

# Principal Acts 2000

## List of Acts 2000

### ACTS OF THE GENERAL ASSEMBLY

CLASS I — ACTS WHICH HAVE PASSED THE BARRIER ACT — NONE

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

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Act III	Act anent Ministers' Stipend
Act IV	Act anent Appointment of Interim Treasurer
Act V	Act anent Admission of Stornoway Relief Free Church
Act VI	Act anent Status of Rev. David M. Blunt
Act VII	Act anent Status of Rev. John J. Harding and Rev. W. B. Scott
Act VIII	Act anent Status of Rev. Iain Smith
Act IX	Act anent Status of Members of Stornoway Relief Free Church
Act X	Act anent Status of Elders of Briton Street Congregation
Act XI	Act anent Status of Elder of East Kilbride Congregation
Act XII	Act anent Status of Elder of Paisley Congregation
Act XIII	Act anent Status of Elders of Partick Highland Congregation
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Act XVI	Act anent Rescinding of Findings of General Assembly and Commissions
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Act XVIII	Act anent Confirmation of Findings of Commission of Assembly
Act XIX	Act anent Annulling of Proceedings of Western Synod
Act XX	Act anent Denominational Magazines and Appointment of Editors
Act XXI	Act anent Status of Rev. Maurice J. Roberts
Act XXII	Act anent Status of Greyfriars Congregation, Inverness
Act XXIII	Act anent Appointment of Law Agents
Act XXIV	Act anent Appointment of Evangelist / Church Planter in Presbytery of Edinburgh & Perth
Act XXV	Act Appointing Commission of Assembly
Act XXVI	Act Appointing Next General Assembly

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Act I	Act anent Sale of Manse at Kirkcaldy
Act II	Act anent Declaration of Reconstitution
Act III	Act anent Supplementary Declaration of Reconstitution
Act IV	Act anent Temporary Presbytery Arrangements
Act V	Act Appointing Interim General Interests Committee
Act VI	Act anent Law Agent
Act VII	Act Appointing Interim Treasurer
Act VIII	Act Appointing General Assessors to the Presbyteries of Inverness, Great Lakes & Western Canada and Lochcarron
Act IX	Act anent Publications
Act X	Act anent Commission Statement

**Acts of the General Assembly 2000**  
THE PRINCIPAL  
**ACTS**  
OF THE  
**GENERAL ASSEMBLY OF THE FREE CHURCH**  
**OF SCOTLAND (Continuing)**  
MAY MM

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

None

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

**Act I — Act *ad interim* anent Representation in General Assembly**  
(No 1 of Class II)

*Edinburgh, 22nd May 2000*

The General Assembly enact *ad interim* that representation at the General Assembly of 2001 and the Commissions of that Assembly should be on the basis of every member of every Presbytery of the Free Church of Scotland (Continuing).

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**Act II — Act anent Loyal and Dutiful Address to Her Majesty The Queen**  
(No 2 of Class II)

*Edinburgh, 23rd May 2000*

TO THE QUEEN'S MOST EXCELLENT MAJESTY

The loyal and dutiful address of the General Assembly of the Free Church of Scotland (Continuing)

May it please Your Majesty

We, the Ministers and Elders of the Free Church of Scotland (Continuing) met in General Assembly this 23rd day of May 2000 desire with the utmost respect to declare our allegiance to Your Majesty's Person and Throne.

The many burdens borne and numerous duties undertaken by Your Majesty are well known to us, and we assure You that Your Majesty, His Royal Highness, Prince Philip, the Duke of Edinburgh, and all Members of Your Royal House are prayerfully remembered throughout our congregations.

We are grateful to the Almighty for His protecting care over Your Majesty and other Members of Your Royal House on Your many journeys within the United Kingdom and overseas, and more recently on

Your visits to Southern Africa and Australia. It has given us much pleasure to hear of the respect and affection shown towards Your Majesty in the course of these visits.

We record with indebtedness to God the measure of peace at present attained in Northern Ireland, and give thanks for the strenuous efforts which have been made to bring about a lasting solution to the problems of that part of the United Kingdom.

Your Majesty's continuing interest, and that of Members of Your Royal House, in Scottish affairs, including the Scottish Parliament, continues to give us much satisfaction.

Living in an age when God's Law is disrespected, Christian standards of morality are eroded, marriage relationships are breaking down at an alarming rate and family values are being abandoned by many, we nevertheless give thanks that Your Majesty's trust is in the Living God and for your continued adherence to the Protestant faith.

We remember with profound respect Her Majesty Queen Elizabeth, the Queen Mother, as she approaches her hundredth birthday this year, and rejoice that she continues to enjoy good health.

May the Grace of the Lord Jesus Christ and the blessing of Almighty God rest on Your Majesty's Person and Throne, upon His Royal Highness, Prince Philip, the Duke of Edinburgh, and upon all Members of Your Royal House.

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

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**Act III — Act anent Ministers' Stipend**  
(No 3 of Class II)

*Edinburgh, 23rd May 2000*

The General Assembly confirm that the ministers' stipend be maintained at £13,200 for the ensuing year.

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**Act IV — Act anent Appointment of Interim Treasurer**  
(No 4 of Class II)

*Edinburgh, 23rd May 2000*

The General Assembly confirm the appointment of the Rev. John W. Keddie, FCCA MIMgt as Interim Treasurer of the Church for another year.

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**Act V — Act anent Admission of Stornoway Relief Free Church**  
(No 5 of Class II)

*Edinburgh, 23rd May 2000*

The General Assembly receive the Petition from the Kirk Session and Congregation of Stornoway Relief Free Church and grant its crave. They admit the Congregation as a Congregation of the Free Church of Scotland (Continuing) and direct the Free Presbytery of Lewis to place the Congregation on the list of Congregations within their bounds.

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**Act VI — Act anent Status of Rev. David M. Blunt**  
(No 6 of Class II)

*Edinburgh, 23rd May 2000*

The General Assembly confirm the procedures of the Presbytery of Skye and Uist in licensing Mr David Martin Blunt on 4th May, 1999.

The General Assembly affirms that Mr David Martin Blunt is to be considered as a duly licensed probationer of the Free Church of Scotland (Continuing).

The General Assembly instructs that the name of Mr David Martin Blunt be added to the Register of Probationers of the Free Church of Scotland (Continuing).

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**Act VII — Act anent Status of Rev. John J. Harding and Rev. W.B. Scott**  
(No 7 of Class II)

*Edinburgh, 23rd May 2000*

The General Assembly receive the Petition from the Free Presbytery of Glasgow and grant its crave

1. The General Assembly approve and reaffirm the action taken by the Free Presbytery of Glasgow in removing the sentence of deposition imposed on Rev. John J. Harding, *Minister at Shettleston*, and that of the Kirk Session of Shettleston Free Church of Scotland;
  2. The General Assembly approve and reaffirm the action taken by the Free Presbytery of Glasgow in lifting the suspension imposed on Rev. William B. Scott, *Minister at Dumfries*.
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**Act VIII — Act anent Status of Rev. Iain Smith**  
(No 8 of Class II)

*Edinburgh, 23rd May 2000*

The General Assembly receive the Petition of the Free Presbytery of Glasgow and grant its crave. They note the *ultra vires* nature of the suspension of Rev. Iain Smith, *Minister at Partick*, and approve and reaffirm the actions of the Free Presbytery of Glasgow in lifting the suspension.

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**Act IX — Act anent Status of Members of Stornoway Relief Free Church**  
(No 9 of Class II)

*Edinburgh, 23rd May 2000*

The General Assembly receive the Petition of the Free Presbytery of Lewis and grant its crave to the extent that

1. The General Assembly declare as *ultra vires* the decision of the 1999 General Assembly on the appeal by the Presbytery of Lewis against the Western Synod;
  2. The General Assembly rescind the aforementioned decision of the General Assembly and instruct the Free Presbytery of Lewis to write to those involved informing them of this decision clearing their names.
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**Act X — Act anent Status of Elders of Briton Street Congregation**  
(No 10 of Class II)

*Edinburgh, 23rd May 2000*

The General Assembly receive the Petition of the Kirk Session of Briton Street and grant its crave. Notwithstanding the technical irregularities involved in the appointment of Mr J. A. MacPherson and Rev. D. N. MacLeod to the Kirk Session of Briton Street the General Assembly ratify the appointments.

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**Act XI — Act anent Status of Elder of East Kilbride Congregation**  
(No 11 of Class II)

*Edinburgh, 23rd May 2000*

The General Assembly receive the Petition of the Kirk Session of East Kilbride and grant its crave. Notwithstanding the technical irregularities involved in the appointment of Mr N. MacDonald to the Kirk Session of East Kilbride the General Assembly ratify the appointment.

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**Act XII — Act anent Status of Elder of Paisley Congregation**  
(No 12 of Class II)

*Edinburgh, 23rd May 2000*

The General Assembly receive the Petition of the Kirk Session of Paisley and grant its crave. Notwithstanding the technical irregularities involved in the appointment of Mr H. Cameron to the Kirk Session of Paisley the General Assembly ratify the appointment.

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**Act XIII — Act anent Status of Elders of Partick Highland Congregation**  
(No 13 of Class II)

*Edinburgh, 23rd May 2000*

The General Assembly receive the Petition of the Kirk Session of Partick Highland and grant its crave. Notwithstanding the technical irregularities involved in the appointment of Mr D. M. MacDonald and Mr F. Morrison to the Kirk Session of Partick Highland the General Assembly ratify the appointments.

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**Act XIV — Act anent Date of Meeting of Western Synod**  
(No 14 of Class II)

*Edinburgh, 24th May 2000*

The General Assembly receive the Petition and grant its crave. They ordain that the Statutory date of the Ordinary Meeting of the Free Western Synod be changed from the Second Tuesday of April to the Third Tuesday in March.

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**Act XV — Act anent Appointment of Rev. H. R. M. Radcliff as General Assessor to the Free  
Presbytery of Glasgow**  
(No 15 of Class II)

*Edinburgh, 24th May 2000*

The General Assembly receive the Petition and grant its crave to the extent that notwithstanding the fact that the premises of the Petition from the Kirk Session of Shettleston anent Granting of seat on Presbytery of Glasgow to Rev. H.R. Moshe Radcliff fail to comply with the Laws of the Church in that they do not fall within the terms specified in Act I, Class I, 1981, the General Assembly, in the light of the depleted state of the Free Presbytery of Glasgow, appoint Rev. H.R. Moshe Radcliff a General Assessor to the Free Presbytery of Glasgow.

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**Act XVI — Act anent Rescinding of Findings of the General Assembly and Commissions**  
(No 16 of Class II)

*Edinburgh, 24th May 2000*

The General Assembly note that various Assembly findings relating to these matters are procedurally unsafe, contrary to the Form of Process and *ultra vires*; in particular the 1995 finding anent the Supplementary Report of the Training of the Ministry Committee, all findings of the 31st October 1996 Commission of Assembly, the 1997 finding anent Minority and Supplementary Reports of Training of the Ministry and Admissions Committee and the June 1999 Commission of Assembly finding anent Overture (b) from Presbytery of Edinburgh & Perth. The General Assembly do hereby rescind the 1995 finding anent the Supplementary Report of the Training of the Ministry Committee, all findings of the 31st October 1996 Commission of Assembly, the 1997 finding anent Minority and Supplementary Reports of Training of the Ministry and Admissions Committee and the June 1999 Commission of Assembly finding anent Overture (b) from Presbytery of Edinburgh & Perth.

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**Act XVII — Act anent Continuation of Remit of Interim General Interests Committee**  
(No 17 of Class II)

*Edinburgh, 24th May 2000*

The General Assembly continue the remit of the Interim General Interests Committee for a further year to allow mature deliberation and consultation on a revised Assembly Committee structure, the Committee to be composed of the Moderator (Convener), the retiring Moderator (Vice-Convener), The Principal Clerk of Assembly, the Assistant Clerk of Assembly, Editor of Free Church Witness; M.J. Roberts, Allan Murray, Iain Smith, J. Keddie, M.A.N. MacLeod, D. MacKinnon, John J. Harding, Ministers with Maurice Grant, John A. Gillies (Partick), Malcolm Matheson (Barvas) and Dr. Murdoch Murchison.

