

The Church of Scotland
Presbytery of Falkirk
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PRESBYTERY OF FALKIRK

A handbook and guide to the working of
Presbytery in Falkirk and Cumbernauld.

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INTRODUCTION

This handbook has been developed to act as a guide, for new and experienced members of Presbytery alike, as to the purpose and process of Presbytery within the Church of Scotland system of governance.

The handbook has been divided into chapters and sections which should allow you to get to the information you are looking for easily and contains a range of ancillary information which you may find interesting or useful, or which can be ignored completely if you prefer.

Whilst every effort has been taken to ensure accuracy, procedures and processes change affecting the accuracy of the handbook. To overcome this updates will be posted on the Presbytery web-site at **www.falkirkpresbytery.org** and you are encouraged to visit the web-site regularly where the most recent information and circulars are posted, as well as up and coming local events.

There are a number of Appendices to the handbook giving detailed information on specific matters and including a glossary of terms to help you interpret the “Church speak” of Presbytery.

What is Presbytery?

How did we get here?

To the inexperienced or lay person there may be a perception that the Church has always been as it is, part of the triumvirate of unchangeables along with death and taxes. But that would fail to recognise the long and seemingly indeterminate journey the Church has been on to get to where it is today, and continues to be on. The Church is a human institution and as such can make mistakes and have to change things. We have come a long way since a handful of men were called by Jesus to “follow me”; that band which grew to include all genders, ages, backgrounds and abilities. Over the generations the Church has grown and developed. People have had disagreements about how best to organise things and over the span of years the Church has divided into differing groups following differing approaches that develop into traditions. The Church of Scotland is just one of these groups.

The Church of Scotland only came into existence following the Reformation that reached critical mass in 1560. It radically changed the face of our nation and the expression of the faith of people, but at that time there were no Presbyteries! Hard as that may be to comprehend, Presbyteries are relatively new in the Church of Scotland. We must also acknowledge that the change initiated by the Reformation Parliament of 1560 only began a process and it was not a wholly religious movement but had huge political influences. Indeed, many areas of the nation were not touched by the Reformation for many years. Often the same celebrants continued to minister but with a new name and for the emerging Protestant Church.

The Presbytery was the last element of the Church's structure to be established. The Church developed a structure of courts to manage its affairs and to maintain order and ensure probity in its dealings. First there were Kirk Sessions (from 1559), then the Court of the Superintendent (from 1561), then the Provincial Synod (from 1561-62, since disbanded), then the General Assembly (from 1560). The Presbytery was only regularised by the General Assembly of 1581. The Presbytery now sits between the courts of the Kirk Session and the General Assembly of the Church.

These courts formed a representational government overseeing the Church's affairs and were central to its separation from state control. The legal powers and responsibilities of the courts have been enshrined and underpinned by the civil legal system. In recent times this has come under increasing scrutiny to ensure that the highest of standards are being sustained with regard to working conditions, legal rights for employees and safeguarding of those within the community of the Church. This scrutiny has been applied to all religious bodies within the nation and it is unlikely that there will be any relaxation in this area; indeed, the scrutiny may well intensify.

Act VIII, 1996, of the General Assembly changed the law of the Church by removing the barrier that the moderating of Presbyteries could only be undertaken by ministerial members. It confirms that any member of Presbytery is eligible to be elected to that office by Presbyters for the duration of the office, currently one year. Falkirk Presbytery has since that time seen the office of Moderator held by Elders and Deacons as well as ministers.

It can be seen that the "road" to our current position has been long and changing and there will certainly be changes in the future as the Church lives out its self understanding of "reformed and reforming". The journey has not always been smooth and there will be inevitable turbulence in the years to come as we face the challenges of living the gospel in a changing world.

What is the function of Presbytery?

In James L Weatherhead's commentary on the law of the Church he says that;

“The Presbytery’s role, as part of the structure of discipline in the broad sense, is the repression of vice and the nourishment of virtue within its bounds. Its basic function is to give spiritual leadership and encouragement to the ministers, office-bearers, and congregations, and it should be recognised that, apart from the duties prescribed by law, or instructed by the Assembly, it should always be seeking other ways of promoting the advancement of Christ’s kingdom.” (1197, p97)

The Presbytery then has the function of supporting its local ministries and acts as the regional supervising body of the Church and is subject only to the General Assembly within the courts of the Church. Each Presbytery has a geographical area of responsibility and oversees the conduct of all ministries and congregations within those “bounds”. In the past the number of ministries and congregations were very similar, but in recent years there has been a greater flexibility of approach and a broader understanding of ministry within the Church. This means that each Presbytery can have a range of ministries beyond that of Parish ministry, including Associate, Auxiliary, Chaplaincy, Diaconal, Parish Assistant, Community and Industrial ministry to name only a few.

Weatherhead goes on to list the range of duties of Presbytery and includes;

- a) determine the number of charges (*and we can now add the range and diversity of approved ministries to be deployed within the bounds.*)
- b) set parish boundaries
- c) dispose of calls to ministers and from congregations
- d) consider levels of parish assistance
- e) accept demissions and resignations
- f) record tributes to deceased members

- g) deal with commissions from Kirk Sessions
- h) admit to membership of the Presbytery (of those qualified) and, on the instruction of the Assembly, to the ministry of the Church of Scotland
- i) nominate and supervise candidates for the ministry, the auxiliary ministry, the diaconate, and the readership, and encourage recruitment
- j) carry out trials for licence
- k) arrange and conduct services of ordination, induction, commissioning, setting apart, union or linking, and dedication
- l) determine Ministries Allocation in conjunction with the national Committee (*now the Council of Assembly*)
- m) arrange and carry out cyclical congregational visitation
- n) arrange for the cyclical inspection of property
- o) process applications for work on property
- p) examine congregational records and accounts
- q) attest Presbytery records
- r) appoint commissioners to Assembly
- s) consider Assembly remits
- t) consider matters of public interest, locally, nationally, and internationally
- u) deal with petitions and overtures
- v) discharge its disciplinary functions
- w) act as a court of appeal
- x) ensure that the laws and accepted practices of the Church are observed.

The foregoing list has been amended very slightly from Weatherhead's original to take into account changes in designation and process which have come into effect since his penning of "The Constitution and Laws of the Church of Scotland" in 1997.

So it can be seen that the range of responsibilities of the Presbytery are extensive and growing with recent and probably future changes, especially

with the call for greater local autonomy and decision making. All this work has to be done by someone – that’s where we come in!

Who can sit on Presbytery?

