subsequently, all elders shall be eligible for re-election, and those elected shall enter on their office by induction. On re-election, those not previously ordained may, if they so desire, be ordained before induction. Elders of the United Reformed Church, or serving deacons of the Congregational Church in England and Wales at the time of union, or serving deacons of Churches of Christ in Great

association or to or for any minister officer members or class of members of such an association or to or for any child widow or other dependant of such a minister officer or member shall on and from the date of unification be exercisable in favour of (as the case may be) an association minister officer members or class of members of the United Reformed Church or the children widows or other dependants of such a minister officer or member

Powers vested in dissolved associations

10.(1) Where immediately before the date of unification any power with respect to any trust or any power of nomination is or is to be vested in any dissolved association or in any minister or officer of the Churches of Christ in Great Britain and Ireland in the capacity of such minister or officer then on and from that date any such power shall (in the case of a power previously vested or to be vested in an association) vest in such person or body of persons as the General Assembly shall from time to time appoint and (in the case of a power previously vested or to be vested in a minister or officer) in the holder of the corresponding ministry or office of the United Reformed Church

Provided that this section shall not apply where the minister or officer concerned is a minister or officer of a non-uniting church or of an unincorporated association to which section 5 of this Act does not apply or where the trust relates exclusively to a non-uniting church or the members or any class of members of such a church

(2) The General Assembly may delegate the exercise of its powers under the foregoing subsection to any person or body of persons

Preservation of existing trusteeships

11.(1) Subject to the provisions of this Act nothing in this Act shall operate to divest any trustee (including any custodian trustee) of any property vested in him immediately before the date of unification

(2) Where in any document it is provided that the trustees of any trust shall be members of a dissolved association such document shall on and after the date of unification be read and have effect as if the reference to membership of that association included a reference to membership of the United Reformed Church

(3) Where any property is property which immediately before the date of unification is held for or for the purposes of or in connexion with or is used by

(i) a non-uniting church

(ii) the minister or ministers of a non-uniting church

or

(iii) the members or any class of members of a non-uniting church

then for the purposes of section 35 of the Charities Act 1960 the trusts on which the property is held shall be deemed to be the trusts of a charity whereunder trustees of property held for the purposes of the charity may be appointed or discharged by resolution of a meeting of the members of the charity and the members of the charity shall be deemed as the case may require to be the members of the non-uniting church in question

Covenants restricting use of land

12. On and from the date of unification any words referring to or describing whether expressly or by implication the Churches of Christ in Great Britain and Ireland or any member church of Christ being words which immediately before that day were contained in any restriction as to the user of land or the

building thereon shall be read construed and have effect as including a reference to or description of the United Reformed Church

Application of Places of Worship Registration Act 1855 and Marriage Act 1949

13.(1) Every building which under the Places of Worship Registration Act 1855 or any Act repealed by that Act has been certified and recorded as a place of meeting for religious worship on behalf of a uniting church and of which the record of certification has not before the date of unification been cancelled shall on and from that date be deemed to be certified and recorded as a place of religious worship on behalf of a congregation or assembly of persons of the United Reformed Church

(2) Every building to which the preceding subsection applies which has been registered for the solemnisation of marriage therein under Part III of the Marriage Act 1949 and of which the registration has not before the date of unification been cancelled shall on and from that date be deemed for the purposes of the said Act to have been registered on behalf of a congregation of the United Reformed Church for the solemnisation of marriages therein

(3) Nothing in this Act shall operate to disqualify any person who in relation to a building to which the preceding subsection applies is immediately before the date of unification an authorised person within the meaning of section 43(2) of the Marriage Act 1949

(4) The clerk shall as soon as may be after the date of unification transmit to the Registrar General of Births Deaths and Marriages in England and Wales a list of all the buildings to which subsection (1) of this section applies and shall indicate on that list which of those buildings are buildings to which subsection (2) of this section applies

Sharing of church buildings

14.(1) On and from the date of unification the Sharing of Church Buildings Act 1969 shall have effect as if the United Reformed Church were named in the first column of Schedule 2 to that Act in substitution for any congregation of the Re-formed Association of Churches of Christ in Great Britain and Ireland and as if the appropriate authority named in the second column of the said Schedule in relation to any church or church buildings belonging to any such congregation were the Synod of the province of the United Reformed Church in which the church building or buildings is or are or will be situated

(2) Nothing in this Act shall affect the validity of anything done before the date of unification under or in pursuance of the said Act but anything done thereunder by or for a uniting church shall as from that date have effect as if done by the United Reformed Church and as if the appropriate authority were a Provincial Synod of the United Reformed Church

Pending representative actions, etc.