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**Act XVIII — Act anent Confirmation of Findings of the Commission of Assembly**  
(No 18 of Class II)

*Edinburgh, 24th May 2000*

The General Assembly note that the Commission of Assembly met in Edinburgh on 20th and 21st January 2000 found and enacted, *inter alia*, as follows:

1 Declaration of Reconstitution

The Commission of Assembly having approved and adopted the draft of a Declaration of Reconstitution of the historic Free Church of Scotland, to be subscribed by Ministers and Elders, and Rev. Hugh M. Ferrier having engaged in prayer at the request of the Moderator, the said Declaration was duly subscribed as follows:

"We the undersigned Ministers and Elders of the Free Church of Scotland,

Considering that the constitution of the said Church is contained in the Scriptures of the Old and New Testaments, the Westminster Confession of Faith as approved by the General Assembly of the Church of Scotland in 1647, the First and Second Books of Discipline, the Larger and Shorter Catechisms, the Claim, Declaration, and Protest of 1842, the Protest of 1843, the Act of Separation and Deed of Demission executed in 1843, the Formula appointed to be subscribed by probationers before receiving licence and by all office-bearers at the time of their admission together with the Questions appointed to be put to the said parties at ordination and admission, and the Acts of Assembly of the Church of Scotland prior to 1843; and now seeing:

(1st) That Commissioners exercising a majority in voting in the General Assemblies and Commissions of the Free Church of Scotland, and purporting to enact and make findings in the name of the Free Church of Scotland and by authority as office-bearers according to the rule of Christ and the constitution of the Church, have of late years applied in an arbitrary and tyrannical way the resolutions of its General Assemblies and Commissions, establishing these as ultimate rules of conduct, and treating as contumacious any conscientious inability to give obedience to edicts of the said Assemblies and Commissions, contrary to Chapter XXXI Section IV of the Confession of Faith, which states: "All Synods or Councils since the Apostles' times, whether general or particular, may err, and many have erred; therefore they are not to be made the rule of faith or practice, but to be used as an help in both"; and Chapter XX Section II which states: "God alone is Lord of the conscience, and hath left it free from the doctrines and commandments of men which are in anything contrary to his Word, or beside it, in matters of faith or worship, so that to believe such doctrines, or to obey such commandments out of conscience, is to betray true liberty

of conscience; and the requiring of an implicit faith, and an absolute and blind obedience, is to destroy liberty of conscience, and reason also”: by, *inter alia*:

(a) deeming it censurable to refuse to obey instructions of a Church Court which are in violation of the Word of God and the constitution of the Free Church of Scotland, regardless of whether obedience could be rendered in conscience or not;

(b) bringing disciplinary processes against ministers and elders in respect of matters which have not been declared censurable in Scripture;

(c) treating as potentially contumacious any suggestion to revisit an administrative decision of the General Assembly notwithstanding that such decisions are not unalterable and are open at all times to review, and instituting disciplinary processes against ministers who called for such review;

(d) appointing general assessors to a Presbytery in order to impose the will of the General Assembly and its Commission on the will of the substantial majority of the Presbytery conscientiously expressed;

(e) declaring sinfully schismatic, without proof before the Courts of the Church, the action of a body of believers who withdrew from their local congregation for conscience’ sake and out of concern for the correct observance of the constitution of the Free Church of Scotland, and forbidding ministers and office-bearers, under pain of censure, to preach to or have fellowship with the said body of believers notwithstanding that they have not departed from the constitution and principles of the Church;

(2nd) That Commissioners purporting to exercise lawful judicial authority in the name of the Free Church of Scotland have breached fundamental principles of equity and natural justice, contrary to Chapter XIX, Section V of the Confession of Faith, which states: “The moral law doth for ever bind all, as well justified persons as others, to the obedience thereof; and that not only in the matter contained in it, but also in respect of the authority of God the Creator, who gave it; neither doth Christ in the gospel anyway dissolve, but much strengthen this obligation”: by, *inter alia*:

(a) forbidding office-bearers and members now or henceforth to pursue matters arising from a particular *fama*, involving serious allegations against a minister, in any form whatsoever;

(b) ordering the destruction of documents relating to the aforesaid *fama* notwithstanding that issues arising therefrom remain unresolved, thereby prejudicing the rights of interested parties to secure a fair and proper resolution of the said issues;

(c) imposing requirements on ministers and office-bearers additional to their ordination vows, and thereby, in particular, infringing their civil rights to freedom of assembly and association by forbidding them, under pain of censure, to hold office in an association professedly aiming to assert and defend the constitution of the historic Free Church of Scotland;

(d) annulling the licensing of, and withdrawing recognition as a candidate for the ministry from, a divinity student who had been accepted by the Training of the Ministry and Admissions Committee after due examination of his credentials and then licensed by his Presbytery in accordance with the law of the Church, and against whom no disciplinary proceedings had been

brought, and directing the Presbytery to expunge the decision to proceed to license from its minutes;

(3rd) That albeit the Form of Process enacted by the General Assembly of the Church of Scotland in 1707, and being a constitutional document of the Free Church of Scotland, is binding and obligatory on all Courts of the said Church, Commissioners purporting to exercise lawful judicial authority in the name of the Free Church of Scotland have adopted findings and conducted procedures at variance with, and subversive of, the principles of church discipline set out in the said Form of Process and reflected in the authorised practice and procedure of the Free Church of Scotland, by, *inter alia*:

(a) endorsing a finding of the Training of the Ministry and Admissions Committee, in relation to the aforesaid *fama*, without judicial examination of the evidence and without enquiry to ensure that the precognition in the case had been properly conducted and that all relevant witnesses had been duly examined, contrary to the requirement of the Form of Process that when such a matter comes before a church judicatory it ought not to be “negligently inquired into” (Chapter VII, paragraph 2);

(b) treating the said decision as judicial notwithstanding that the procedure adopted by the judicatory was not conducted under the Form of Process and the decision was therefore no more than administrative;

(c) purporting to terminate the bringing of private libels in relation to the aforesaid *fama*, thereby seeking to prohibit a course of action to which the Form of Process (Chapter VII, paragraph 3) gives a right;

(d) conducting disciplinary processes against ministers before the Commission of Assembly as a court of first instance, in violation of the requirement in the Form of Process (Chapter VII, paragraph 1) that all processes against any minister are to begin before his Presbytery, and using the said Commission to institute such processes without authority from the General Assembly:

And that Commissioners exercising a majority in voting in the General Assemblies and Commissions of Assemblies, purporting to act lawfully therein in the name of the Free Church of Scotland, have, by the aforementioned actions, passed acts and resolutions under which the constitution and standards of the Free Church of Scotland can be, and are violated, and have refused to countenance petitions and other requests for redress of the same; whereby the said persons have ceased to constitute authoritative courts of the historic Free Church of Scotland.

In consequence whereof:

We claim our right and profess our duty, according to our ordination vows thereanent, to administer discipline and government consistent with the requirements embodied in the constitution of the Free Church of Scotland and stated in our ordination vows, which vows bind us to maintain the said discipline and government “notwithstanding of whatsoever trouble or persecution may arise”;

We protest that by our engagement to the constitution of the Free Church of Scotland, our office in the said Church prevents, and has always prevented, our being bound by any acts or resolutions (including, but not confined to, the foregoing) of the said persons purporting to act lawfully in the



name of the Free Church of Scotland, which are contrary to the authorised standards of the Free Church of Scotland;

We declare that in accordance with the Word of God and the authorised standards of the Free Church of Scotland, we are not and can never be under the jurisdiction of individuals and courts purporting to act in the name of the Free Church of Scotland, yet against the said Word and standards, without doing violence to our consciences and our faithfulness to our ordination vows.

Wherefore -

We have resolved to declare that the Free Church of Scotland is separate from all church courts seeking to impose acts and findings contrary to the constitution of the historic Free Church of Scotland, and we claim still to be the true *bona fide* representatives of the original protesters of 1843 and to be carrying out the objects of the Protest more faithfully than the majority.

In order the more formally and effectually to carry out the said resolution, we, the Ministers and Elders of the historic Free Church of Scotland under-subscribing, for ourselves and all who may now or hereafter adhere to us, affirming that we and they now adhere as we and they have heretofore done to the constitution and standards of the historic Free Church of Scotland, declare that we hereby disassociate ourselves from any residual subsisting body claiming the title of the Free Church of Scotland; and we further specially provide and declare:

That we for ourselves, and all who may now or hereafter adhere to us, in no degree abandon, impair or waive the rights belonging to us as ministers of Christ's gospel, and pastors and elders of particular congregations, to perform fully and freely the functions of our offices towards our respective congregations, or such portions thereof as may adhere to us;

That signature of or adherence to this Declaration shall in no way prejudice our right to maintain the doctrines and principles of the historic Free Church of Scotland as set forth in her authorised standards and authoritative documents and to take all steps that may be necessary to vindicate the said doctrines and principles;

That we are and shall be free to exercise government and discipline in our several judicatories according to the Word of God and consistent with the constitution and standards of the historic Free Church of Scotland;

That henceforth we are not and shall not be subject in any respect to the ecclesiastical judicatories of any residual subsisting body claiming the title of the Free Church of Scotland;

That meanwhile, to distinguish the reconstituted Free Church of Scotland (solely for purposes of administration) from any residual body claiming that title we may be called the Free Church of Scotland (Continuing);

That the rights and benefits accruing to the ministers subscribing, or who may hereafter adhere hereto, from the pension and other funds of the Free Church of Scotland are hereby reserved;

That this Declaration shall in no way be held as a renunciation on the part of the said ministers of their rights to the ownership, enjoyment and occupation of the property and funds of the Free Church of Scotland, including but not limited to churches, manses, halls and other heritable properties, nor of any rights which may be found to belong to such ministers or to their

congregations or to the office bearers of such congregations or to existing or future trustees on behalf of such congregations or their kirk-sessions in regard to the same;

That there is hereby reserved to us, the subscribers hereto, and to all who may now or hereafter adhere to us, power and authority to take all steps that may be necessary or expedient to declare, vindicate, enforce and preserve the status, rights and privileges of every kind, both ecclesiastical and civil, of and attaching now and in the future to us and all who may now or hereafter adhere to us, as those remaining faithful to the doctrine, government and principles embodied in the supreme and subordinate standards of the historic Free Church of Scotland.

The subscribers call to witness the Christian people of this land, and of the Reformed fellowship throughout the world, that this action is not lightly entered into. It is taken in sorrow at the enforced parting from brethren with whom we have had fellowship in the Lord, but also in defence of truth and justice and of the historic principles and practice of the Free Church of Scotland. We declare that if any residual body continuing to claim the title of the Free Church of Scotland is prepared to return to the constitution and standards of the historic Free Church of Scotland, and to practise and adhere faithfully to the same, we will see it as our duty to seek reconciliation with our brethren within that body.

In witness whereof these presents are subscribed by us at Edinburgh on 20th January 2000 before the undersigning witnesses.

Rev. John A. Gillies, *Moderator*  
Rev. Donald N. MacLeod, *Retired*  
Rev. William MacLeod, *Minister at Portree*  
Rev. John MacLeod, *Minister at Tarbat*  
Rev. James I. Gracie, *Minister at North Uist & Grimsay*  
Mr Alasdair N. Nicolson, *Elder, Bracadale*  
Mr John A. MacPherson, *Elder, Glasgow, Briton Street*  
Mr Roderick MacKay, *Elder, Snizort*  
Mr Peter B. Matheson, *Elder, Duirinish*  
Mr John MacKenzie, *Elder, Assynt*  
Mr Alasdair Morrison, *Elder, Lochalsh & Glenshiel*  
Rev. Hugh M. Ferrier, *Retired,*  
Rev. Allan I. M. MacIver, *Minister at Strath*  
Rev. Bryan H. Baxter, *Retired*  
Rev. Malcolm MacLean, *Retired*  
Rev. John Morrison, *Minister at Kilmuir & Stenscholl*  
Rev. Donald M. MacDonald, *Retired*  
Rev. John J. Murray, *Minister at Edinburgh, Free St. Columba's*  
Rev. H.J.T. Woods, *Minister at Paisley*  
Rev. John MacLeod, *Minister at Duthil-Dores*  
Rev. John Keddie, *Minister at Bracadale*  
Rev. Allan Murray, *Minister at Rogart & Eddrachillis*  
Rev. Graeme Craig, *Minister at Lochalsh & Glenshiel*  
Rev. David P. Murray, *Minister at Lochcarron*  
Rev. Kenneth MacDonald, *Minister at Snizort*  
Mr Donald A. MacKenzie, *Elder, East Kilbride*  
Dr Murdoch Murchison, *Elder, Strathpeffer, Strathconon & Garve*  
Mr John Bain, *Elder, Snizort*

Mr Harley J. Cameron, *Elder, Glasgow, St. Vincent Street*  
Mr Maurice Grant, *Elder, Edinburgh, St. Columba's*  
Mr John A. MacLeod, *Elder, Snizort*  
Mr Angus Shaw, *Elder, Snizort*  
Mr D.W. Munro, *Elder, Lairg*  
Mr Peter K. MacAskill, *Elder, Strath*  
Mr John MacPherson, *Elder, Portree*  
Mr Alexander Morrison, *Elder, Edinburgh, St. Columba's*  
Mr Norman Campbell, *Elder, Edinburgh, St. Columba's*  
Rev. John A. Gillies, *Moderator, Witness*  
Rev. John MacLeod, *Principal Clerk, Witness*  
Rev. Graeme Craig, *Assistant Clerk, Witness*

## 2 Supplementary Declaration of Reconstitution

The Commission of Assembly approve the following Supplementary Declaration of Reconstitution, to be signed by those Ministers and Elders adhering to the Declaration of Reconstitution signed on 20th January 2000 but not present on that date.