Act III, 2000 details those who have a right to be a part of Presbytery. This is a consolidating Act of the Church bringing together a range of over 15 Acts of Assembly from 1931 onwards. The most simplified definition of those who can be a part of Presbytery are those who hold the office of Minister within the bounds of Presbytery, be that parish ministry or any of the approved forms of ministry. Added to this are retired ministers who hold a practicing certificate and who have requested and been given a seat on Presbytery and are expected to continue to be involved in the life of the Church. There is, in addition, an elder representing each listed congregation and then a number of “additional” Elders to balance the other forms of ministry and retired ministers. The fundamental principle is that of equality - that the Presbytery should not be dominated by either clergy or laity but there should be an equal partnership using the strengths, experiences and insights of all to allow the Presbytery as a court to make the most informed choice and decision that it can on any matter.

What is the structure of Presbytery?

The Presbytery operates a Committee structure shaped in part to reflect the national Church’s structure so that the lines of communication are simplified. The present list of Committees and their remits and responsibilities are listed in Appendix B of this handbook. For information about who is on each of the Committees you should consult your Presbytery Year Book which will give you the most up-to-date information about contact numbers etc. You may wish to append it to the back of the handbook, along with a copy of the most recent Property Handbook (again available via the web-site) so that you will have a complete library of the Presbytery resources which have been produced to

assist you in fulfilling your place within the life, work and witness of the Presbytery of Falkirk.

Every full member of Presbytery is expected to contribute to the work of one of the Committees of Presbytery, taking into account their expertise and interest. Corresponding Members may also be invited to take part in the work of relevant Committees and receive Presbytery reports and minutes.

What about the wider Church?

The Presbytery is an integral part of the Church of Scotland. It is a court of the Church with all the powers which that entails. It participates in the work of the national Church by dealing with remits from Assembly, voting on prospective law changes under the Barrier Act, taking opinion on matters through consultation and feeding this back to the respective national body.

The Presbytery ensures that the movement of ministers between congregations or posts between Presbyteries is carried out with diligence and legal probity.

It is worth emphasising that the work of Presbytery has legal status and authority. The decisions that we make that incur a cost or change the structure of local ministry have a huge impact on the work of the Church in an area. Such decisions are made carefully and prayerfully. We have to be mindful of making a decision in one area of Presbytery life, e.g. buying equipment, if we do not have the money to pay for it. Making huge changes, for example, to parish boundaries or adjustments to congregations, must be made with regard to those asked to work within that change (or that ultimately we are responsible to make it work alongside the local congregation(s)).

Without the work of Presbytery even more work of the Church would be centralized at the headquarters. There is a long standing complaint from

congregations that the central offices take too much control and do not empower the localities sufficiently. Well, the Presbytery is part of the locality and the national Church and so holds the two parts of the Church together. Because the Presbytery is made up of local Church members and ministries, the influence and the view of the local can be communicated to the national Church. This requires every member of Presbytery to fully take on the role of Presbyter, ensuring that their local Church is kept informed, not just the Session but the whole Church, and passing on to Presbyters the views and opinion of the local Church.

All Presbyters have a responsibility to see themselves as representatives of the local to the national and the national to the local Church. We all have to work hard at keeping that two-way flow of information and communication open for without it, Presbytery becomes nothing more than an exclusive talking shop that people in the pews know little about or understand. As such Presbytery becomes seen as part of the national Church removed from their local experience. This could not be further from the principle that we should be developing – Presbytery must be the local churches in fellowship and service.

Who's Who.

The Moderator:

The Moderator is the chairperson of Presbytery. A new Moderator is elected each year. A nomination is brought to Presbytery by the Business Committee but it is up to Presbytery to accept or reject that nomination – generally speaking it is accepted. Recent changes in Church law have opened up this position to any full member of Presbytery irrespective of vocation, age or gender.

The Moderator “controls” (or at least tries to!) the Presbytery meeting to ensure that the business is dealt with properly; that people have the opportunity to participate and also, with the support of the Clerk, to ensure that any legal requirements are met.

Each Moderator brings their own style to their year in office, some perhaps more informal than others. When a Moderator is elected who is not a minister, they have to arrange for one of the ministerial members of Presbytery to officiate at the Presbytery’s Communion services which are held at the start and close of the session (September and June).

It is the generally accepted practice of the Church that Moderators only have a casting vote and this should be used to sustain the status quo (Cox 5th Ed p73). Should they choose not to use their casting vote the matter is then declared “undecided” and can be returned to at a later date. The Moderator cannot move or second a motion – in effect the Moderator takes a neutral position, seeking to guide Presbytery and determining and voicing the “mind” of the court on any matter. This though can be

challenged by any member seeking that a matter be voted on to accurately determine the mind of the court.

When an item of business comes up in the course of a meeting that relates to the charge connected with the Moderator, the Moderator will declare an interest and vacate the chair inviting a former Moderator, with the agreement of Presbytery, to take the chair for that item of business.

The Clerk.

The Clerk acts as the legal and procedural advisor to Presbytery. Where issues are being discussed and there is some uncertainty about the legal standing of a matter or a question over procedure, the Clerk will advise the court of his opinion, but the ruling is the Moderator's. The Clerk also prepares the minutes of the Presbytery, issues the papers for the meetings and is the official record keeper of the Presbytery.

It will be the Clerk who responds to requests for extract minutes or processing papers on behalf of Presbytery. The Clerk is the contact point for external enquiries, either by mail, e-mail or telephone, and will either pass such communications onto the appropriate person within Presbytery or bring the matter to the Presbytery for the court to take a view and decision on it.

The Clerkship is a very important role within the court ensuring that the legal requirements of vacancies, overtures and returns are properly dealt with so that they cannot be challenged on a matter of process. It is often the Clerk who is an early contact point for ministerial colleagues who find themselves in difficult positions or who are ill and require cover for their congregation. So the Clerk is a friend to all colleagues, but also the one who may have to initiate and oversees disciplinary proceedings.

Due to the nature of the office the Clerk is not frequently changed. Falkirk has been well served by a series of able Clerks and it is only fairly recently that the precedent of serving for 10 years has been established with an

Associate Clerk being appointed towards the end of the period of office, taking on a third of the duties in their first year, then two thirds in the subsequent year with full handover the next year. This allows for the smooth transfer of the duties of the office as well as time to hand on something of the knowledge and expertise gained over many years. The position of Clerk is a part-time paid appointment met from Presbytery funds.

Depute Clerk

Under a former Clerk the post of Depute Clerk was established to assist with the administration and the increasing work being dealt with by Presbytery. The post is currently suspended but may be reinstated at any time, subject to the consent of Presbytery. The position is a part-time paid position met from Presbytery funds.