15.(1) Any action arbitration or proceeding which shall on the date of unification be pending by or against representatives of any dissolved association shall not abate or be discontinued or be in any way prejudicially affected by reason of the provisions of this Act or of anything empowered to be done thereunder but the same may be prosecuted and continued as if this Act has not been passed

(2) Any cause of action arbitration or proceeding which shall on the date of unification be existing against or in favour of persons representative of any

SCHEDULE

Schedule of Amendments to the "Basis of Union" and "The Structure of the United Reformed Church" contained in the "Scheme of Union", being the scheme of union approved by resolution of the Assembly of the Congregational Church in England and Wales on the 11th day of May, 1971, and by resolution of the General Assembly of the Presbyterian Church of England on the same day and upon which the United Reformed Church was formed on the 5th day of October, 1972.

Para. 7(7) - lines 1 and 2 - "The Congregational Church in England and Wales and the Presbyterian Church of England humbly recognise" shall be amended to read "**The United Reformed Church humbly recognises**".

Para. 7(8) - in place of the existing paragraph there shall be substituted "**The United Reformed Church has been formed in obedience to the call to repent of what has been amiss in the past and to be reconciled. It sees its formation and growth as a part of what God is doing to make his people one, and as a united Church will take, wherever possible and with all speed, further steps towards the unity of all God's people.**"

Para. 7(14) - in place of the existing paragraph there shall be substituted "**The United Reformed Church observes the gospel sacrament of baptism into Christ as a gift of God to his Church, and as an appointed means of grace. Baptism is administered with water in the name of the Father and of the Son and of the Holy Spirit. It is the sacrament of entry into the Church and is therefore administered once only to any person.**

When the Church observes this sacrament it makes explicit at a particular time and place and for a particular person what God has accomplished in Christ for the whole creation and for all mankind - the forgiveness of sins, the sanctifying power of the Holy Spirit and newness of life in the family of God. In this sacrament the Church affirms its faith in the action of God in Jesus Christ; and takes corporate responsibility for those receiving baptism, promising to support and nourish them as it receives them into its fellowship. Baptism may be administered in infancy or at an age of responsibility. Both forms of baptism shall be made available in the life of every worshipping congregation. In either case the sacrament of baptism is a unique part of the total process of Christian initiation. When baptism is administered at an age of responsibility, upon profession of faith, the baptized person at once enters upon the full privileges and responsibilities of membership. When baptism is administered to an infant, upon profession of faith by his parent(s), he is placed under the nurture of the Church that he may be led by the Holy Spirit in due time to make his own profession of faith in Christ as his Saviour and Lord, and enter upon the full privileges and responsibilities of membership. These two patterns of Christian initiation are recognised by the United Reformed Church.

The profession of faith to be made prior to baptism by a believer or at an age of responsibility by one baptized in infancy is indicated in Schedule A.* This profession, and its acceptance by the Church which shares in it, is a necessary part of the process of initiation and whenever possible it should be made at a celebration of the Lord's Supper.

The United Reformed Church includes within its membership both persons

less than two weeks prior to the date of unification) gives written notice to that effect to the General Secretary of the Association shall following the unification be inducted to that office and shall be offered opportunity of suitable further training.