The Ministers and Elders hereto subscribing, considering that, on the 20th day of January in this present year 2000, a Declaration of Reconstitution was adopted, of the following tenor, viz. :—

"We the undersigned Ministers and Elders of the Free Church of Scotland,

Considering that the constitution of the said Church is contained in the Scriptures of the Old and New Testaments, the Westminster Confession of Faith as approved by the General Assembly of the Church of Scotland in 1647, the First and Second Books of Discipline, the Larger and Shorter Catechisms, the Claim, Declaration, and Protest of 1842, the Protest of 1843, the Act of Separation and Deed of Demission executed in 1843, the Formula appointed to be subscribed by probationers before receiving licence and by all office-bearers at the time of their admission together with the Questions appointed to be put to the said parties at ordination and admission, and the Acts of Assembly of the Church of Scotland prior to 1843; and now seeing:

(1st) That Commissioners exercising a majority in voting in the General Assemblies and Commissions of the Free Church of Scotland, and purporting to enact and make findings in the name of the Free Church of Scotland and by authority as office-bearers according to the rule of Christ and the constitution of the Church, have of late years applied in an arbitrary and tyrannical way the resolutions of its General Assemblies and Commissions, establishing these as ultimate rules of conduct, and treating as contumacious any conscientious inability to give obedience to edicts of the said Assemblies and Commissions, contrary to Chapter XXXI Section IV of the Confession of Faith, which states: "All Synods or Councils since the Apostles' times, whether general or particular, may err, and many have erred; therefore they are not to be made the rule of faith or practice, but to be used as an help in both"; and Chapter XX Section II which states: "God alone is Lord of the conscience, and hath left it free from the doctrines and commandments of men which are in anything contrary to his Word, or beside it, in matters of faith or worship, so that to believe such doctrines, or to obey such commandments out of conscience, is to betray true liberty of conscience; and the requiring of an implicit faith, and an absolute and blind obedience, is to destroy liberty of conscience, and reason also": by, *inter alia*:

(a) deeming it censurable to refuse to obey instructions of a Church Court which are in violation of the Word of God and the constitution of the Free Church of Scotland, regardless of whether obedience could be rendered in conscience or not;

(b) bringing disciplinary processes against ministers and elders in respect of matters which have not been declared censurable in Scripture;

(c) treating as potentially contumacious any suggestion to revisit an administrative decision of the General Assembly notwithstanding that such decisions are not unalterable and are open at all times to review, and instituting disciplinary processes against ministers who called for such review;

(d) appointing general assessors to a Presbytery in order to impose the will of the General Assembly and its Commission on the will of the substantial majority of the Presbytery conscientiously expressed;

(e) declaring sinfully schismatic, without proof before the Courts of the Church, the action of a body of believers who withdrew from their local congregation for conscience' sake and out of concern for the correct observance of the constitution of the Free Church of Scotland, and forbidding ministers and office-bearers, under pain of censure, to preach to or have fellowship with the said body of believers notwithstanding that they have not departed from the constitution and principles of the Church;

(2nd) That Commissioners purporting to exercise lawful judicial authority in the name of the Free Church of Scotland have breached fundamental principles of equity and natural justice, contrary to Chapter XIX, Section V of the Confession of Faith, which states: "The moral law doth for ever bind all, as well justified persons as others, to the obedience thereof; and that not only in the matter contained in it, but also in respect of the authority of God the Creator, who gave it; neither doth Christ in the gospel anyway dissolve, but much strengthen this obligation": by, *inter alia*:

(a) forbidding office-bearers and members now or henceforth to pursue matters arising from a particular *fama*, involving serious allegations against a minister, in any form whatsoever;

(b) ordering the destruction of documents relating to the aforesaid *fama* notwithstanding that issues arising therefrom remain unresolved, thereby prejudicing the rights of interested parties to secure a fair and proper resolution of the said issues;

(c) imposing requirements on ministers and office-bearers additional to their ordination vows, and thereby, in particular, infringing their civil rights to freedom of assembly and association by forbidding them, under pain of censure, to hold office in an association professedly aiming to assert and defend the constitution of the historic Free Church of Scotland;

(d) annulling the licensing of, and withdrawing recognition as a candidate for the ministry from, a divinity student who had been accepted by the Training of the Ministry and Admissions Committee after due examination of his credentials and then licensed by his Presbytery in accordance with the law of the Church, and against whom no disciplinary proceedings had been brought, and directing the Presbytery to expunge the decision to proceed to license from its minutes;

(3rd) That albeit the Form of Process enacted by the General Assembly of the Church of Scotland in 1707, and being a constitutional document of the Free Church of Scotland, is binding and obligatory on all Courts of the said Church, Commissioners purporting to exercise lawful judicial authority in the name of the Free Church of Scotland have adopted findings and conducted procedures at variance with, and subversive of, the principles of church discipline set out in the said Form of Process and reflected in the authorised practice and procedure of the Free Church of Scotland, by, *inter alia*:

(a) endorsing a finding of the Training of the Ministry and Admissions Committee, in relation to the aforesaid *fama*, without judicial examination of the evidence and without enquiry to ensure that the precognition in the case had been properly conducted and that all relevant witnesses had been duly examined, contrary to the requirement of the Form of Process that when such a matter comes before a church judicatory it ought not to be “negligently inquired into” (Chapter VII, paragraph 2);

(b) treating the said decision as judicial notwithstanding that the procedure adopted by the judicatory was not conducted under the Form of Process and the decision was therefore no more than administrative;

(c) purporting to terminate the bringing of private libels in relation to the aforesaid *fama*, thereby seeking to prohibit a course of action to which the Form of Process (Chapter VII, paragraph 3) gives a right;

(d) conducting disciplinary processes against ministers before the Commission of Assembly as a court of first instance, in violation of the requirement in the Form of Process (Chapter VII, paragraph 1) that all processes against any minister are to begin before his Presbytery, and using the said Commission to institute such processes without authority from the General Assembly:

And that Commissioners exercising a majority in voting in the General Assemblies and Commissions of Assemblies, purporting to act lawfully therein in the name of the Free Church of Scotland, have, by the aforementioned actions, passed acts and resolutions under which the constitution and standards of the Free Church of Scotland can be, and are violated, and have refused to countenance petitions and other requests for redress of the same; whereby the said persons have ceased to constitute authoritative courts of the historic Free Church of Scotland.

In consequence whereof:

We claim our right and profess our duty, according to our ordination vows thereanent, to administer discipline and government consistent with the requirements embodied in the constitution of the Free Church of Scotland and stated in our ordination vows, which vows bind us to maintain the said discipline and government “notwithstanding of whatsoever trouble or persecution may arise”;

We protest that by our engagement to the constitution of the Free Church of Scotland, our office in the said Church prevents, and has always prevented, our being bound by any acts or resolutions (including, but not confined to, the foregoing) of the said persons purporting to act lawfully in the name of the Free Church of Scotland, which are contrary to the authorised standards of the Free Church of Scotland;

We declare that in accordance with the Word of God and the authorised standards of Free Church of Scotland, we are not and can never be under the jurisdiction of individuals and courts purporting to act in the name of the Free Church of Scotland, yet against the said Word and standards, without doing violence to our consciences and our faithfulness to our ordination vows.

Wherefore -

We have resolved to declare that the Free Church of Scotland is separate from all church courts seeking to impose acts and findings contrary to the constitution of the historic Free Church of Scotland, and we claim still to be the true *bona fide* representatives of the original protesters of 1843 and to be carrying out the objects of the Protest more faithfully than the majority.

In order the more formally and effectually to carry out the said resolution, we, the Ministers and Elders of the historic Free Church of Scotland under-subscribing, for ourselves and all who may now or hereafter adhere to us, affirming that we and they now adhere as we and they have heretofore done to the constitution and standards of the historic Free Church of Scotland, declare that we hereby disassociate ourselves from any residual subsisting body claiming the title of the Free Church of Scotland; and we further specially provide and declare:

That we for ourselves, and all who may now or hereafter adhere to us, in no degree abandon, impair or waive the rights belonging to us as ministers of Christ's gospel, and pastors and elders of particular congregations, to perform fully and freely the functions of our offices towards our respective congregations, or such portions thereof as may adhere to us;

That signature of or adherence to this Declaration shall in no way prejudice our right to maintain the doctrines and principles of the historic Free Church of Scotland as set forth in her authorised standards and authoritative documents and to take all steps that may be necessary to vindicate the said doctrines and principles;

That we are and shall be free to exercise government and discipline in our several judicatories according to the Word of God and consistent with the constitution and standards of the historic Free Church of Scotland;

That henceforth we are not and shall not be subject in any respect to the ecclesiastical judicatories of any residual subsisting body claiming the title of the Free Church of Scotland;

That meanwhile, to distinguish the reconstituted Free Church of Scotland (solely for purposes of administration) from any residual body claiming that title we may be called the Free Church of Scotland (Continuing);

That the rights and benefits accruing to the ministers subscribing, or who may hereafter adhere hereto, from the pension and other funds of the Free Church of Scotland are hereby reserved;

That this Declaration shall in no way be held as a renunciation on the part of the said ministers of their rights to the ownership, enjoyment and occupation of the property and funds of the Free Church of Scotland, including but not limited to churches, manses, halls and other heritable properties, nor of any rights which may be found to belong to such ministers or to their congregations or to the office bearers of such congregations or to existing or future trustees on behalf of such congregations or their kirk-sessions in regard to the same;

That there is hereby reserved to us, the subscribers hereto, and to all who may now or hereafter adhere to us, power and authority to take all steps that may be necessary or expedient to declare, vindicate, enforce and preserve the status, rights and privileges of every kind, both ecclesiastical and civil, of and attaching now and in the future to us and all who may now or hereafter adhere to us, as those remaining faithful to the doctrine, government and principles embodied in the supreme and subordinate standards of the historic Free Church of Scotland.

The subscribers call to witness the Christian people of this land, and of the Reformed fellowship throughout the world, that this action is not lightly entered into. It is taken in sorrow at the enforced parting from brethren with whom we have had fellowship in the Lord, but also in defence of truth and justice and of the historic principles and practice of the Free Church of Scotland. We declare that if any residual body continuing to claim the title of the Free Church of Scotland is prepared to return to the constitution and standards of the historic Free Church of Scotland, and to practise and adhere faithfully to the same, we will see it as our duty to seek reconciliation with our brethren within that body.

In witness whereof these presents are subscribed by us at Edinburgh on 20th January 2000 before the undersigning witnesses."

which Declaration of Reconstitution is signed by twenty-two Ministers and eighteen Elders, and seeing that we adhere to the statements asserted therein, we do hereby declare our accession to, and concurrence therein; and we do each of us for ourselves confirm and homologate the same, in the whole heads, articles, clauses, tenor, and contents thereof: And we consent and agree to be bound thereby in all respects, as fully as if we had subscribed the said original Declaration. IN TESTIMONY WHEREOF, &C.