Conveners

These are the chairmen/women of the various (currently five) Committees of Presbytery. They are elected from within the membership of Presbytery. Each Presbyter is asked to serve on at least one Committee or sub-Committee and can stay on that Committee as a member for as long as they are a full member of Presbytery. Locally, it has become the practise of Falkirk Presbytery to appoint Conveners for a period of 4 years and then encourage a hand over to another. This allows more talents to be put to use and a sharing of knowledge and expertise, rather than allowing one or two to dominate areas of Church life.

The Convener (or their nominated representative) presents the report of the Committee (including sub-Committees) to Presbytery, taking questions, responding to discussion and making the deliverances or recommendations of the Committee for Presbytery's consideration. In some cases, where perhaps there is a lot of detail in a report, the Convener may ask Presbytery's agreement to having a section of the report dealt with by the

Chairman or woman of a sub-Committee. Not every Committee will report at every meeting. Committees are discouraged from reporting unless they have something to report and require Presbytery to make a decision on. Conveners are further encouraged not to read out their report, but trust that Presbyters will have read their papers and are in a position to take a view on the report. **So it is up to you to be prepared – read the reports!**

Presbytery Chaplain.

In 2008 it was proposed and agreed to establish the post of Presbytery Chaplain to develop and enhance the pastoral care of those in Ministry within Presbytery. This is a part-time and remunerated position appointed for four year terms and a secret ballot of all eligible ministers, Deacons and Readers elects the Chaplain. An election takes place at the beginning of the fourth year to allow adequate handover should there be a change of personnel. The Pastoral Care Sub-Committee operates as a support group for the Chaplain and his/her work is reviewed annually by the Business Committee.

The Chaplain will undertake the following duties:

1. Have the full authority of the Presbytery in carrying out his/her duties.
2. Be expected to maintain complete confidentiality at all times.
3. Establish and maintain pastoral links with all parish ministers, active Auxiliary ministers, serving Chaplains and Readers in the Presbytery.
4. Arrange his/her own rota of visitation, but with particular consideration being given to those who:
 - are new to the ministry and/or Presbytery;
 - those who have been ill or undergoing illness;
 - those going through bereavement; and
 - those to whom the Chaplain's attention is drawn.
5. Organise conferences, retreats and courses as deemed appropriate

6. Be required to arrange for cover whilst on holiday or sick leave.
7. Be a member of the Business Committee.
8. Not be expected to hold any other post on Presbytery whilst Chaplain.

Presbyters

Every member of Presbytery is a Presbyter. The term comes from the New Testament identifying those who rule over or oversee the work of a Church. Paul uses the terms interchangeably with bishops, pastors and ministers and to describe those appointed by the Church to manage or oversee its work in an area. That is what Presbytery does; it oversees the work of the local churches as well as giving a line of communication with the national Church. Every member of Presbytery holds equality of office and the numbers are roughly balanced between ministerial and lay members, along with deacons, readers, parish assistants, chaplains and retired ministers holding a practising certificate and a seat on Presbytery.

Elder Presbyters are appointed to serve each year by their congregation or every four years by direct election by Presbytery on the nomination of the Kirk Session of which they are a member. Some Elders have served Presbytery for many years and others are new to this court of the Church.

Ministerial Presbyters are appointed due to the office they hold or their status in the eyes of the Church. They include parish ministers and those conducting an approved ministry of the Church, as well as retired ministers holding a practising certificate and a seat on Presbytery.

So there can be a regular change in the membership of Presbytery as ministers come and go and elders change. Everyone has to go through a learning curve of getting to grips with the procedures and processes, as well as the work. Even where someone comes in with previous experience from another Presbytery, each Presbytery will have its own ethos and atmosphere and it can take time to become fully integrated into the life of Presbytery.

It is important that Presbytery Meetings are not just about business, but that they also seek to improve and develop relationships through fellowship, taking the time to get to know others and their churches. Then, when matters come up relating to congregations, we are in the best possible position to make decisions.

Corresponding Members:

This is like an associate member of Presbytery. They tend to be appointed due to their position in the Church. For example, all students in training for the full-time, auxiliary and reader ministries within the Church become Corresponding Members of their home Presbytery. This means that they get the “billet” or Presbytery papers and can participate in debates, but they do not hold a vote in the deliberative process. There are other approved Corresponding Members such as Youth Representatives and Representatives of the Church of Scotland Guild and also our sister denominations represented within the bounds of Presbytery. This allows them to be kept informed about what issues we are dealing with and, if they wish, they can attend and share in our discussions and deliberations.

What happens when Presbytery meets?

An Opportunity for Fellowship.

This cannot be stressed enough. Yes, we have to deal with the business of the Presbytery and we can't avoid that, as much we may wish to! But Presbytery should also present an opportunity for fellowship. To meet others and hear what God is doing in their life and their Church; to be encouraged and to encourage. But it is up to each to make the most of this opportunity.

Where fellowship cannot be fully engaged with on the night, you could think about arranging to meet others outwith the Presbytery meeting and have fellowship in more conducive surroundings.

Quorum.

This is the minimum number of Presbyters need to be in attendance to give the meeting legal authority. These requirements are the same as for the Kirk Session in terms of numbers, being three, only one of whom is to be an Elder (Act III, 2000, sec. 30; Weatherhead p41)

Worship.

The Presbytery meeting is opened or “constituted” by the Moderator through prayer. There may at that time also be a reading from the Word of God, a sung item of worship or other reflection used. These acts of

worship are at the discretion and leading of the Moderator and will tend to reflect their personal approach. Moderators may decide personally whether to:

1. greet Presbytery with a simple “Good evening” or continue the practice of nodding to each sector of Presbytery;
2. ask Presbytery to remain seated to pray;
3. vary the worship time at beginning of (or during) meetings to comprise hymn, reading, a brief reflection (if desired, but no expectation of sermon or homily), and prayer (always required to constitute the meeting at its start).

Dealing with Business.

We will have a range of business to deal with at Presbytery meetings. There may be petitions or calls to ministers to be heard, retrials and occasionally, sadly, obituaries of former members. Speeches relating to such matters are to be limited to 3 minutes duration and one speaker only from the relevant congregation. The indication that such a time is reaching its conclusion is that the Moderator will stand. The minute of the previous meeting has to be approved and correspondence heard and distributed appropriately. This being the case Presbytery are discouraged from raising additional matters before the meeting with the Clerk. There is the opportunity to raise matters during the meeting but if it does not require the attention of the Presbytery and is a request for guidance or direction such matters should be raised independently of the meeting. There may be occasions where invited or guest speakers seek to address Presbytery. Where such matters do not directly relate to a decision to be made by Presbytery such speakers will be given an opportunity to address Presbytery prior to the meeting and such events will be advertised in advance.