- (ii) Every other serving Elder and every serving Deacon of a uniting church of Christ shall from the date of unification serve as an Elder of the corresponding local church for such period as the Church meeting of that local church shall determine.
- (l) Every person who immediately prior to the date of unification is serving as an officer (other than as a Church Secretary) of a uniting church of Christ shall from the date of unification and until the conclusion of the first Church Meeting of the corresponding local church act in relation to the corresponding local church in the like capacity. A Church Secretary shall likewise continue to act, but in that case until a Church Secretary shall have been appointed by the Church Meeting (as defined in the Scheme of Union) of the corresponding local church on the nomination of the Elders Meeting.
- (m) The first Church Meeting of each corresponding local church shall be appointed and summoned in accordance with the usual procedure followed by the uniting church of Christ to which such local church corresponds. The first Church Meeting shall elect or provide for the election of officers of the corresponding local church and of representatives to the wider Councils of the U.R.C.
- (n) The first Church Meeting of each corresponding local church shall also determine the periods of service of the first Elders of that local church and shall arrange for the holding of the first Elders Meeting. At the first Elders Meeting the Elders present shall determine the recommendation to be made to the Church Meeting concerning arrangements for the proper maintenance of buildings and for the general oversight of all the financial responsibilities of the corresponding local Church and shall also nominate from among their members a Church Secretary for election by the Church Meeting.

dissolved association shall not be prejudicially affected by reason of the provisions of this Act or of anything empowered to be done thereunder but the same may be enforced against or by such representative persons as shall be nominated for the purpose by the Moderator as and when it might have been enforced if this Act had not been passed

Indemnities

16. Nothing in this Act and nothing empowered to be done thereunder shall deprive any person of any right of indemnity to which he was entitled immediately before the date of unification whether as party to any action arbitration or proceeding as trustee or in any other capacity whatsoever

Admission of non-uniting churches

17.(1) A non-uniting church or any church which immediately prior to the dissolution on the Thirty-first day of March One thousand nine hundred and eighty of the Association of Churches of Christ in Great Britain and Ireland was a member church thereof may if so authorised by not less than three-fourths of those present and voting at a meeting of the members thereof specially convened for the purpose apply to be unified with the United Reformed Church and shall be admitted thereto if the General Assembly so resolves by not less than three-fourths of the members thereof present and voting

(2) Any admission under the preceding subsection shall occur on such day as the Moderator shall appoint

(3) On and from the day of admission appointed under the preceding subsection the provisions of this Act shall apply as if the day of admission was the date of unification and as if the church were a uniting church

Amendment of Act of 1972

18. The provisions of the Act of 1972 specified in Schedule 1 to this Act shall have effect subject to the amendments set out in the said Schedule

Arbitration

19. Any question arising under this Act as to what corresponds to any association charity class of members committee court institution members minister ministry office officer purpose society or uniting church shall be determined by a single arbitrator appointed by the President of The Law Society and the award of such an arbitrator shall be final and conclusive for all purposes

Provided that neither the President nor The Law Society shall be under any liability with regard to the payment of the arbitrator's fee and the costs of the arbitration

Saving for charges etc

20. Nothing in this Act and nothing done in the exercise of powers thereby conferred shall relieve any property or any person from any liability or responsibility to which they would otherwise be subject in respect of any mortgage charge incumbrance lien bond or obligation

Saving of powers in regard to charities

21. Nothing in this Act shall affect any power of Her Majesty the court the commissioners or any other person to alter the trusts of any charity

Costs of Act

22. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act or otherwise in relation thereto shall be paid as to half by the United Reformed Church and as to half by the Re-formed Association of Churches of Christ in Great Britain and Ireland