### 3. Temporary Presbytery Arrangements

1. The Commission note that Presbyteries should meet on the date appointed by last meeting and in the place appointed, or as near to it as may be practicable;

2. The Commission enjoin Presbyteries to record the Declaration of Reconstitution in the permanent record of Presbytery. The Presbyteries are advised to draw to the attention of Kirk Sessions the appropriateness of recording the Declaration of Reconstitution in their permanent records;

3. In regard to Synodical arrangements, it is recommended that these be, in so far as they can be, continued in the meantime, and note that Synods should meet on the day appointed and in the place appointed or as near to it as may be practicable;

4. The Commission, taking cognisance of the depletion of the Presbyteries of Argyll & Lochaber, Caithness & Sutherland, Edinburgh & Perth, Lewis, Lochcarron and Ross, authorise and appoint ad interim Assessors as follows:

Presbytery of Argyll & Lochaber: G. Craig, J. Keddie, A. I.M. Maciver (Strath), A. Morrison (Lochalsh) and P. MacAskill (Strath);

Presbytery of Caithness & Sutherland: John MacLeod (Tarbat) and John MacLeod (Duthil-Dores);

Presbytery of Edinburgh & Perth: H.J.T. Woods and Donald N. MacLeod (Rtd);

Presbytery of Lewis: Kenneth MacDonald (Snizort), J. Gracie, William MacLeod (Portree), P. Matheson (Duirinish), R. MacKay (Snizort);

Presbytery of Lochcarron: A.I.M. MacIver (Strath), J. Morrison (Kilmuir), J. MacPherson (Portree);

Presbytery of Ross: Allan Murray (Rogart);

5. All inferior Courts and Committees are hereby permitted to meet during any suspension of this present Sederunt of the Commission;

6. The Free Presbytery of Lewis are hereby directed to meet pro re nata at 11:30am today for the purpose of reviewing the status of Rev. Murdo A. N. MacLeod, Harris, and related matters affecting the Congregation of Harris, and for any other matter arising out of the current emergency.

#### 4. Appointing of Interim General Interests Committee

The Commission appoint the following as an Interim General Interests Committee to advert to the interests of the Church until the General Assembly of May 2000: The Moderator (Convener), Principal Clerk, Assistant Clerk and W. MacLeod, H.J.T. Woods, J. Keddie, M.A.N. MacLeod, D.P. Murray, Ministers with M. Grant, D. MacKenzie, M. Murchison, and an Elder appointed by the Presbytery of Lewis, the Committee to consult with Rev. M.J. Roberts and Mr M. Matheson, Barvas.

#### 5. Appointing of Law Agent

The Commission remit the matter of appointing a Law Agent to the Interim General Interests Committee who are empowered to make interim arrangements as appropriate.

#### 6. Appointing of Interim Treasurer

The Commission appoint Rev. John Keddie as Interim Treasurer

and further that the Commission of Assembly met in Inverness on 10th and 11th February 2000 found and enacted, inter alia, as follows:

#### 1. Appointment of General Assessors to Presbyteries

1. The Commission of Assembly receive the Petition from the Free Presbytery of Inverness and grant its crave. They appoint *ad interim* Rev. Roderick MacLeod, Rev. John MacLeod (Tarbat), Mr Alasdair MacKintosh (Duthil-Dores) and Mr John Campbell (Duthil-Dores) as General Assessors to the Free Presbytery of Inverness;
2. The Commission of Assembly proceed to review the Temporary Presbytery Arrangements enacted earlier in the Sederunt to ascertain if any additional arrangements are required in the light of recent developments.

In accordance with the foregoing resolution the Commission proceeded to review the Temporary Presbytery Arrangements enacted *ad interim* earlier in the Sederunt to ascertain if any additional arrangements were required in the light of recent developments.

It was moved, seconded and agreed that



The Commission appoint *ad interim* General Assessors as follows:

Presbytery of Great Lakes and Western Canada:

Rev. John A. Gillies, Rev. John MacLeod (Tarbat), Mr John MacKenzie (Assynt) and Mr Peter Matheson (Duirinish);

Presbytery of Lochcarron:

Mr Peter MacAskill (Strath), Rev. John Keddie.

## 2. Publications

1 The Commission of Assembly receive and adopt the Report of the ad hoc Publications Sub-committee of the Interim General Interests Committee and thank the Sub-committee, especially the Convener;

2.1 The Commission approve the proposals outlined in the Report and instruct the Interim General Interests Committee to publish a denominational magazine as an interim measure;

2.2 The Commission instruct the Interim General Interests Committee to prepare detailed recommendations to be presented to the General Assembly of May 2000;

3 The Commission approve the Proposals for a Web site and appoint Mr Stuart MacKay as webmaster, to be under the oversight of the Publications Sub-committee or their successors;

4 The Commission direct the ad hoc Publications Sub-committee to issue a brief report on the Commission of Assembly as soon as practicable;

5 The Commission direct that the Press Officer be under the supervision of and responsible to the Publications Sub-committee or their successors;

6 The Commission remit to the Publications Sub-committee or their successors the organising of Conferences and direct the Committee to organise a Conference in April 2000;

7 The Commission of Assembly remit to the Publications Sub-committee in consultation with Presbyteries the organising of Public Meetings for the dissemination of information at this crucial time in the life of the Church;

8 The Commission of Assembly instruct the Interim General Interests Committee to appoint an ad hoc Committee comprising three members to draw up as a matter of urgency a statement of the principal facts leading to the reconstitution of the historic Free Church of Scotland.

## 3. Commission Statement

The Commission approve and authorise the issuing of the following Statement:

"On 20th January this year, 22 Free Church ministers, many of whom had given long and distinguished service, were, despite the assertions of some, unlawfully suspended from the ministry of the Church and forbidden to preach the Gospel.

This unconstitutional, unjust and foolish act crowned all recent injustices by the majority and was the provocation which finally forced a split in the Free Church.

The 22 ministers, believing in their God-given vocation, refused the unlawful and tyrannical command of the Commission of Assembly to stop preaching the "good news". They made clear that they did not accept the right of the Commission to act in this way and they have since reorganised themselves as the true Free Church of Scotland.

The Free Church (Continuing) exists to preach Christ. We believe that we are more faithful to the testimony of the historic Free Church — its doctrine, worship and practice — than those brethren who are now separate from us and we have no intention of moving from it in the slightest.

The aims of those brethren who are now separate from us are far from clear. In their actions over recent years they have shown scant respect for the Constitution of the Free Church. Despite their protestations, their commitment to the testimony of the historic Free Church must be open to

question. They now have over 40 vacancies and immense financial problems. If past practice is anything to go by, they will soon tire of supplying scattered congregations and will link up huge areas under one minister.”

The General Assembly do hereby confirm the said findings and enactments;

The General Assembly continue the appointments of the said General Assessors in terms of the foregoing findings for the ensuing year.

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**Act XIX – Act anent Annulling of Proceedings of Western Synod**  
(No 19 of Class II)

*Edinburgh, 24th May 2000*

The General Assembly receive the Petition and grant its crave. The General Assembly declare all business transacted after the lodging of the Complaint against the approving of the Moderator's calling the *pro re nata* meeting on 16.11.99 to be *ultra vires* and null and void.

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**Act XX — Act anent Denominational Magazines and Appointment of Editors**  
(No 20 of Class II)

*Edinburgh, 24th May 2000*

The General Assembly approve the proposals outlined in the Report and instruct the Interim General Interests Committee to produce a regular denominational magazine together with a supplement for young people;

The General Assembly direct that the denominational magazine will be called "Free Church Witness".

The magazine supplement for young people will be called "The Explorer";

The General Assembly direct that the magazine and its supplement will be produced monthly, with one issue a year covering two months;

The General Assembly direct that the material in the magazines be fully consistent with the doctrine, worship, and government of the Free Church of Scotland (Continuing);

The General Assembly appoint Editors for a four year period, to be reviewed at the Assembly of May 2004;

The General Assembly appoint the Rev. William Macleod Editor of the Free Church Witness;

The General Assembly appoint the Rev. Henry J.T. Woods Assistant Editor of the Free Church Witness and Editor of the two youth supplements which will be combined into an eight page young people's supplement entitled The Explorer.

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**Act XXI — Act anent Status of Rev. Maurice J. Roberts**  
(No 21 of Class II)

*Edinburgh, 24th May 2000*

The General Assembly receive the Overture (A) from members of the House and grant its crave. They declare that pending the outcome of investigation into and a report on findings alleged to be contrary to the Laws and Constitution of the Church, the General Assembly declare that Rev. Maurice Jonathon Roberts is, and remains, a minister in good standing.

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**Act XXII — Act anent Status of Greyfriars Congregation, Inverness**  
(No 22 of Class II)

*Edinburgh, 24th May 2000*

The General Assembly receive the Overture (B) from Members of the House and grant its crave. The General Assembly declare the congregation currently worshipping in Inverness Royal Academy with

Rev. Maurice Roberts as their minister to be the congregation of Free Greyfriars of which Rev. Maurice Roberts is the present minister.

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**Act XXIII — Act anent Appointment of Law Agent**  
(No 23 of Class II)

*Edinburgh, 25th May 2000*

The General Assembly record their thanks to Mr David Williamson of Brodies WS for acting as legal adviser on an interim basis. They appoint Drummond Miller WS as the Church's law agents as from the close of this Assembly.

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**Act XXIV — Act anent Appointment of Evangelist / Church Planter in Presbytery of Edinburgh & Perth**  
(No 24 of Class II)

*Edinburgh, 25th May 2000*

The General Assembly in view of Act VII, 1996 anent Evangelist/Church Planter for the Presbytery of Edinburgh and Perth and the finding of the Commission of the General Assembly on 11th February 2000 authorise the Presbytery of Edinburgh and Perth to appoint an Evangelist/Church Planter for a period of five years in terms of Act XXVIII, Class II, 1989, provided funds are available.

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**Act XXV — Act Appointing Commission of Assembly**  
(No 25 of Class II)

*Edinburgh, 25th May 2000*

The General Assembly did and hereby do nominate and appoint a Commission, consisting of all the members of Assembly, with the addition of Rev. William McKnight, named by the Moderator:— TO BE A COMMISSION of this General Assembly, with power to the said Commission, or their quorum, which is hereby declared to be any fifteen or more of their number, whereof eight at the least are always to be Ministers, to meet and convene at Inverness, the fifth Thursday in November and the first Wednesday in March next to come, and oftener when and where they shall think fit and convenient, and with power to choose their own Moderator: And the General Assembly fully empower the said Commission, or their quorum above mentioned, to cognosce and finally determine, as they shall see cause, in every matter referred to them or which shall be referred to, them, by or in virtue of any Act or order of the Assembly, and to do everything contained in and conform to the instructions given or to be given by the Assembly; and to advert to the interests of the Church on every occasion, that the Church do not suffer or sustain any prejudice which they can prevent, as they will be answerable. In view of present circumstances, the Assembly empower the Commission to take all steps necessary and proper to be taken in the interests of the Church, and such as the Assembly themselves might take, in all the questions that may arise thereanent: And the Assembly hereby empower the Commission to receive and dispose of all references, complaints, and appeals arising in the Inferior Courts, which may be brought before them in accordance with the law and practice of the Church: And the Inferior Courts are hereby instructed to remit all such cases to the said meetings in due time (in accordance with the Standing Orders of the General Assembly): And in all their actings the said Commission are to proceed according to the Acts and Constitution of this Church, and to do nothing contrary thereto or to the prejudice of the same, declaring that in and for all their actings they shall be accountable to, and censurable by, the next General Assembly, as they shall see cause. And this Commission shall continue and endure until another Commission be appointed, and members are required to attend the diets of the said Commission.

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**Act XXVI — Act Appointing Next General Assembly**  
(No 26 of Class II)

*Edinburgh, 25th May 2000*

The General Assembly appoint the next General Assembly of the Free Church of Scotland (Continuing) to meet in Edinburgh on Monday 21st May 2001 years at 6 o'clock in the evening.