At the end of each report being presented, the deliverances (or proposals, recommendations) of the Committee have to be approved. The Moderator

will clarify what they are and determine Presbytery's mind on the matter. It will be this decision that is minuted as the will of Presbytery. When considering a matter and the question of agreement or assent is put to the Presbyters, we used to engage in the archaic tradition of stamping our feet. If this was not convincing enough the moderator might call for clarification of the mind of Presbytery (stamp louder!). We have recently moved to the clearer practice of a show of hands to gauge the mind of Presbytery. However, any member of Presbytery can ask for a vote to be taken on any matter where they think there is insufficient support or where it may be a marginal decision. In such cases the vote is taken by Presbyters standing, and the result recorded. It is worth noting that this process takes time and it is not advised to make use of this provision too often as Presbyters may not take too kindly to it.

Dealing with reports.

Each Convener will be invited to deliver their report. These reports are to be in print and issued in advance with the billet papers. This is done by the reports being with the Clerk by the appointed deadline (preferably electronic format) and they are incorporated into the forthcoming billet using the approved style and format. It is acknowledged that this cannot always be achieved, but where it can, it greatly speeds up the process.

With every item reported there is a standard approach:

1. The Convener presents their report. Depending on the substance and nature of the report use may be made of small group discussions which are given an opportunity to feedback their considerations to Presbytery. Group work such as this should be limited to 30 minutes in duration.
2. The Presbytery will then be given an opportunity to ask questions on the report. Questions should be about clarifying understanding or establishing fact.

3. When all questions have been addressed, the Moderator will ask the Convener to present the deliverances.
4. In respect of each deliverance, an opportunity is given for discussion through comments. At this juncture Presbyters will have the opportunity to give their opinion on the matter in question either for or against the report of the Committee.
5. Once a deliverance has been fully discussed, the Moderator calls for the deliverance to be accepted or rejected by Presbytery.
6. Where a Presbyter is unhappy about a particular deliverance they can:
 - a. “move” an amendment which alters the specific wording for the purposes of clarity or specificity;
 - b. or move an addendum which adds additional meaning, scope or range to the original deliverance;
 - c. or they can move a counter-motion which generally takes a position of opposition to the original deliverance.
7. The Convener may be content to accept, without debate, amendments and addendums, but will tend to resist counter-motions. It is left to Presbytery to determine its view on the options being placed before it. Should the Convener not be minded to accept the amendment or addendum, the issue will be put to Presbytery to express its view.
8. Any amendment, addendum or counter-motion proposed will require to be seconded from within Presbytery to give it legal authority to be deliberated on by Presbytery.
9. Each speaker should only speak once on a matter unless invited by the Moderator to clarify their view as result of a question, although they may both ask a question and make a comment. Locally, we tend to be relaxed about this unless it is likely to be a contentious issue where there

may be a number of people wishing to speak. In such instances a more rigorous application of this rule may be applied to ensure that the maximum number of people and range of views can be heard by Presbytery.

10. Amendments and addendums are voted on, one by one, until the final approved version of the deliverance is constructed by the expressed will of Presbytery. Then, the final deliverance will be put against any counter-motion(s) and through a process of elimination, by voting, the final mind of Presbytery is decided on the matter.

How do I participate?

To fully participate you need to be prepared:

- 1) Read your papers in advance.
- 2) Think and pray about the issues.
- 3) Note down any questions you may have. Be assured that if you are unclear; there will be others in the same position.
- 4) At the right time ask your question. Presbytery will always give a degree of latitude with those getting to grips with the way it works and so the Moderator will guide you.
- 5) Vote in accordance with your conscience; don't just go with the majority. Neither is any Presbyter a representative of any other group, such as a Kirk Session. If you are really undecided, you can abstain. This should be a last resort. After all you have been appointed to give an opinion and to exercise leadership.

Public and Private Matters.

You will see from your papers that some items of business are marked as “in private”. Most of the business of Presbytery is public and can be talked about beyond the meeting. Some issues, however, are private. This means that the information or detail is sensitive or that the discussion should not be inhibited by the attendance of visitors to the meeting. Matters in private should mean that anyone who does not hold full membership of Presbytery should leave the room for the duration of that item. This does not often happen in practise. After the debate is concluded and a decision reached, the result of that decision becomes “public” and is included in the minute of that meeting. The simplest example is that, in bringing a vacancy to a conclusion, a delegation from the congregation are cited to attend for their interest. But once the petition is heard the phrase “parties are removed” is uttered. This means the Presbytery is then meeting in private. This may be for only a few seconds while there is a rumble of feet or show of hands in assent to the call and it would take longer to get people in and out. So, although the words are spoken, people are not in practise removed for such straightforward business.

Other matters of discipline and censure are far more serious and these matters are held strictly in private. Those not eligible to participate and vote are removed from (i.e. requested to leave) the room until the business is dealt with. In this case the minute may be held in a “record apart” and not published with the other minutes of that meeting. To save people coming and going, such matters are usually held over to the end of the agenda.

Some reports are always taken in private, such as superintendence. Others may be from time to time, depending on the subject matter.

What happens between meetings?

Committee/sub-Committee meetings.

Each Committee or sub-Committee will meet to deal with the business of that Committee. Some will have to meet monthly, others only a few times a year. The Committee can meet anywhere as long as due notice is given to all involved of the time and place of the meeting and the Clerk is informed. The Convener of each Committee is appointed by Presbytery and the members of the Committee are reviewed annually by Presbytery. Generally, you will be appointed for a number of years to allow everyone to become conversant with the work of the Committee and to be able to contribute effectively. The Committee itself should organise itself to keep a record of its work, draft its reports and nominate a vice Convener to represent the Committee if the Convener is unavailable for whatever legitimate reason.

Conveners are appointed for four years and usually the Committee itself will bring to the Business Committee a nomination of a successor. The appointment is the gift of Presbytery and can only be confirmed and conferred by Presbytery.

Committees of Presbytery are just that - Committees of Presbytery and not of the individual members. Conveners are reminded that it is not “their” Committee, but Presbytery’s and so reports should be presented in the third person.

The remits of the Committees are printed in Appendix B of the Handbook, though these may be changed or varied by Presbytery.

Committee meetings should begin and close in prayer. An accurate record of the discussion and decision of the Committee should be kept and agreed as such at the next meeting.

The Committee report should not include, unless in exceptional cases, matters not discussed by the Committee. The deliverances should reflect the expressed mind of the Committee. Though the Committee's report includes the mind of its members, voting in Presbytery is open and all are invited and encouraged to vote in accordance with their conscience on the night.

Expenses for the work of the Committee *e.g.* post and telephone can be claimed from the Presbytery Treasurer. As always, receipts will be necessary. For some Committees, the Convener or another representative may well be asked to represent Presbytery on the comparable Assembly Council or Committee. If there are areas in which you consider training would be valued please raise with the Presbytery Clerk or the Presbytery Business Committee Convener. The Business Convener and Clerk can always be consulted for guidance if needed.