- a local church of the U.R.C. (each such local church being referred to in these Proposals as "the corresponding local church").
- (c) All property belonging to a uniting church of Christ will belong to the corresponding local church. Existing Trust Deeds of places of worship manses and other residences will take effect as if their operative provisions were replaced by provisions contained in the appropriate part of the Second Schedule of the draft Bill.
 - (d) Every church of Christ which does not pass a resolution for unification will continue in being and retain its property.
 - (e) All other property of the Association or held for its purposes or for purposes of churches of Christ will be held for purposes which include purposes of the U.R.C. Following the date of unification, all such property will be allocated between the U.R.C. and those churches of Christ which do not pass a resolution for unification in accordance with rule 89 of the Association.
 - (f) Trustee powers which prior to unification are vested in a body which is then dissolved will be exercised by such persons as the General Assembly appoint.
 - (g) Every full-time Minister of a uniting church of Christ shall from the date of unification continue as Minister of the corresponding local church his rights and obligations as such Minister being thenceforth governed by or under the provisions of the Scheme of Union. The name of every such full-time Minister shall on that same date be placed on the Roll of Ministers kept by the Clerk to the General Assembly.
 - (h) There shall also be placed on such Roll of Ministers
 - (i) the name of every full-time Minister who immediately prior to the date of unification held office in the Association or approved by the Annual Conference and
 - (ii) the name of any person who immediately prior to the date of unification is serving as a full-time Minister of a non-uniting church of Christ and who within six months of the date of unification notifies the Clerk to the General Assembly of his desire to serve as Minister to a local church of the U.R.C. Every such Minister is hereinafter called a "notifying Minister".
 - (i) The U.R.C. shall be under no financial or other liability towards any Minister of a non-uniting church of Christ. The General Assembly shall, however, ensure that every notifying Minister who has resigned his pastorate (whether or not he shall have been required to do so) is given such support and for such period prior to his becoming Minister to a local church of the U.R.C. as the General Assembly in consultation with the Synod of the Province in which such Minister resides may deem appropriate.
 - (j) From the date of unification every retired full-time Minister whose name is on the Roll of Retired Full-time Ministers kept by the General Secretary of the Association shall be deemed to be a Minister Emeritus of the U.R.C. unless he gives written notice to the General Secretary of the U.R.C. of a contrary wish.
 - (k) (i) Every ordained and serving Elder of a uniting church of Christ may elect to serve as an auxiliary Minister and those who so elect and (not

combined membership as shown in the last edition of the Year Book to be published before that date by the Association of Churches of Christ in Great Britain and Ireland ("the relevant Year Book") is not less than three-fourths of the total membership as shown in the same Year Book of all churches whose names are on such list.

For the purpose of these Proposals:

(i) a resolution for unification shall mean a resolution to approve these Proposals passed on or after the 1st day of April 1980 but before the 19th day of July 1980, by not less than three-fourths of the members present and voting at a meeting of any one of the churches of Christ of which due notice has been given to the members of that church provided that written notice of the passing of such resolution has been given by any person specified in the resolution addressed to the General Secretary of the Association by the 26th day of July 1980.

(ii) a uniting church of Christ shall mean a church of Christ which has passed a resolution for unification of which such written notice has been given and a non-uniting church of Christ shall mean one which has not.

and

(c) the Annual Conference at its meeting in 1980 by resolution passed by the votes of not less than three-fourths of the members of the Annual Conference present and voting approves the acceptance of these Proposals

and

(d) the General Assembly and the Annual Conference resolve to meet together on a date to be specified or provided for in each such resolution as a unifying assembly ("the unifying assembly")

and

(e) the unifying assembly being satisfied that all necessary action has been taken for giving of legal effect to such parts of these Proposals as require legal sanction by resolution (herein called "the Unifying Declaration") passed by the members of the General Assembly and of the Annual Conference first voting separately and then as one body declares that the U.R.C., the Association and the uniting churches of Christ are thereby unified in the one Church (hereafter to be known as The United Reformed Church in the United Kingdom) but continuing to be constituted upon the terms and provisions contained in the Scheme of Union with the Basis and the Structure amended in accordance with the scheduled amendments and with the amalgamation of membership and ministry provided for in these Proposals.

Effects upon the Churches of Christ of the Passing of the Unifying Declaration

4. The sanction of Parliament so far as that is necessary for the implementation of these consequences will be sought. A draft of the proposed Parliamentary Bill ("the draft Bill") is annexed hereto and is to be found on pages 15 to 30.

(a) The Unifying Declaration will effect the dissolution of the bodies listed in Section 5(2) of the draft Bill and the extinguishment of all offices held in connection with any of them.

(b) Every member of a uniting church of Christ shall on the date of unification become a member of the U.R.C. and the membership roll of a uniting church of Christ shall on that date be deemed to be the membership roll of

SCHEDULE 1

Amendment of Act of 1972

(To be drafted so as to implement the proposed amendments set out on page 5)

SCHEDULE 2

ADAPTATION OF TRUSTS

Part 1

Trusts for Places used for Religious Worship

The premises shall be held upon the following trusts:—

1. The trustees shall permit the premises to be used for all or any of the following purposes and all proper ancillary purposes namely:—