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**Acts of the Commission of Assembly**

**Act I — Act anent Sale of Manse at Kirkcaldy**

*Edinburgh, 6th October 1999*

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

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**Act II — Act Anent Declaration of Reconstitution**

*Edinburgh, 20th January 2000*

The Commission of Assembly having approved and adopted the draft of a Declaration of Reconstitution of the historic Free Church of Scotland, to be subscribed by Ministers and Elders, and Rev. Hugh M. Ferrier having engaged in prayer at the request of the Moderator, the said Declaration was duly subscribed as follows:

"We the undersigned Ministers and Elders of the Free Church of Scotland,

Considering that the constitution of the said Church is contained in the Scriptures of the Old and New Testaments, the Westminster Confession of Faith as approved by the General Assembly of the Church of Scotland in 1647, the First and Second Books of Discipline, the Larger and Shorter Catechisms, the Claim, Declaration, and Protest of 1842, the Protest of 1843, the Act of Separation and Deed of Demission executed in 1843, the Formula appointed to be subscribed by probationers before receiving licence and by all office-bearers at the time of their admission together with the Questions appointed to be put to the said parties at ordination and admission, and the Acts of Assembly of the Church of Scotland prior to 1843; and now seeing:

(1st) That Commissioners exercising a majority in voting in the General Assemblies and Commissions of the Free Church of Scotland, and purporting to enact and make findings in the name of the Free Church of Scotland and by authority as office-bearers according to the rule of Christ and the constitution of the Church, have of late years applied in an arbitrary and tyrannical way the resolutions of its General Assemblies and Commissions, establishing these as ultimate rules of conduct, and treating as contumacious any conscientious inability to give obedience to edicts of the said Assemblies and Commissions, contrary to Chapter XXXI Section IV of the Confession of Faith, which states: "All Synods or Councils since the Apostles' times, whether general or particular, may err, and many have erred; therefore they are not to be made the rule of faith or practice, but to be used as an help in both"; and Chapter XX Section II which states: "God alone is Lord of the conscience, and hath left it free from the doctrines and commandments of men which are in anything contrary to his Word, or beside it, in

matters of faith or worship, so that to believe such doctrines, or to obey such commandments out of conscience, is to betray true liberty of conscience; and the requiring of an implicit faith, and an absolute and blind obedience, is to destroy liberty of conscience, and reason also”: by, *inter alia*:

(a) deeming it censurable to refuse to obey instructions of a Church Court which are in violation of the Word of God and the constitution of the Free Church of Scotland, regardless of whether obedience could be rendered in conscience or not;

(b) bringing disciplinary processes against ministers and elders in respect of matters which have not been declared censurable in Scripture;

(c) treating as potentially contumacious any suggestion to revisit an administrative decision of the General Assembly notwithstanding that such decisions are not unalterable and are open at all times to review, and instituting disciplinary processes against ministers who called for such review;

(d) appointing general assessors to a Presbytery in order to impose the will of the General Assembly and its Commission on the will of the substantial majority of the Presbytery conscientiously expressed;

(e) declaring sinfully schismatic, without proof before the Courts of the Church, the action of a body of believers who withdrew from their local congregation for conscience’ sake and out of concern for the correct observance of the constitution of the Free Church of Scotland, and forbidding ministers and office-bearers, under pain of censure, to preach to or have fellowship with the said body of believers notwithstanding that they have not departed from the constitution and principles of the Church;

(2nd) That commissioners purporting to exercise lawful judicial authority in the name of the Free Church of Scotland have breached fundamental principles of equity and natural justice, contrary to Chapter XIX, Section V of the Confession of Faith, which states: “The moral law doth for ever bind all, as well justified persons as others, to the obedience thereof; and that not only in the matter contained in it, but also in respect of the authority of God the Creator, who gave it; neither doth Christ in the gospel anyway dissolve, but much strengthen this obligation”: by, *inter alia*:

(a) forbidding office-bearers and members now or henceforth to pursue matters arising from a particular *fama*, involving serious allegations against a minister, in any form whatsoever;

(b) ordering the destruction of documents relating to the aforesaid *fama* notwithstanding that issues arising therefrom remain unresolved, thereby prejudicing the rights of interested parties to secure a fair and proper resolution of the said issues;

(c) imposing requirements on ministers and office-bearers additional to their ordination vows, and thereby, in particular, infringing their civil rights to freedom of assembly and association by forbidding them, under pain of censure, to hold office in an association professedly aiming to assert and defend the constitution of the historic Free Church of Scotland;

(d) annulling the licensing of, and withdrawing recognition as a candidate for the ministry from, a divinity student who had been accepted by the Training of the Ministry and Admissions Committee after due examination of his credentials and then licensed by his Presbytery in accordance with the law of the Church, and against whom no disciplinary proceedings had been brought, and directing the Presbytery to expunge the decision to proceed to license from its minutes;

(3rd) That albeit the Form of Process enacted by the General Assembly of the Church of Scotland in 1707, and being a constitutional document of the Free Church of Scotland, is binding and obligatory on all Courts of the said Church, Commissioners purporting to exercise lawful judicial authority in the name of the Free Church of Scotland have adopted findings and conducted procedures at variance with, and subversive of, the principles of church discipline set out in the said Form of Process and reflected in the authorised practice and procedure of the Free Church of Scotland, by, *inter alia*:

(a) endorsing a finding of the Training of the Ministry and Admissions Committee, in relation to the aforesaid *fama*, without judicial examination of the evidence and without enquiry to ensure that the precognition in the case had been properly conducted and that all relevant witnesses had been duly examined, contrary to the requirement of the Form of Process that when such a matter comes before a church judicatory it ought not to be “negligently inquired into” (Chapter VII, paragraph 2);

(b) treating the said decision as judicial notwithstanding that the procedure adopted by the judicatory was not conducted under the Form of Process and the decision was therefore no more than administrative;

(c) purporting to terminate the bringing of private libels in relation to the aforesaid *fama*, thereby seeking to prohibit a course of action to which the Form of Process (Chapter VII, paragraph 3) gives a right;

(d) conducting disciplinary processes against ministers before the Commission of Assembly as a court of first instance, in violation of the requirement in the Form of Process (Chapter VII, paragraph 1) that all processes against any minister are to begin before his Presbytery, and using the said Commission to institute such processes without authority from the General Assembly:

And that Commissioners exercising a majority in voting in the General Assemblies and Commissions of Assemblies, purporting to act lawfully therein in the name of the Free Church of Scotland, have, by the aforementioned actions, passed acts and resolutions under which the constitution and standards of the Free Church of Scotland can be, and are violated, and have refused to countenance petitions and other requests for redress of the same; whereby the said persons have ceased to constitute authoritative courts of the historic Free Church of Scotland.

In consequence whereof

We claim our right and profess our duty, according to our ordination vows thereanent, to administer discipline and government consistent with the requirements embodied in the constitution of the Free Church of Scotland and stated in our ordination vows, which vows bind us to maintain the said discipline and government “notwithstanding of whatsoever trouble or persecution may arise”;

We protest that by our engagement to the constitution of the Free Church of Scotland, our office in the said Church prevents, and has always prevented, our being bound by any acts or resolutions (including, but not confined to, the foregoing) of the said persons purporting to act lawfully in the name of the Free Church of Scotland, which are contrary to the authorised standards of the Free Church of Scotland;

We declare that in accordance with the Word of God and the authorised standards of the Free Church of Scotland, we are not and can never be under the jurisdiction of individuals and courts purporting to act in the name of the Free Church of Scotland, yet against the said Word and standards, without doing violence to our consciences and our faithfulness to our ordination vows.

Wherefore -

We have resolved to declare that the Free Church of Scotland is separate from all church courts seeking to impose acts and findings contrary to the constitution of the historic Free Church of Scotland, and we claim still to be the true *bona fide* representatives of the original protesters of 1843 and to be carrying out the objects of the Protest more faithfully than the majority.

In order the more formally and effectually to carry out the said resolution, we, the Ministers and Elders of the historic Free Church of Scotland under-subscribing, for ourselves and all who may now or hereafter adhere to us, affirming that we and they now adhere as we and they have heretofore done to the constitution and standards of the historic Free Church of Scotland, declare that we hereby disassociate ourselves from any residual subsisting body claiming the title of the Free Church of Scotland; and we further specially provide and declare:

That we for ourselves, and all who may now or hereafter adhere to us, in no degree abandon, impair or waive the rights belonging to us as ministers of Christ's gospel, and pastors and elders of particular congregations, to perform fully and freely the functions of our offices towards our respective congregations, or such portions thereof as may adhere to us;

That signature of or adherence to this Declaration shall in no way prejudice our right to maintain the doctrines and principles of the historic Free Church of Scotland as set forth in her authorised standards and authoritative documents and to take all steps that may be necessary to vindicate the said doctrines and principles;

That we are and shall be free to exercise government and discipline in our several judicatories according to the Word of God and consistent with the constitution and standards of the historic Free Church of Scotland;

That henceforth we are not and shall not be subject in any respect to the ecclesiastical judicatories of any residual subsisting body claiming the title of the Free Church of Scotland;

That meanwhile, to distinguish the reconstituted Free Church of Scotland (solely for purposes of administration) from any residual body claiming that title we may be called the Free Church of Scotland (Continuing);

That the rights and benefits accruing to the ministers subscribing, or who may hereafter adhere hereto, from the pension and other funds of the Free Church of Scotland are hereby reserved;

That this Declaration shall in no way be held as a renunciation on the part of the said ministers of their rights to the ownership, enjoyment and occupation of the property and funds of the Free Church of Scotland, including but not limited to churches, manses, halls and other heritable properties, nor of any rights which may be found to belong to such ministers or to their congregations or to the office bearers of such congregations or to existing or future trustees on behalf of such congregations or their kirk-sessions in regard to the same;

That there is hereby reserved to us, the subscribers hereto, and to all who may now or hereafter adhere to us, power and authority to take all steps that may be necessary or expedient to declare, vindicate, enforce and preserve the status, rights and privileges of every kind, both ecclesiastical and civil, of and attaching now and in the future to us and all who may now or hereafter adhere to us, as those remaining

faithful to the doctrine, government and principles embodied in the supreme and subordinate standards of the historic Free Church of Scotland.

The subscribers call to witness the Christian people of this land, and of the Reformed fellowship throughout the world, that this action is not lightly entered into. It is taken in sorrow at the enforced parting from brethren with whom we have had fellowship in the Lord, but also in defence of truth and justice and of the historic principles and practice of the Free Church of Scotland. We declare that if any residual body continuing to claim the title of the Free Church of Scotland is prepared to return to the constitution and standards of the historic Free Church of Scotland, and to practise and adhere faithfully to the same, we will see it as our duty to seek reconciliation with our brethren within that body.

In witness whereof these presents are subscribed by us at Edinburgh on 20th January 2000 before the undersigning witnesses.

Rev. John A. Gillies, *Moderator*

Rev. Donald N. MacLeod, *Retired*

Rev. William MacLeod, *Minister at Portree*

Rev. John MacLeod, *Minister at Tarbat*

Rev. James I. Gracie, *Minister at North Uist & Grimsay*

Mr Alasdair N. Nicolson, *Elder, Bracadale*

Mr John A. MacPherson, *Elder, Glasgow, Briton Street*

Mr Roderick MacKay, *Elder, Snizort*

Mr Peter B. Matheson, *Elder, Duirinish*

Mr John MacKenzie, *Elder, Assynt*

Mr Alasdair Morrison, *Elder, Lochalsh & Glenshiel*

Rev. Hugh M. Ferrier, *Retired,*

Rev. Allan I. M. MacIver, *Minister at Strath*

Rev. Bryan H. Baxter, *Retired*

Rev. Malcolm MacLean, *Retired*

Rev. John Morrison, *Minister at Kilmuir & Stenscholl*

Rev. Donald M. MacDonald, *Retired*

Rev. John J. Murray, *Minister at Edinburgh, Free St. Columba's*

Rev. H.J.T. Woods, *Minister at Paisley*

Rev. John MacLeod, *Minister at Duthil-Dores*

Rev. John Keddie, *Minister at Bracadale*

Rev. Allan Murray, *Minister at Rogart & Eddrachillis*

Rev. Graeme Craig, *Minister at Lochalsh & Glenshiel*

Rev. David P. Murray, *Minister at Lochcarron*

Rev. Kenneth MacDonald, *Minister at Snizort*

Mr Donald A. MacKenzie, *Elder, East Kilbride*

Dr Murdoch Murchison, *Elder, Strathpeffer, Strathconon & Garve*

Mr John Bain, *Elder, Snizort*

Mr Harley J. Cameron, *Elder, Glasgow, St. Vincent Street*

Mr Maurice Grant, *Elder, Edinburgh, St. Columba's*

Mr John A. MacLeod, *Elder, Snizort*

Mr Angus Shaw, *Elder, Snizort*

Mr D.W. Munro, *Elder, Lairg*

Mr Peter K. MacAskill, *Elder, Strath*

Mr John MacPherson, *Elder, Portree*

Mr Alexander Morrison, *Elder, Edinburgh, St. Columba's*



Mr Norman Campbell, *Elder, Edinburgh, St. Columba's*  
Rev. John A. Gillies, *Moderator, Witness*  
Rev. John MacLeod, *Principal Clerk, Witness*  
Rev. Graeme Craig, *Assistant Clerk, Witness*

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### **Act III — Act anent Supplementary Declaration of Reconstitution**

*Edinburgh, 21st January 2000*

The Commission of Assembly approve the following Supplementary Declaration of Reconstitution, to be signed by those Ministers and Elders adhering to the Declaration of Reconstitution signed on 20th January 2000 but not present on that date.