All Committees are responsible *only* to Presbytery.

Reports and investigations

The issues to be addressed by the Committee in its reports will come from a range of sources depending on the nature of the work of the Committee. However, a Committee should remain firmly within its remit and not range over other issues without first seeking the clarification of the Clerk and/or the relevant other Committee Convener as to whether it is appropriate for it to do so. They may hold the view that the matter may need to be considered by Presbytery and formal remitting of duties given by them so as not to render any such investigations incompetent to report on.

Visits

Some Committees' work will involve visiting congregations or buildings (e.g. Superintendence, Property). It is important that such visits are conducted with the knowledge and agreement of the local minister who will usually have a right to attend any such meeting, though, depending on the issue, the minister may well waive that right.

All visits should be conducted with courtesy and respect for the ministry that the congregation has in its locality, bearing in mind that one of the main functions of Presbytery is to enable and encourage local ministry. Visits give a good opportunity to affirm and acknowledge what is being done in the locality. In short, treat others the respect with which you would wish to be treated.

Annual Examination of Records

On the third Tuesday of March each year, Presbytery conducts an inspection of congregational rolls and records. This is part of the supervisory role that the Presbytery fulfils. Some of these records are inspected under recent Acts of Assembly, others are included in a general oversight role (Cox 5th Ed p145, 157). The records that are inspected include;

- ✓ Minutes books (Session, Board, Deacon's Court)
- ✓ Communion Roll (including Supplementary Roll) (Act VI 2000, sec14)
- ✓ Baptismal Roll
- ✓ Property Register
- ✓ Child Protection Register (Act V 2004 – regulated)
- ✓ Congregational Accounts – 4 copies (Reg II 2007 (D)) but local arrangements allow for one draft copy at Examination with four copies by the June Presbytery meeting.
- ✓ Minister's and Auxiliary Minister's Travel Log Book

Standing Orders of Presbytery.

The Standing Orders are the rules by which Presbytery has determined it will operate. They provide a pattern of business along with the Law of the Church as established by the General Assembly. The Orders can be changed or varied as Presbytery sees fit so long as they do not conflict with the ruling of a superior court or the Law of the Church of Scotland. The Orders provide a framework of operation which reduces the likelihood of capricious leadership by the Moderator or office bearers of Presbytery – it provides a set of checks and balances.

I Constituting the Presbytery

The Presbytery at all of its meetings shall be constituted by Prayer. The form of worship, format and place in the Order of Business shall be the province of the Moderator.

II The Moderator

The Moderator shall be nominated at the March meeting of Presbytery and hold office for one year, commencing at the June meeting.

III Points of Order

When a point of order is raised, the Moderator shall rule at once; and when the Moderator is in doubt as to ruling or when the ruling given is challenged, he/she shall ascertain the mind of the Presbytery by a vote taken without debate.

IV Order of Business

- (1) Notice of Business, in order to be printed on the Agenda, should be sent to the Clerk 14 days before Presbytery meeting.
- (2) If, when minutes are submitted for approval, any corrections are necessary the number of words or lines struck out must be noted in the margin and signed both by the Moderator and the Clerk, with the statement that the deletion was by the authority of the Court, while words which are inserted are to be written in the margin and signed by the Clerk.
- (3) When the minutes have been adjusted and approved, they shall be signed forthwith in the presence of the Presbytery as the only valid record of the proceedings of the Court.
- (4) Immediately after the approval of the minutes, the Order of Business as reported by the Business Committee shall be agreed to, or if need be, amended.
- (5) It shall be competent for any member to move that any item be taken in private, vote to be taken without debate.

V Notice of Motion

A member giving notice of motion for the following meeting of Presbytery shall hand the terms of the motion in writing to the Clerk, who shall intimate the same to the court, the motion to be printed on the Agenda for the next meeting.

VI Order of Formal Debate

- (1) The order of formal debate shall be regulated by the Standing Orders of the General Assembly.

(2) Any member making a motion or amendment shall read the terms of his/her motion or amendment, and hand the same, in writing and signed, to the Clerk.

(3) Each member who rises to speak must direct his speech to the motion under discussion, or to a motion or amendment proposed by him/herself, or to a question of order.

(4) When any question is being discussed, a member shall be limited to speaking once, except in explanation, and then only by permission of the court, or in reply to debate.

(5) Unseconded motions shall not be recorded.

VII Procedure in Calls

(1) In the case of Calls originating within the Presbytery, the Interim Moderator and not more than two Commissioners from the congregation may be heard.

(2) In the case of Calls addressed to Ministers of the Presbytery, not more than two Commissioners from the present congregation concerned, together with the Minister, may address the Presbytery.

VIII Election of Commissioners to the General Assembly

The Presbytery at its meeting in January each year will have laid before it a provisional list, prepared by Business Committee, of Commissioners for the ensuing General Assembly, the list to be compiled as follows:

1. “Minister” includes full-time, Associate or Assistant Ministers, Chaplains and Auxiliary Ministers.
2. “Elder” means a member of the Kirk Session. It does not mean the Presbytery Elder only.
3. Each year, 10 ministers and 10 Elders will be appointed to attend the General Assembly, along with two Deacons.
4. The ministers and Elders are to be from the same congregation where possible, failing which, Elders can be chosen from one of the other congregations within the same Group.
5. There are 6 groupings as per the list A-F;
 - a. First year, two are chosen from A, B, C & D; one each from E & F.
 - b. Second year, two from E, F, A & B, one each from C & D.
 - c. Third year, two from C, D, E & F, one each from A & B.
6. Each group is to decide from its own members who are to go each year and notify the Clerk in good time.
7. The minister (or Interim Moderator) of the first congregation in each Group is responsible for co-ordinating the names to be given to the Clerk.
8. In any year where a Linked Charge is chosen, Elders will alternate from each congregation.
9. No office bearer has an automatic right to attend. He/she will take their place in the rotation along with all others. Former Moderators of the General Assembly do have such an automatic right.
10. Any disputes are to be resolved by the Clerk and Moderator, and failing agreement, the Presbytery.
11. Deacons will be chosen by a separate rota.