- (a) The public worship of God according to the principles and usages for the time being of the United Reformed Church
- (b) The instruction of children or adults or
- (c) The promotion of other charitable purposes not inconsistent with the principles and usages aforesaid such use to be primarily by the members of the local church or any other church which may supersede it as a result of amalgamation or regrouping and to be directed by the Church Meeting acting with due regard for the recommendations of the Elders' Meeting and those other Councils of the United Reformed Church which exercise oversight of the local church

2. The trustees may if in their discretion they think fit but not without the authority of a resolution of the Church Meeting and (except as to work on or in a building which does not substantially alter its character appearance or value) not without the approval of the Provincial Synod (which approval shall be sufficiently evidenced by a document signed by the Chairman or the Secretary for the time being of the District Council and stating that such approval has been given) and subject to any statutory restrictions do any of the following things from time to time:—

- (a) Permit the buildings on the premises to be altered enlarged improved rebuilt supplemented or demolished
- (b) Raise money required for any of the last mentioned purposes by mortgage or charge of the whole or by sale of part of the premises
- (c) Sell or mortgage the whole or part of the premises and apply the money so obtained (as the Church Meeting shall direct) in or towards the acquisition of other freehold or leasehold land (subject or not to incumbrances) and the erection thereon of buildings such land to be held upon the like trusts or for any other charitable purposes of the United Reformed Church
- (d) Dispose of the premises or any part thereof for development under a building lease or other arrangement including or not including provisions for the acquisition of a freehold or leasehold interest (to be held so far as may be on the trusts set forth in paragraph 1 hereof) of new church premises to be built as part of the development and apply all money arising from any such disposal and not required for new premises for such charitable purposes connected with the work of the United Reformed Church as the Provincial Synod acting with due regard for the needs of such work within the district of the District Council shall by resolution

PROPOSALS FOR UNIFICATION

The following proposals for the unification of the United Reformed Church and Churches of Christ are submitted on the authority of the Executive Committee of the United Reformed Church and of the Central Council of the Re-formed Association of Churches of Christ in Great Britain and Ireland.

Definition

1. These Proposals
 - (a) define the procedures by means of which and the terms and conditions upon which the United Reformed Church in England and Wales ("the U.R.C") and the Re-formed Association of Churches of Christ in Great Britain and Ireland ("the Association") would be unified and
 - (b) declare in the Schedule to these Proposals the amendments ("the scheduled amendments") which would be made to the existing Basis of Union ("the Basis") and the Structure of the U.R.C. ("the Structure") if such unification were to take place.

Procedures and Conditions for Unification

2. Provided that the procedures and conditions defined and declared in paragraph 3 of these Proposals are duly performed and observed the passing of the Unifying Declaration as therein defined shall operate on the date that such Unifying Declaration is passed ("the date of unification")

- (a) to bring into immediate effect the scheduled amendments
- and
- (b) to effect the immediate dissolutions and other consequences defined and declared in paragraph 4 of these Proposals
- all of which taking place on the date of unification are in these Proposals referred to as "the unification".

3. The unification shall take effect provided that

- (a) the General Assembly of the U.R.C. ("the General Assembly") at its meeting in 1980 ratifies the amendments to para 7(21) of the Basis agreed at its meeting in 1979 approves these Proposals and following due reference to District Councils and Provincial Synods of the U.R.C. by resolution agrees and at its meeting in 1981 by resolution ratifies (in each case in accordance with the processes for amendment contained in the Scheme of Union ("the Scheme of Union") upon which the U.R.C. was formed on the 5th day of October 1972) the scheduled amendments as amendments to the Basis and the Structure to become effective on the date of unification

- and
- (b) these Proposals are accepted by resolutions for unification as hereinafter defined passed on or after the 1st day of April 1980 but before the 19th day of July 1980 by not less than two-thirds of the total number of the churches ("the churches of Christ") whose names at the latter date are on the list of churches compiled in accordance with rules 1 to 3 of the Rules and Regulations of the Annual Conference of the Association whose

financial and administrative implications of unification for Churches of Christ. It is necessary now to set out changes which have been made since 1976.