The Ministers and Elders hereto subscribing, considering that, on the 20th day of January in this present year 2000, a Declaration of Reconstitution was adopted, of the following tenor, viz. :—

"We the undersigned Ministers and Elders of the Free Church of Scotland,

Considering that the constitution of the said Church is contained in the Scriptures of the Old and New Testaments, the Westminster Confession of Faith as approved by the General Assembly of the Church of Scotland in 1647, the First and Second Books of Discipline, the Larger and Shorter Catechisms, the Claim, Declaration, and Protest of 1842, the Protest of 1843, the Act of Separation and Deed of Demission executed in 1843, the Formula appointed to be subscribed by probationers before receiving licence and by all office-bearers at the time of their admission together with the Questions appointed to be put to the said parties at ordination and admission, and the Acts of Assembly of the Church of Scotland prior to 1843; and now seeing:

(1st) That Commissioners exercising a majority in voting in the General Assemblies and Commissions of the Free Church of Scotland, and purporting to enact and make findings in the name of the Free Church of Scotland and by authority as office-bearers according to the rule of Christ and the constitution of the Church, have of late years applied in an arbitrary and tyrannical way the resolutions of its General Assemblies and Commissions, establishing these as ultimate rules of conduct, and treating as contumacious any conscientious inability to give obedience to edicts of the said Assemblies and Commissions, contrary to Chapter XXXI Section IV of the Confession of Faith, which states: "All Synods or Councils since the Apostles' times, whether general or particular, may err, and many have erred; therefore they are not to be made the rule of faith or practice, but to be used as an help in both"; and Chapter XX Section II which states: "God alone is Lord of the conscience, and hath left it free from the doctrines and commandments of men which are in anything contrary to his Word, or beside it, in matters of faith or worship, so that to believe such doctrines, or to obey such commandments out of conscience, is to betray true liberty of conscience; and the requiring of an implicit faith, and an absolute and blind obedience, is to destroy liberty of conscience, and reason also": by, *inter alia*:

(a) deeming it censurable to refuse to obey instructions of a Church Court which are in violation of the Word of God and the constitution of the Free Church of Scotland, regardless of whether obedience could be rendered in conscience or not;

(b) bringing disciplinary processes against ministers and elders in respect of matters which have not been declared censurable in Scripture;

(c) treating as potentially contumacious any suggestion to revisit an administrative decision of the General Assembly notwithstanding that such decisions are not unalterable and are open at all times to review, and instituting disciplinary processes against ministers who called for such review;

(d) appointing general assessors to a Presbytery in order to impose the will of the General Assembly and its Commission on the will of the substantial majority of the Presbytery conscientiously expressed;

(e) declaring sinfully schismatic, without proof before the Courts of the Church, the action of a body of believers who withdrew from their local congregation for conscience' sake and out of concern for the correct observance of the constitution of the Free Church of Scotland, and forbidding ministers and office-bearers, under pain of censure, to preach to or have fellowship with the said body of believers notwithstanding that they have not departed from the constitution and principles of the Church;

(2nd) That Commissioners purporting to exercise lawful judicial authority in the name of the Free Church of Scotland have breached fundamental principles of equity and natural justice, contrary to Chapter XIX, Section V of the Confession of Faith, which states: "The moral law doth for ever bind all, as well justified persons as others, to the obedience thereof; and that not only in the matter contained in it, but also in respect of the authority of God the Creator, who gave it; neither doth Christ in the gospel any way dissolve, but much strengthen this obligation": by, *inter alia*:

(a) forbidding office-bearers and members now or henceforth to pursue matters arising from a particular *fama*, involving serious allegations against a minister, in any form whatsoever;

(b) ordering the destruction of documents relating to the aforesaid *fama* notwithstanding that issues arising therefrom remain unresolved, thereby prejudicing the rights of interested parties to secure a fair and proper resolution of the said issues;

(c) imposing requirements on ministers and office-bearers additional to their ordination vows, and thereby, in particular, infringing their civil rights to freedom of assembly and association by forbidding them, under pain of censure, to hold office in an association professedly aiming to assert and defend the constitution of the historic Free Church of Scotland;

(d) annulling the licensing of, and withdrawing recognition as a candidate for the ministry from, a divinity student who had been accepted by the Training of the Ministry and Admissions Committee after due examination of his credentials and then licensed by his Presbytery in accordance with the law of the Church, and against whom no disciplinary proceedings had been brought, and directing the Presbytery to expunge the decision to proceed to license from its minutes;

(3rd) That albeit the Form of Process enacted by the General Assembly of the Church of Scotland in 1707, and being a constitutional document of the Free Church of Scotland, is binding and obligatory on all Courts of the said Church, Commissioners purporting to exercise lawful judicial authority in the name of the Free Church of Scotland have adopted findings and conducted procedures at variance with, and subversive of, the principles of church discipline set out in the said Form of Process and reflected in the authorised practice and procedure of the Free Church of Scotland, by, *inter alia*:

(a) endorsing a finding of the Training of the Ministry and Admissions Committee, in relation to the aforesaid *fama*, without judicial examination of the evidence and without enquiry to ensure that the precognition in the case had been properly conducted and that all relevant witnesses had been duly examined, contrary to the requirement of the Form of Process that when such a matter comes before a church judicatory it ought not to be "negligently inquired into" (Chapter VII, paragraph 2);

(b) treating the said decision as judicial notwithstanding that the procedure adopted by the judicatory was not conducted under the Form of Process and the decision was therefore no more than administrative;

(c) purporting to terminate the bringing of private libels in relation to the aforesaid *fama*, thereby seeking to prohibit a course of action to which the Form of Process (Chapter VII, paragraph 3) gives a right;

(d) conducting disciplinary processes against ministers before the Commission of Assembly as a court of first instance, in violation of the requirement in the Form of Process (Chapter VII, paragraph 1) that all processes against any minister are to begin before his Presbytery, and using the said Commission to institute such processes without authority from the General Assembly:

And that Commissioners exercising a majority in voting in the General Assemblies and Commissions of Assemblies, purporting to act lawfully therein in the name of the Free Church of Scotland, have, by the aforementioned actions, passed acts and resolutions under which the constitution and standards of the Free Church of Scotland can be, and are violated, and have refused to countenance petitions and other requests for redress of the same; whereby the said persons have ceased to constitute authoritative courts of the historic Free Church of Scotland.

In consequence whereof:

We claim our right and profess our duty, according to our ordination vows thereanent, to administer discipline and government consistent with the requirements embodied in the constitution of the Free Church of Scotland and stated in our ordination vows, which vows bind us to maintain the said discipline and government “notwithstanding of whatsoever trouble or persecution may arise”;

We protest that by our engagement to the constitution of the Free Church of Scotland, our office in the said Church prevents, and has always prevented, our being bound by any acts or resolutions (including, but not confined to, the foregoing) of the said persons purporting to act lawfully in the name of the Free Church of Scotland, which are contrary to the authorised standards of the Free Church of Scotland;

We declare that in accordance with the Word of God and the authorised standards of the Free Church of Scotland, we are not and can never be under the jurisdiction of individuals and courts purporting to act in the name of the Free Church of Scotland, yet against the said Word and standards, without doing violence to our consciences and our faithfulness to our ordination vows.

Wherefore —

We have resolved to declare that the Free Church of Scotland is separate from all church courts seeking to impose acts and findings contrary to the constitution of the historic Free Church of Scotland, and we claim still to be the true *bona fide* representatives of the original protesters of 1843 and to be carrying out the objects of the Protest more faithfully than the majority.

In order the more formally and effectually to carry out the said resolution, we, the Ministers and Elders of the historic Free Church of Scotland under-subscribing, for ourselves and all who may now or hereafter adhere to us, affirming that we and they now adhere as we and they have heretofore done to the constitution and standards of the historic Free Church of Scotland, declare that we hereby disassociate

ourselves from any residual subsisting body claiming the title of the Free Church of Scotland; and we further specially provide and declare:

That we for ourselves, and all who may now or hereafter adhere to us, in no degree abandon, impair or waive the rights belonging to us as ministers of Christ's gospel, and pastors and elders of particular congregations, to perform fully and freely the functions of our offices towards our respective congregations, or such portions thereof as may adhere to us;

That signature of or adherence to this Declaration shall in no way prejudice our right to maintain the doctrines and principles of the historic Free Church of Scotland as set forth in her authorised standards and authoritative documents and to take all steps that may be necessary to vindicate the said doctrines and principles;

That we are and shall be free to exercise government and discipline in our several judicatories according to the Word of God and consistent with the constitution and standards of the historic Free Church of Scotland;

That henceforth we are not and shall not be subject in any respect to the ecclesiastical judicatories of any residual subsisting body claiming the title of the Free Church of Scotland;

That meanwhile, to distinguish the reconstituted Free Church of Scotland (solely for purposes of administration) from any residual body claiming that title we may be called the Free Church of Scotland (Continuing);

That the rights and benefits accruing to the ministers subscribing, or who may hereafter adhere hereto, from the pension and other funds of the Free Church of Scotland are hereby reserved;

That this Declaration shall in no way be held as a renunciation on the part of the said ministers of their rights to the ownership, enjoyment and occupation of the property and funds of the Free Church of Scotland, including but not limited to churches, manses, halls and other heritable properties, nor of any rights which may be found to belong to such ministers or to their congregations or to the office bearers of such congregations or to existing or future trustees on behalf of such congregations or their kirk-sessions in regard to the same;

That there is hereby reserved to us, the subscribers hereto, and to all who may now or hereafter adhere to us, power and authority to take all steps that may be necessary or expedient to declare, vindicate, enforce and preserve the status, rights and privileges of every kind, both ecclesiastical and civil, of and attaching now and in the future to us and all who may now or hereafter adhere to us, as those remaining faithful to the doctrine, government and principles embodied in the supreme and subordinate standards of the historic Free Church of Scotland.

The subscribers call to witness the Christian people of this land, and of the Reformed fellowship throughout the world, that this action is not lightly entered into. It is taken in sorrow at the enforced parting from brethren with whom we have had fellowship in the Lord, but also in defence of truth and justice and of the historic principles and practice of the Free Church of Scotland. We declare that if any residual body continuing to claim the title of the Free Church of Scotland is prepared to return to the constitution and standards of the historic Free Church of Scotland, and to practise and adhere faithfully to the same, we will see it as our duty to seek reconciliation with our brethren within that body.

In witness whereof these presents are subscribed by us at Edinburgh on 20th January 2000 before the undersigning witnesses."

which Declaration of Reconstitution is signed by twenty-two Ministers and eighteen Elders, and seeing that we adhere to the statements asserted therein, we do hereby declare our accession to, and concurrence therein; and we do each of us for ourselves confirm and homologate the same, in the whole heads, articles, clauses, tenor, and contents thereof: And we consent and agree to be bound thereby in all respects, as fully as if we had subscribed the said original Declaration. IN TESTIMONY WHEREOF, &C.