12. As Auxiliary Ministers may move from area to area within the Presbytery they will be accommodated within the nominations for ministers within their current operational area as though they were Parish Ministers.
13. Any claims for inclusion as a Commissioner on the basis of special circumstances shall be considered, and if allowed, that name (or names) shall be included in place of the last name(s) on the quota taken from the rota.
14. Retired Ministers shall not normally be considered for inclusion as Commissioners.
15. The Presbytery at its March meeting shall formally nominate the agreed list as Commissioners, powers being given to the Moderator and Clerk to make emergency substitutions if required on the basis of the above paragraphs when time does not allow this to be brought to a meeting of Presbytery.
16. The congregational Groupings are as follows:
 - Group A: Bainsford, Erskine, Falkirk Old & St Modan's, Grahamston United, St Andrews West, St James, Camelon.
 - Group B: Grangemouth Abbotsgrange, Kirk of the Holy Rood, Zetland, Bo'ness Old, Bo'ness St Andrews, Carriden.
 - Group C: Blackbraes & Shieldhill l/w Muiravonside, Brightons, Polmont Old, Redding & Westquarter l/w Laurieston, Slamannan, Chaplain PYOI.
 - Group D: Airth, Larbert East, Larbert Old, Larbert West, Stenhouse & Carron, Bothkennar & Carronshore.
 - Group E: Denny Dunipace, Denny Old, Denny Westpark, Hags, Bonnybridge St Helen's.
 - Group F: Abronhill, Condorrat, Kildrum, Cumbernauld Old, St Mungo's.

IX Standing Committees

(1) The Standing Committees shall be as Presbytery determines from time to time.

(2) The Business Committee shall consist of:

a) The Moderator

b) Clerk and any Associate or Depute Clerks

c) Conveners of all Standing Committees

d) Presbytery Chaplain

e) Presbytery Treasurer

f) Any Minister, Associate or Assistant Minister, Auxiliary Minister or Deacon in the first year of a Charge or Appointment within Presbytery

(3) The Business Committee shall meet prior to the meeting of Presbytery, and shall; consider the business and arrange the order thereof; deal with matters remitted by Presbytery; deal with urgent matters (not falling within the province of any other Committee) which may arise between one Presbytery meeting and another.

(4) The Business Committee shall be responsible for nominating members of Standing Committees.

X Meetings of Presbytery

(1) Presbytery shall meet on the first Tuesday of each month, with the following exceptions:

(a) There will be no statutory meeting in February, April, July, August or November.

(b) The January and October meetings shall be on the fourth Tuesday and the June meeting on the third Tuesday.

(2) Meetings of Presbytery held for Ordinary Business shall not extend beyond 10:00pm unless Standing Orders be suspended in accordance with Standing Order XI.

XI Suspension of Standing Orders

Standing Orders may at any time be suspended, provided always that the motion to that effect be carried by not less than two-thirds of the members present and voting.

XII Services of Public Worship

(1) The Moderator of Presbytery will preside.

(2) Where appropriate a Minister other than the Moderator may give the charges at the discretion of Presbytery.

(3) Normally a Minister of Presbytery shall be appointed to conduct worship and preach.

(4) The Form and Order of Service for the Ordination and Induction of Ministers, or other relevant Services issued by the Church of Scotland shall be given to officiating ministers.

(5) Where relevant to the Service, the wishes of any person who is being ordained, inducted, set apart or otherwise the subject of the Service, shall be heard. For a funeral or memorial Service, the views of spouse and family shall be paramount.

Committees and their Remits.

The number of Committees of Presbytery can and will vary from time to time. We seek to accurately reflect the Councils and Committees of the national Church where practical, and to seek to organise local business effectively. This can sometimes lead to variations. In the following paragraphs the Presbytery Committee is shown first, **in bold font**, followed by its sub-Committees.

Business Committee.

- **To meet prior to the meeting of Presbytery, consider the business and arrange the order thereof**
- **To deal with matters remitted by Presbytery**
- **To deal with urgent matters (not falling within the province of any other Committee) which may arise between one Presbytery meeting and another**
- **To present to Presbytery a single nomination annually for the office of Moderator**
- **To present to Presbytery nominations for the appointment of Additional Elders, and for re-appointment**
- **In conjunction with the Clerk, to nominate Conveners and members of Presbytery Committees**
- **To appoint and receive reports from sub-Committees**
- **To form a point of contact for the Presbytery Chaplain**
- **To form a point of contact for the webmaster of the Presbytery's website**

Sub-Committees of the Business Committee:

Treasurer's Committee.

- To prepare annually and present to Business Committee for submission to Presbytery a Budget of estimated expenditure for the following year, and to recommend how the required income is to be raised from congregations or otherwise
- To prepare annually and present to Business Committee for submission to Presbytery in their capacity as Trustees audited accounts, and to submit these to the Office of the Scottish Charity Regulator together with any other documentation required by that body
- To make recommendations to Business Committee for submission to Presbytery on payments to its office-holders or employees, on grants from Presbytery funds, and on the containment, or otherwise, of general expenditure
- To ensure, subject to approval by the Business Committee, that any necessary arrangements are in force for the insurance of Presbytery property and its members when engaged on Presbytery duties
- To give advice to the Business Committee on banking arrangements and investment of funds for Presbytery
- To give advice to the Business Committee on the appointment of the Presbytery Treasurer, when necessary, and the Independent Examiner, annually

Superintendence Committee.

- To oversee Presbytery and Congregational record-keeping, financial statistics etc. including examination of Rolls & Records and make report to Presbytery
- To administer the programme of Presbytery Visits to congregations and make reports on such visits to Presbytery

- To report to the Congregational Support Committee any matters which are found during the above visits which may require their involvement
- To report to the Pastoral Care Committee any pastoral care issues found in relation to members of the ministry teams during the above visits
- To report to the Business Committee any significant, non-routine or legal issues found in relation to the above examinations or visits
- To manage the annual issue of Practising Certificates to Ministers within or under the care of Presbytery and to make report thereon to the Business Committee for submission to Presbytery
- To nominate to Business Committee members of Presbytery to make up the Panel of Ten who can assist Presbytery at a time when an ad-hoc committee is required to be convened by Business Committee to investigate an urgent situation or crisis in the life of a congregation

Pastoral Care Committee

- To manage and provide pastoral care for all ministers, deacons, parish workers and auxiliary ministers serving within the Presbytery, alongside the Chaplain
- In conjunction with the Chaplain, to organise Study Days and Retreats for members of Presbytery or specific groups within Presbytery
- To deal with such other relevant matters as may be remitted by Presbytery or Business Committee or felt by the Chairman or the Chaplain to be appropriate for the level of confidential discussion inherent in the Committee meetings

Review & Reform Committee

- To review the structure, operation and organisation of Presbytery, or specific facets or functions of Presbytery or its Committees in

order to facilitate a more efficient working environment, and an ethos which seeks to be user-friendly

- To report on such discussions to the Business Committee for review or submission to Presbytery
- To consider from time to time the flexibility of the Committee's membership in order that Presbyters might join or leave the Committee according to their own specific interests and skills for the benefit of the work being carried out by the Committee

Ministries Committee

- **To deal with matters relating to the care and welfare of those engaged in and training for Ministries (Word and Sacrament including Auxiliary Ministers, Members of the Diaconate, Pastoral Assistants, Readers) in conjunction where appropriate, with the Pastoral Care Committee**
- **To engage in the work of Presbytery Planning**
- **To co-ordinate the Reporting to Presbytery of the 3 Sub-committees**
- **To undertake remits from Presbytery (e.g. General Assembly Remits)**
- **To ensure the provision of Services with regard to Readers and Graduate Candidates**

Sub-Committees of the Ministries Committee:

Candidate Support Committee

- To enable the Enquiry and Assessment process within Presbytery
- To support candidates through their training period
- To attend review interview meetings arranged by Ministries Council
- To advise on appointments and placements with regard to Readership Training
- To ensure better communication within Presbytery with all engaged in training for the above categories.