12. A unified Scheme for the **Maintenance of the Ministry** in the URC came into operation in January 1977. Local churches contribute to the central fund according to agreed assessments and ministers receive their stipend and children's allowances through a system of central payments. The Assembly of 1979 asked for reconsideration of the Scheme. It is now proposed that from 1981 the central payment of stipends will continue, but in place of fixed assessments local churches will contribute amounts to be agreed by negotiation with their Province. The arrangements in the two Churches with regard to stipends, pensions and housing in retirement are now so nearly similar as to make it relatively straightforward to bring them entirely into line after unification.

13. In 1976 as the first proposals were published, a plan was finally adopted which established the **Council for World Mission** on a new basis. This body, the successor of the London Missionary Society, became a world partnership now comprising 27 Churches, in which each member Church, whatever its history, is an equal partner in a shared enterprise of mission, each giving of its resources of experience, personnel and finance, and each receiving help in its own missionary task. Both Churches of Christ and the URC are full members of this newly created instrument for world mission, and as they have shared in its work a further bond of fellowship has been forged between us.

Conclusion

14. This Introduction is not comprehensive, but it is, we hope, sufficient to indicate where the earlier Proposals have been modified in the light of events and what modifications have taken place in the life of the two Churches since 1976. There are no significant new elements in the Proposals, which follow the previous scheme as closely as the changed circumstances permit. Acceptance of the Proposals for Unification will effect the amendments to the Basis of Union and Structure of the URC as set out in the Schedule. The new scheme is commended to the Churches in the confidence that it will have an importance beyond any question of the numbers involved. It will be one further step in the ecumenical pilgrimage to which God still calls his Church. It will bring together two traditions and in the mingling of convictions, and the experience of new fellowship, the United Reformed Church of the future will be able to make a richer and more diverse witness to the gospel while manifesting more clearly Christ's power to make his people one.

appoint (or if so directed by the Provincial Synod shall pay them to the Treasurer of the Provincial Synod or of the District Council to be dealt with in either case as part of the general funds of that council)

(e) Let any part (not the whole) of the premises for any period not exceeding twenty-eight years and pay the income arising from such letting to the local church as an addition to its general funds

3. The trustees may if in their discretion they think fit with the authority of a resolution of the Church Meeting but without any approval of the Provincial Synod and without creating any lease or tenancy authorise or permit any other person or persons organisation or other body to use temporarily or occasionally or intermittently for any reputable purpose (but only when use under paragraph 1 hereof is not expected to be required) the whole or any part of the premises

Provided that any such authority or permission may be granted without consideration or for such consideration as the trustees think fit and that any proceeds or income arising from such authority or permission shall be paid to the local church as an addition to its general funds

4. The trustees shall not except to the extent of funds supplied to them for that purpose be responsible for the repair and upkeep of the premises

5. If the Provincial Synod on the recommendation of the District Council made to it after consultation between representatives of that council and the Church Meeting resolves that the use of the premises as aforesaid is or if continued would be no longer useful and that the premises ought to be disposed of the trustees shall sell or let the premises under the direction of the Provincial Synod and shall apply the net proceeds of sale or letting in the manner prescribed by paragraph 2(d) hereof

6. Any person acquiring from the trustees in good faith and for value an interest in or charge on the premises or part thereof may accept without further inquiry a statement in the document transferring creating or evidencing such interest or charge to the effect that the trustees are acting in exercise of the powers conferred on them by this deed and the interest or charge to which such document relates shall not be capable of being impugned on the ground that it was transferred or created without authority

7.(1) The statutory power of appointing new trustees shall be vested in the Church Meeting and shall be exercised by a resolution of the majority of those present and voting at a meeting convened by notice stating the purpose of the meeting given at each service held on the two Sundays immediately preceding the meeting. The chairman shall have for this purpose if necessary a casting vote

(2) No individual person shall be eligible for appointment who is not on the membership roll of some local church (which need not be within the district of the same District Council as the local church)

(3) Any trustee who ceases to have the qualification last mentioned shall be deemed to be unfit to act in the trust

(4) Any trustee who wishes to be discharged from the trust may be discharged therefrom, without any appointment of a new trustee, by such a resolution as is mentioned in sub-paragraph (1) of this paragraph

(5) The number of trustees shall so far as practicable be kept up to four

8. If in the opinion of the Church Meeting evidenced by a resolution

(3) Any trustee who ceases to have the qualification last mentioned shall be deemed to be unfit to act in the trust

(4) Any trustee who wishes to be discharged from the trust may be discharged therefrom, without any appointment of a new trustee, by such a resolution as is mentioned in sub-paragraph (1) of this paragraph

(5) The number of trustees hereof shall so far as practicable be kept up to four.