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#### **Act IV — Act anent Temporary Presbytery Arrangements**

*Edinburgh, 21st January 2000*

1. The Commission note that Presbyteries should meet on the date appointed by last meeting and in the place appointed, or as near to it as may be practicable;
2. The Commission enjoin Presbyteries to record the Declaration of Reconstitution in the permanent record of Presbytery. The Presbyteries are advised to draw to the attention of Kirk Sessions the appropriateness of recording the Declaration of Reconstitution in their permanent records;
3. In regard to Synodical arrangements, it is recommended that these be, in so far as they can be, continued in the meantime, and note that Synods should meet on the day appointed and in the place appointed or as near to it as may be practicable;
4. The Commission, taking cognisance of the depletion of the Presbyteries of Argyll & Lochaber, Caithness & Sutherland, Edinburgh & Perth, Lewis, Lochcarron and Ross, authorise and appoint ad interim Assessors as follows:  
  
Presbytery of Argyll & Lochaber: G. Craig, J. Keddie, A.I.M. Maciver (Strath), and A. Morrison (Lochalsh) and P. MacAskill (Strath);  
  
Presbytery of Caithness & Sutherland: John MacLeod (Tarbat) and John MacLeod (Duthil-Dores);  
  
Presbytery of Edinburgh & Perth: H.J.T. Woods and Donald N. MacLeod (Rtd);  
  
Presbytery of Lewis: Kenneth MacDonald (Snizort), J. Gracie, William MacLeod (Portree), P. Matheson (Duirinish), R. MacKay (Snizort);  
  
Presbytery of Lochcarron: A MacIver (Strath), J Morrison (Kilmuir), J MacPherson (Portree);  
  
Presbytery of Ross: Allan Murray (Rogart);
5. All inferior Courts and Committees are hereby permitted to meet during any suspension of this present Sederunt of the Commission;
6. the Free Presbytery of Lewis are hereby directed to meet *pro re nata* at 11:30am today for the purpose of reviewing the status of Rev. Murdo A. N. MacLeod, Harris, and related matters affecting the Congregation of Harris, and for any other matter arising out of the current emergency.

## **Act V — Act Appointing Interim General Interests Committee**

*Edinburgh, 21st January 2000*

The Commission appoint the following as an Interim General Interests Committee to advert to the interests of the Church until the General Assembly of May 2000: The Moderator (Convener), Principal Clerk, Assistant Clerk and W. MacLeod, H.J.T. Woods, J. Keddie, M.A.N. MacLeod, D.P. Murray, Ministers with M. Grant, D. MacKenzie, M. Murchison, and an Elder appointed by the Presbytery of Lewis, the Committee to consult with Rev. M.J. Roberts and Mr M. Matheson, Barvas.

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## **Act VI — Act anent Law Agent**

*Edinburgh, 21st January 2000*

The Commission remit the matter of appointing a Law Agent to the Interim General Interests Committee who are empowered to make interim arrangements as appropriate.

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## **Act VII — Act Appointing Interim Treasurer**

*Edinburgh, 21st January 2000*

The Commission appoint Rev. John Keddie as Interim Treasurer.

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## **Act VIII — Act anent Appointing of Assessor Elders to Free Presbyteries of Inverness, Great Lakes & Western Canada and Lochcarron.**

*Inverness, 10th February 2000*

1. The Commission of Assembly receive the Petition from the Free Presbytery of Inverness and grant its crave. They appoint *ad interim* Rev. Roderick MacLeod, Rev. John MacLeod (Tarbat), Mr Alasdair MacKintosh (Duthil-Dores) and Mr John Campbell (Duthil-Dores) as General Assessors to the Free Presbytery of Inverness;
2. The Commission of Assembly proceed to review the Temporary Presbytery Arrangements enacted earlier in the Sederunt to ascertain if any additional arrangements are required in the light of recent developments.

In accordance with the foregoing resolution the Commission proceeded to review the Temporary Presbytery Arrangements enacted *ad interim* earlier in the Sederunt to ascertain if any additional arrangements were required in the light of recent developments.

It was moved, seconded and agreed that

The Commission appoint *ad interim* General Assessors as follows:

Presbytery of Great Lakes and Western Canada:

Rev. John A. Gillies, Rev. John MacLeod (Tarbat), Mr John MacKenzie (Assynt) and Mr Peter Matheson (Duirinish);

Presbytery of Lochcarron:

Mr Peter MacAskill (Strath), Rev. John Keddie.

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## **Act IX — Act Anent Publications**

*Inverness, 11th February 2000*

- 1 The Commission of Assembly receive and adopt the Report of the ad hoc Publications Sub-committee of the Interim General Interests Committee and thank the Sub-committee, especially the Convener;
- 2.1 The Commission approve the proposals outlined in the Report and instruct the Interim General Interests Committee to publish a denominational magazine as an interim measure;
- 2.2 The Commission instruct the Interim General Interests Committee to prepare detailed recommendations to be presented to the General Assembly of May 2000;
- 3 The Commission approve the Proposals for a Web site and appoint Mr Stuart MacKay as webmaster, to be under the oversight of the Publications Sub-committee or their successors;
- 4 The Commission direct the ad hoc Publications Sub-committee to issue a brief report on the Commission of Assembly as soon as practicable;
- 5 The Commission direct that the Press Officer be under the supervision of and responsible to the Publications Sub-committee or their successors;
- 6 The Commission remit to the Publications Sub-committee or their successors the organising of Conferences and direct the Committee to organise a Conference in April 2000;
- 7 The Commission of Assembly remit to the Publications Sub-committee in consultation with Presbyteries the organising of Public Meetings for the dissemination of information at this crucial time in the life of the Church;
- 8 The Commission of Assembly instruct the Interim General Interests Committee to appoint an ad hoc Committee comprising three members to draw up as a matter of urgency a statement of the principal facts leading to the reconstitution of the historic Free Church of Scotland.

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## **Act X — Act anent Commission Statement**

*Inverness, 11th February 2000*

The Commission approve and authorise the issuing of the following Statement:

“On 20th January this year, 22 Free Church ministers, many of whom had given long and distinguished service, were, despite the assertions of some, unlawfully suspended from the ministry of the Church and forbidden to preach the Gospel.

This unconstitutional, unjust and foolish act crowned all recent injustices by the majority and was the provocation which finally forced a split in the Free Church.

The 22 ministers, believing in their God-given vocation, refused the unlawful and tyrannical command of the Commission of Assembly to stop preaching the "good news". They made clear that they did not accept the right of the Commission to act in this way and they have since reorganised themselves as the true Free Church of Scotland.

The Free Church (Continuing) exists to preach Christ. We believe that we are more faithful to the testimony of the historic Free Church — its doctrine, worship and practice — than those brethren who are now separate from us and we have no intention of moving from it in the slightest.

The aims of those brethren who are now separate from us are far from clear. In their actions over recent years they have shown scant respect for the Constitution of the Free Church. Despite their protestations, their commitment to the testimony of the historic Free Church must be open to question. They now have over 40 vacancies and immense financial problems. If past practice is anything to go by, they will soon tire of supplying scattered congregations and will link up huge areas under one minister.”

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# Principal Acts 2001

## List of Acts 2001

### ACTS OF THE GENERAL ASSEMBLY

CLASS I — ACTS WHICH HAVE PASSED THE BARRIER ACT — NONE

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

ACT I	Act anent Assembly Commissioners' Expenses
ACT II	Act anent Loyal and Dutiful Address to Her Majesty the Queen
ACT III	Act anent Categories for the Fostering of Ecumenical Relations
ACT IV	Act anent Ministers' stipend
ACT V	Act anent Appointment of Auditors
ACT VI	Act anent Honorary General Treasurer
ACT VII	Act anent Financial Administrator
ACT VIII	Act anent Date of Meeting of Southern Synod
ACT IX	Act ad interim anent Representation on General Assembly
ACT X	Act anent Appointment of General Assessors to the Free Presbytery of Argyll & Lochaber
ACT XI	Act anent Appointment of General Assessors to the Free Presbytery of Caithness & Sutherland
ACT XII	Act anent Appointment of General Assessors to the Free Presbytery of Edinburgh & Perth
ACT XIII	Act anent Consolidation of Congregations of Briton Street, East Kilbride, Paisley and Partick Highland
ACT XIV	Act anent Reappointment of Rev H.R.M. Radcliff as a General Assessor to the Free Presbytery of Glasgow
ACT XV	Act anent Appointment of General Assessors to the Free Presbytery of Great Lakes & Western Canada
ACT XVI	Act anent Appointment of General Assessors to the Free Presbytery of Inverness
ACT XVII	Act anent Appointment of General Assessors to the Free Presbytery of Lochcarron
ACT XVIII	Act anent Appointment of General Assessors to the Free Presbytery of Lewis
ACT XIX	Act anent Procedures for Dealing with Sexual Impropriety Involving Adults
ACT XX	Act anent Special Arrangements for Congregation of Poolewe and Aultbea
ACT XXI	Act anent Standing and Special Committees
ACT XXII	Act anent Standing Order VI
ACT XXIII	Act anent Denominational Magazines
ACT XXIV	Act anent Trustees
ACT XXV	Act anent Repeal of Act VI (Class II) 1997
ACT XXVI	Act anent Committee on Negotiations
ACT XXVII	Act anent ad hoc Special Committee anent Review of the Acts of Assembly
ACT XXVIII	Act anent Special Committee anent Building Projects
ACT XXIX	Act anent Special Committee anent Provision of Administrative Assistance
ACT XXX	Act Anent Mission Budget
ACT XXXI	Act appointing Commission of Assembly
ACT XXXII	Act appointing Next General Assembly

### ACTS OF COMMISSION OF ASSEMBLY

ACT I	Act anent Consolidation of Congregations of Knock and Point
ACT II	Act anent Working Party anent General Trustees



**Acts of the General Assembly 2001**  
THE PRINCIPAL  
**ACTS**  
OF THE  
**GENERAL ASSEMBLY OF THE FREE CHURCH**  
**OF SCOTLAND (Continuing)**  
MAY MMI

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

None

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

**Act I — Act anent Assembly Commissioners' Expenses**  
(No 1 of Class II)

*Edinburgh, 21<sup>st</sup> May 2001*

The General Assembly direct that, as from and including this Assembly, Assembly Commissioners' expenses be paid from Central Funds through Presbyteries, each Presbytery to set an appropriate rate up to a maximum amount specified by the Assembly Arrangements Committee who are to intimate the same to Presbyteries by 1<sup>st</sup> February annually and include a reference thereanent in their report to the General Assembly.

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**Act II — Act anent Loyal and Dutiful Address to Her Majesty The Queen**  
(No 2 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2001*

TO THE QUEEN'S MOST EXCELLENT MAJESTY  
The Loyal and Dutiful Address of the General Assembly  
of the Free Church of Scotland (Continuing)

May it please Your Majesty

We, the Ministers and Elders of the Free Church of Scotland (Continuing) met in General Assembly this 22<sup>nd</sup> May 2001, humbly desire to declare our sincere and unfeigned loyalty to Your Majesty's person and throne.

We rejoice in the fact that Your Majesty continues to enjoy good health and express our gratitude to the Lord for your preservation in the many arduous duties that fall to Your Majesty as our Head of State. We acknowledge Your Majesty's devotion to duty over the years and the manner in which these duties have been performed both at home and abroad, which have to a large extent accounted for the affection in which Your Majesty's person is held. All the members of Your Royal House are prayerfully remembered in our congregations.

As loyal and fervent supporters of the Monarchy, we rejoice in the fact that it remains a stable and much loved institution to many in our land. It is the Assembly's prayer that its Protestant character will remain unchanged for the future. We have been disturbed by recent attempts to initiate proceedings which have in view the repealing of the Act of Settlement. We appeal to Your Majesty to do all within your Majesty's power to resist any attempts to bring the Protestant Succession to an end, but that it should continue in accordance with Your Majesty's Coronation oath.

We most respectfully represent to Your Majesty that Your Majesty and her government should exercise the utmost caution in ratifying any treaty with European powers which might lead to loss of our national independence and sovereignty.

The Assembly assures Your Majesty that it always has Your Majesty's spiritual and temporal interests at heart, and respectfully urge Your Majesty to seek to set an example before the nation with regard to the keeping of the Lord's Day.

At a time when Biblical moral standards are being set aside and the uniqueness of the Christian faith as revealed in the Scriptures is being increasingly compromised in the interests of ecumenism, we are thankful that your Majesty's trust is in the Living God and we appeal to Your Majesty not to countenance inter-faith services which though pleasing to some people are dishonouring to Christ, the one and only Mediator between God and man.

We remember with profound respect her Majesty, Queen Elizabeth the Queen Mother, who celebrated her hundredth birthday last year, and rejoice that she continues to enjoy a measure of good health. We are sorry to learn of the illness of Her Royal Highness, Princess Margaret, and pray for her recovery to good health.