Ministries Support & Local Deployment Committee.

- To provide support to all engaged in ministries
- To receive Team Reports
- To receive Study Leave Applications and Reports
- To arrange annual reception of Candidates and Readers

Presbytery Planning Committee

- To develop, maintain and review the Presbytery Plan, consulting with the national committee as necessary
- To carry out the five-year review of the placement of Presbytery Parish Workers
- To assess needs and respond to applications from congregations for additional staff in the context of the Presbytery Plan
- To deal with all responsibilities relating to parish boundaries within the Presbytery
- To highlight and plan for possible areas for New Charge Development

Congregational Support Committee

- **To coordinate the work of the divisions**
- **To allocate any requests for congregational support or development to divisions or other committees of Presbytery**
- **To encourage divisions to be pro-active and not only re-active**

Divisions of the Congregational Support Committee:

Safeguarding Division

- To work with the Presbytery Safeguarding contact and inform Presbytery of any matters which have to be made known to congregations

- To provide support and assistance to Presbytery and Safeguarding contacts in the day to day application of the Safeguarding role
- To be responsible for the attestation of Congregational Safeguarding registers
- To publicise training events
- To hold a list of congregational contacts
- To nominate suitable persons for training as Safeguarding Trainers

Stewardship Division

- To hold a list of congregational Stewardship Promoters and encourage all congregations to appoint such a person
- To promote stewardship including Fair Trade and Eco Churches
- To keep informed of developments and publicise
- To arrange training courses and regular conferences
- To hold records of churches' stewardship programme histories

Vacancy Support Division

- To supervise and co-ordinate Vacancy procedures
- To provide training and notify any changes in procedures
- To appoint and support Interim Moderators
- To monitor vacancies and appoint Vacancy Procedure Committees drawn from the whole of Presbytery
- To act for the Presbytery in Vacancies where the legislation permits
- To nominate suitable candidates to Presbytery for training as elder interim moderators

Children & Youth Education Division

- To provide resources and training for leaders of children's and youth ministries in local churches, area groupings or Presbytery-wide
- To keep abreast of developments through the Presbytery Youth & Children Trainer

- To encourage attendance at the Youth Assembly and the Children's Assembly
- To appoint a Presbytery Youth Delegate to the General Assembly
- To nominate candidates for training for the role of Presbytery trainers

Elder Education Division

- To provide resources and training at Presbytery, area or church level
- To encourage churches to consider their need in this area
- To work with the Presbytery Elder Trainer in developing a programme of courses
- To nominate candidates for training for the role of Presbytery trainers

Adult Education Division

- To provide resources and training at Presbytery, area or church level
- To encourage churches to consider their need in this area
- To work with the Presbytery Elder Trainer in developing a programme of courses

Pastoral Care Education Division

- To provide resources and training at Presbytery, area or church level
- To encourage churches to consider their need in this area, including advanced pastoral care and bereavement training
- To work with the Presbytery Elder Trainer in developing a programme of courses

Guild Liaison Division

- To keep Presbytery informed of the work of the Guild locally and nationally in an annual report to Presbytery
- To support the Presbyterial Council and local Guild branches if help is requested

Worship & Prayer Division

- To respond to requests for assistance in any aspect of worship
- To organise training courses in assisting in worship for elders and members of congregations
- To publish the annual prayer diary for Presbytery in conjunction with the Presbytery Prayer Co-ordinator
- To nominate and support the Prayer co-ordinator
- To arrange occasional worship events for Presbytery

Congregational Development Division

- To respond to approaches from Congregations or other Presbytery committees, introduce the appropriate personnel to work with the congregation and follow up results. It is envisaged this would most often come as a result of a Superintendence Report on a congregational visit
- To encourage congregational development
- To encourage Kirk Session discussion and study on the Church, teamwork, vision and role of the elder
- To assist Kirk Sessions to formulate and monitor a vision for the church
- To assist Kirk Sessions to carry out a church audit
- To assist Kirk Sessions to carry out a Mission Audit
- To find means of keeping congregations informed of the work of Presbytery
- To encourage Presbytery elders in preparation of their reports to Kirk Sessions

Property & Congregational Finance Committee

- ***Combined remits of Teams***

Teams of the Property & Congregational Finance Committee: *Congregational Finance Team*

- To review and adjust Mission and Renewal Allocations as appropriate, following on from base information supplied by the Department of Stewardship and Finance
- To monitor payments by congregations in conjunction with the Department of Stewardship and Finance, including follow up and encouragement to fulfil required allocations
- To provide assistance and support to Congregations in managing their finances, including the provision of technical support to their treasurers and advice on audit

Property Team

- To furnish Presbytery with a Team of suitably qualified and/or experienced people to oversee this aspect of the work of Presbytery
- To inspect and verify the Property Registers of each congregation within the Presbytery
- To establish and fund an inspection cycle of the properties of the Churches within the bounds
- To work with congregations in presenting applications for funding for development work on their buildings and for obtaining permission for such work
- To provide advice to congregations on the use of their buildings including heating, insulation and green issues

Church & Community Committee

- ***Combined remits of Divisions***

Divisions of the Church & Community Committee:

Ecumenical Division

- To deal with matters of inter-denominational and inter-faith relations primarily at local level but taking on issues referred to Presbytery by General Assembly

Doctrine Division

- To deal with matters concerning the teaching of the Church as sent down by General Assembly or raised locally

World Mission Division

- To help members of and congregations within Presbytery to become more aware of the worldwide family of Jesus Christ to which they belong, and hence experience and enjoy sharing in God's mission on earth as partners with others in this work

Church, Society & Social Care Division

- To assist Presbytery to reflect on issues such as economic and industrial interests, media interests, moral issues and ethical issues and consider their response to such issues

Mission Division

- To promote the concept of the missionary church, including Summer Mission work and the Church's positive role in mission to Urban Priority Areas
- To promote the use of resources produced by the Mission & Discipleship Council relating to mission in all its forms

Glossary of terms.