8. If in the opinion of the Church Meeting evidenced by a resolution passed by a majority of not less than three-fourths of the persons present and (being entitled to vote) voting at a meeting specially convened for the purpose of considering such resolution any amendment of any of the foregoing provisions with or without amendment previously made shall be desirable and such resolution (in which the foregoing provisions with any amendment previously made may be referred to as "the statutory scheduled provisions") shall be sanctioned by the Provincial Synod and the General Assembly and a memorandum thereof and of its sanction signed by the Moderator of the General Assembly and dated shall be endorsed on or annexed to the trust deed then as from the date of the said memorandum the foregoing provisions with any previous amendment shall be read as if the amendment or amendments specified in the resolution were embodied therein

Provided that no amendment shall authorise the use of the premises for any purpose not being charitable and connected with the United Reformed Church nor shall any amendment deprive the trustees of the discretion conferred on them by paragraph 2 hereof in relation to any matter therein mentioned

INTRODUCTION

Background

1. Proposals for the unification of the Churches of Christ in Great Britain and Ireland and the United Reformed Church were prepared and submitted to the two bodies in 1976. Their acceptance was subject to an agreed process of consent. The Assembly of the URC approved the Proposals with only one dissident in Birmingham in 1977 and they would have come to the Assembly of 1978 for final acceptance. Voting in the Churches of Christ necessarily followed a different procedure: in addition to approval at Annual Conference, the Proposals had to be approved by appropriate majorities in and of the local churches. Although a majority of Churches of Christ voted in favour, by a narrow margin the legally required majorities were not achieved and the Proposals therefore fell to the ground.

2. Further consideration was given to the matter within the Churches of Christ, where it came to be acknowledged that the division of opinion thus revealed touched upon the essential purposes of the Association, and that for many what had happened was a denial of the ecumenical intention for which the Churches of Christ came into being. Steps were therefore taken whereby it was agreed to dissolve the existing Association and to establish a Re-formed Association made up of those who were concerned to seek union with the URC. This Re-formed Association, after a preliminary meeting in September, was fully constituted on November 19th 1979, and immediately approached the URC with a view to unification along the lines set out in the previous report. The Executive Committee of the URC, having been informed of the steps being taken, at its meeting on November 1st 1979 urged the Liaison Committee (established after the failure of the earlier proposals) to proceed as quickly as possible and to circulate proposals for consideration by Synods and Districts at the earliest possible date. This was done in the hope that it will be deemed right for the URC Assembly to vote on the Proposals in 1980, with a view to their ratification in 1981 and a possible act of unification later that year, and for the first Annual Conference of the Re-formed Association of Churches of Christ to move forward along the same road.

3. This timetable implies a sense of urgency. The proposals have been before the Churches for several years. For the Re-formed Association to face long delay would be frustrating to the very purpose for which it has been established. The virtual unanimity of the Assembly in 1977 suggests that the URC is ready to act. We believe therefore that the Churches wish us to proceed with all convenient speed.

4. Many members of both Churches are still in possession of the *Proposals for Unification*, submitted in 1976. A quantity of that report is available in both offices. This new document now sets out:

1. Revised Proposals for Unification (the counterpart of pages 17 to 20 of the 1976 report);
2. A revised Schedule of the Amendments which would be made to the 'Basis of Union' and 'the Structure of the United Reformed Church' if the unification were now to take place (the counterpart of pages 21 to 25 of the former report);

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BETWEEN THE
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AND THE
RE-FORMED ASSOCIATION
OF CHURCHES OF CHRIST**

**REVISED PROPOSALS FOR UNIFICATION
WITH THE PROPOSED PARLIAMENTARY BILL**

The following report is submitted on behalf of the Executive Committee of the United Reformed Church and the Central Council of the Re-formed Association of Churches of Christ, for consideration by the General Assembly, Synods, Districts and local churches of the URC and by the Annual Conference and member churches of the Re-formed Association of Churches of Christ.

1980

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