Definition of terms used in the handbook and others used within Presbytery.

Acts of Assembly. The legal decisions of the General Assembly that guide and direct the actions of the Church.

Addendum. An addition to a deliverance to broaden or restrict the scope of the deliverance.

Ad Hoc. “for this purpose” a Committee or group appointed with a singular remit and discharged when that business is concluded.

Amendment. A suggested change to a deliverance for the purposes of specificity or clarity.

Attestation. Evidencing or authenticating by signature of officials or witnesses and relates to the process that congregational records are put through on an annual basis, as well as Presbytery’s.

Barrier Act. A legal provision where certain changes in the law of the Church cannot be initiated by a single sitting of the General Assembly. The intended Act is presented to each Presbytery and each must take a counted vote on the deliverance. At the following Assembly, the combined vote is declared and there must be a majority for the Act to be passed.

Benefice. The provision for the minister of a parish, the living.

Bona fide. “in good faith”

Bounds. The geographical boundaries of a parish or presbytery that delineate the area of responsibility and authority.

Clerk. Legal and procedural advisor and guide to the Presbytery.

Commissioner. A person(s) appointed by Presbytery to attend the General Assembly on behalf of Presbytery. Each Presbytery will have its own methodology for making such appointments to ensure that representation is fair for all congregations. Also applies to an elder representing a Kirk Session at Presbytery and to representatives of a congregation attending Presbytery on behalf of that congregation.

Competent. As allowed by the law of the Church, for example motions within a court have to be within the powers of the court to determine or else they would be ruled incompetent.

Contumacy. The ecclesiastical offence of contempt of court.

Convener. The appointed chairperson of a Committee of Presbytery. Appointments are usually for 4 years.

Corresponding member. A member of Presbytery by virtue of his/her status or standing within the Church, but having no voting rights. Local representatives of other denominations fall into this category.

Counter-motion. A proposal usually contrary to the given deliverance of a report to Presbytery.

De fidei. “the faithful discharge of duty”

Deliverance. The recommended decision from a Committee for Presbytery’s consideration, acceptance, rejection or change.

Deposition. Either a statement of a witness on oath or the judicial removal from office.

Edict. A legally authoritative public intimation, such as are read out during the various steps of a ministerial vacancy in a congregation.

Ex officio. “In virtue of office”, applies to those who have a right of representation due to their status, standing or office in the Church.

Ex proprio motu. “of one’s own accord” usually refers to the action of a court of the Church has chosen to take rather than being required or requested to take.

Extract. A part taken from the record of the minutes of a court of the Church by the authorised person for the legal purposes of the Church, usually the Clerk.

Fama. “a scandalous report” an allegation of censurable conduct.

First instance. The court of first instance is the court before which a matter must first be brought.

Formula. A set of words necessary or prescribed for certain purposes. A set of formulae are contained within the Acts of Assembly for the management of vacancies, calling ministers and the like.

Heresy. An opinion at variance with the doctrine of the Church.

Homologate. The retrospective endorsement or ratifying of actions taken by representatives of Presbytery on matters falling between meetings that could not wait for the next meeting.

In hunc effectum. “for this single purpose” a meeting called for a single issue at which no other matters are competent to be dealt with.

Inter alia. “among other things” an extract minute usually is preceded by this to show that others matters were dealt with during the meeting.

Ipsa facto. “by the deed itself” a newly inducted minister automatically becomes the moderator of the Kirk Session of the charge and no further action is required, their standing is by virtue of the act of ordination and or admission to the charge.

Ius devolutum. “A devolved right” relating to the powers of the courts in matters of their jurisdiction.

Jurisdiction. The authority which any court has to hear or decide upon a matter. Each court’s authority has proscribed limitations and where a case extends beyond these limits the matter must be referred to the appropriate court for consideration.

Libel. The formal indictment by which a minister is charged with misconduct.

Locum tenens. “holding the place” usually referred to as locum and is appointed to support the interim-moderator during a time of vacancy.

Moderator. The chairperson of Presbytery appointed from within the membership and serving for one year.

Motion. A course of action or decision being proposed for Presbytery’s consideration.

Mutatis mutandis. “with things changed that need to be changed” the application of precedent and good practise where no governing rules exist and such can be adopted or applied as appropriate to the case or circumstances in hand.

Ordination. The solemn setting apart of someone for an office within the Church.

Practising certificate. A certificate of authorisation issued to retired ministers and specific others types of ministers without a charge, that allows them to continue to minister in public (take services and sacraments as defined within their certificate) this is the *Simpliciter* version; there is also a more complex level of certificate, which also grants a seat on Presbytery with the expectation of participation in the life and work of Presbytery. The issue of certificates is in the gift of Presbytery which is required to maintain a register of those to whom certificates have been issued or withheld.

Prima facie. “at first sight” matters that should be taken seriously and given due and full consideration though the initiating matter may in and of itself not be conclusive, e.g prima facie evidence is not proof in and of itself but is of a nature that should be taken seriously and justifying further investigation.

Primus inter pares. “first among equals” used to describe the Moderator who has no more powers than any other Presbyter but who holds a specific role within the court.

Quoad omnia/sacra. “all purposes/ecclesiastical purposes” used to distinguish the differing constitutions of congregations.

Quorum. The fixed lowest number that can constitute a valid meeting.

Respondent. The party replying to a case or accusation.

Sine die. “without time appointed” indefinitely and may be used to describe the duration of specific sanctions.

Slander. A defamatory statement made in malice.

Standing orders. The “rules” governing the conduct of business by Presbytery. These are set by and amended as necessary by Presbytery.

Status quo. “the position before or prior” and usually means the present or current position of a matter.

Sederunt. “they sat” those who were present and of whom the meeting consisted.

Simpliciter. “simply”, “neither more or less”, used to differentiate between practising certificates issued by Presbytery.

Ultra vires. “beyond the powers” a person or body acting beyond the limits of their remit or authority.

Additional resources.

You are encouraged to add the following documents to your handbook to create a library of Presbytery resources which have been produced to help you participate fully in the work of Presbytery.

- Year Book

- Property Handbook.

The Year Book is issued at the beginning of each Presbytery Session (September). The Property Handbook is available on line at the Presbytery web-site under the property section. **www.falkirkpresbytery.org**.

Those with an interest in learning further about the structures and working of the Church at Assembly, Presbytery, Kirk Session and financial court levels may wish to download the Rev Gordon McGillivray's very readable and annually updated summary of these matters from the Church of Scotland website, on the Extranet pages. It is called "An Introduction to Practice and Procedure in the Church of Scotland" and is generally updated quite quickly (September) after each General Assembly.

www.Churchofscotland.org.uk/extranet/xChurchlaw/xChurchlawpracproc.htm