We again record our indebtedness to God for the measure of peace at present prevailing in Northern Ireland and whilst desirous of peace for all the people of Northern Ireland we trust that the devotion of many of our people there to the Protestant faith will in no way be put in jeopardy by any agreement reached.

Our God is the God of Providence as well as of Grace and God has been speaking to us as a nation. At a time when the Judgements of God are upon us, we would respectfully appeal to Your Majesty to call the nation to a day of humiliation and prayer. Our fervent desire is that the "righteousness which alone exalteth a nation" will be found within Your Kingdom.

Our prayer is that Your Majesty, the Duke of Edinburgh and all members of the Royal Family would richly enjoy the blessing and approbation of the Lord Jesus Christ, the "King, eternal, immortal, invisible, the only wise God", not only in this present life but in the life to come within the bounds of His everlasting Kingdom.

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

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**Act III — Act anent Categories for the Fostering of Ecumenical Relations**  
(No 3 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2001*

The General Assembly approve the following categories for the fostering of ecumenical relations:

***Incorporation.*** Congregations, usually in isolated situations, which are prepared to subscribe wholly to the Confessions and Constitution of the Free Church of Scotland (Continuing) and seek incorporation in the denomination;

***Federal.*** Denominations with which the Church is in full federal relationship with mutual eligibility;

***Fraternal.*** Denominations or congregations with which the Church has mutual fraternal relations, with exchange of delegates and possible joint membership of bodies such as the International Conference of Reformed Churches. This can include Churches holding to one of the historic Reformed Confessions, though not necessarily practising exclusive psalmody;

***Correspondence.*** Relationship by ongoing correspondence with Churches with which there is not yet a fraternal relationship involving exchange of delegates.

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**Act IV — Act anent Ministers' Stipend**  
(No 4 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2001*

The General Assembly confirm that the ministers' stipend has been increased to £13,530 as from 1<sup>st</sup> January, 2001 and authorise a further increase to £14,000 per annum from 1<sup>st</sup> July.

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**Act V — Act anent Appointment of Auditors**  
(No 5 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2001*

The General Assembly confirm the appointment of Messrs Graeme M. Fraser & Co., as the Church's auditors and thank them for their audit of the Accounts for the period to 31st December, 2000.

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**Act VI — Act anent Appointment of Honorary General Treasurer**  
(No 6 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2001*

The General Assembly approve the following statement of responsibilities of the Honorary General Treasurer:

1. The position will be taken by a Minister or Elder of the Free Church of Scotland (Continuing), and the person should be a professionally qualified accountant;
  2. The Honorary General Treasurer will be responsible for the overall administrative and financial functions of the Church and will have a Financial Administrator and other part-time or voluntary staff working with him as required;
  3. The Honorary General Treasurer, if he is a Minister, will be allowed three weeks annual leave from his congregation to attend more specifically to the tasks of the Treasurer, such supply as is necessary being paid for by the Finance Committee;
  4. The Honorary General Treasurer will work under the authority of the Finance Committee and will be responsible to the General Assembly for the effective discharging of his tasks;
  5. The General Assembly appoint the Rev. John W Keddie, FCCA, MIMgt, as Honorary General Treasurer, an unpaid position, for a period of one year.
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**Act VII — Act anent Financial Administrator**  
(No 7 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2001*

The General Assembly approve the following statement of responsibilities of the Financial Administrator:

1. The Financial Administrator will be responsible to the Honorary General Treasurer, from whom he or she will take instructions and to whom he or she will give such Reports as may be required;
  2. The Financial Administrator will handle the day-to-day receipts and recording of remittances from congregations, and other incomings, and will be responsible for the payroll, and any other accounting procedures as required by the Honorary General Treasurer.
  3. The Financial Administrator will be either a qualified accountant, or an experienced part-qualified accountant;
  4. The Financial Administrator will be remunerated at the rate of 50% of the minister's stipend;
- The General Assembly appoint Mrs Mary Gillies as Financial Administrator for the Church to be remunerated at the rate of 50% of the ministers' stipend.

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**Act VIII — Act anent Date of Meeting of Southern Synod**  
(No 8 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2001*

The General Assembly receive the Petition of the Free Southern Synod and grant its crave. They ordain the first Tuesday of April as the date for the Ordinary Meeting of the Free Southern Synod.

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**Act IX — Act ad interim anent Representation on General Assembly**  
(No 9 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2001*

The General Assembly enact *ad interim* that representation at the General Assembly of 2002 should be on the basis that each Presbytery of the Church shall be represented in the General Assembly by all members of the said Presbytery. Where any Representative Elder who is a Member of Presbytery can show just cause why he cannot attend the diets of the General Assembly it shall be permissible for that Presbytery to elect an Elder as an Assembly Commissioner from outwith the membership of Presbytery; such election in the first place to be from *bona fide* acting Elders of Kirk Sessions within the Bounds of the Presbytery, failing which, any *bona fide* acting Elder within the Church. Each Presbytery is to make due return in accordance with the laws and practice of the Church.

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**Act X — Act anent Appointment of General Assessors to the  
Free Presbytery of Argyll & Lochaber**  
(No 10 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2001*

The General Assembly receive the Petition of the Free Presbytery of Argyll & Lochaber and grant its crave. They appoint as General Assessors to the Free Presbytery of Argyll & Lochaber Messrs Graeme Craig, Ronald MacKenzie, Allan I. M. Maciver, J. W. Keddie, Alasdair Morrison (Lochalsh) and William MacKenzie (Arnisdale).

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**Act XI — Act anent Appointment of General Assessors to the Free  
Presbytery of Caithness & Sutherland**  
(No 11 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2001*

The General Assembly appoint Rev. John MacLeod *Tarbat* and Rev. Daniel MacKinnon *Kilmorack & Strathglass* General Assessors to the Free Presbytery of Caithness & Sutherland for the forthcoming year.

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**Act XII — Act anent Appointment of General Assessors to the  
Free Presbytery of Edinburgh & Perth**  
(No 12 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2001*

The General Assembly receive the Petition of the Free Presbytery of Edinburgh & Perth anent appointment of Assessors to the Free Presbytery of Edinburgh & Perth and grant its crave. They appoint as General Assessors to the Free Presbytery of Edinburgh & Perth Rev. H.J.T. Woods and Rev. Iain Smith to serve until the meeting of General Assembly in May 2002.

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**Act XIII — Act anent Consolidation of Congregations of Briton Street,  
East Kilbride, Paisley and Partick Highland**  
(No 13 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2001*

The General Assembly receive the Petition of the Free Presbytery of Glasgow and grant its crave. They ordain that the Congregations of Paisley, Partick Highland, East Kilbride and Briton Street, presently meeting in Thornwood Primary School be united in one Congregation, to be known for the time being as Thornwood with one Deacons' Court and one Kirk Session under the pastorate of Rev. H J. T. Woods *ad vitam aut culpam*.

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**Act XIV — Act anent Reappointment of Rev. H.R. Moshe Radcliff as a  
General Assessor to the Free Presbytery of Glasgow**  
(No 14 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2001*

The General Assembly receive the Petition of the Free Presbytery of Glasgow and grant its crave; they appoint Rev. H.R. Moshe Radcliff a General Assessor to the Free Presbytery of Glasgow for a further year.

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**Act XV — Act anent Appointment of General Assessors to the  
Free Presbytery of Great Lakes & Western Canada**  
(No 15 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2001*

The General Assembly receive the Petition of the Free Presbytery of Great Lakes & Western Canada and grant its crave. They appoint as General Assessors to the Free Presbytery of Great Lakes & Western Canada Messrs John A. Gillies, John MacLeod, *Tarbat* and John MacKenzie, *Assynt*.

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**Act XVI — Act anent Appointment of General Assessors to the  
Free Presbytery of Inverness**  
(No 16 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2001*

The General Assembly receive the Petition of the Free Presbytery of Inverness anent the appointment of Assessors to the Free Presbytery of Inverness and grant its crave. They appoint as General Assessors to the Free Presbytery of Inverness Messrs Roderick MacLeod, *Minister at Dundee (Rtd)* and John MacLeod *Minister at Tarbat*, the said Assessors to serve until the meeting of General Assembly in May 2002.

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**Act XVII — Act anent Appointment of General Assessors to the  
Free Presbytery of Lochcarron**  
(No 17 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2001*

The General Assembly receive the Petition of the Free Presbytery of Lochcarron and grant its crave. They appoint as General Assessors to the Free Presbytery of Lochcarron Messrs Allan I.M. Maciver and John W. Keddie.

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**Act XVIII — Act anent Appointment of General Assessors to the  
Free Presbytery of Lewis**  
(No 18 of Class II)

*Edinburgh, 23<sup>rd</sup> May 2001*

The General Assembly receive the Petition of the Free Presbytery of Lewis and grant its crave. The General Assembly appoint Messrs. John A. Gillies (Glasgow, Rtd), William MacLeod (Portree), Kenneth MacDonald (Snizort) and James I Gracie (North Uist & Grimsay) General Assessors to the Free Presbytery of Lewis until the meeting of General Assembly in May 2002.

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**Act XIX — Act anent Procedures for Dealing with  
Sexual Impropriety Involving Adults**  
(No 19 of Class II)

*Edinburgh, 23<sup>rd</sup> May 2001*

The General Assembly enact and ordain that allegations of sexual impropriety involving adults shall be dealt with in accordance with the following procedure:

**PROCEDURES FOR DEALING WITH SEXUAL IMPROPRIETY  
INVOLVING ADULTS.**

**1. Introduction**

God's creation is intrinsically good though marred by human sin. This includes the gift of human sexuality which is also good provided the guideline of Scripture is followed. This can be summarised as "sex within the marriage bond but none outwith that bond."

All who serve the Church, especially ministers, office bearers and members are expected to adhere to Christian principles in their sexual conduct and in the exercise of power and authority.

Failure to maintain Christian standards is primarily unfaithfulness to Christ but is also a betrayal of trust to the one who is abused .

Since sexual abuse has serious repercussions for all concerned, the church must do all it can to prevent it

occurring within its jurisdiction. If sexual abuse does occur the church must deal with the problem effectively, justly and expeditiously and must not avoid its responsibilities for whatever reason.

## **2. General Principles**

All allegations of impropriety including sexual abuse or harassment will be taken seriously.

All allegations will be received, investigated and acted upon.

At any trial before a Church or Criminal Court, an accused person is presumed innocent until proved guilty.

No adverse finding will be made until a full investigation has been completed and it has been judged that the complaint has been substantiated.

Investigation and action by a Church Authority does not replace the rights of a complainant to make complaint to the civil authorities.

Complaints of a potentially criminal nature should be referred to the Police.

## **3. What constitutes sexual impropriety?**

Sexual impropriety includes but is not limited to, consensual sexual contact outwith the marriage bond.

Sexual impropriety includes but is not limited to unwanted sexual contact.

Sexual contact includes but is not limited to sexual intercourse, genital contact, fondling, petting or sexually suggestive language.

Sexual impropriety includes but is not limited to sexual harassment.

Sexual harassment includes but is not limited to sexual remarks or physical contact which is degrading. It should be noted that a ministerial or eldership counselling role creates a relationship of particular trust. Any exploitation of that trust is an abuse which cannot be condoned and which must be specially guarded against.

## **4. Specific Arrangements**

Each Presbytery will appoint one or more women advisers who can be contacted confidentially by a complainant who wishes to discuss her concerns or may be unsure of procedural arrangements. With the knowledge of the complainant, the adviser will notify the clerk to the Presbytery of all allegations received by her whether or not they are processed to a formal hearing. To safeguard the rights of the alleged abuser, he also must be informed of the allegation and informed whether or not further action is to be taken. The adviser may be invited by a complainant to accompany her to a subsequent hearing .

In addition the church should appoint a panel of experienced persons, both male and female who can be consulted by a Kirk Session or Presbytery in cases of special difficulty.

## **5. Reception of Complaints**

Allegations of sexual impropriety may be directed to the Clerk to the Presbytery or the Clerk to the Kirk Session as appropriate.

The Presbytery is the appropriate body to receive allegations against Ministers. The Kirk Session is the

appropriate body to deal with allegations against persons who are not under the discipline of the Presbytery.

The Presbytery or the Kirk Session can request the attendance of one or more of the panel of consultants to be present during the investigation and formal process which will be in accordance with *The Practice of the Free Church of Scotland*.

Any allegation that may involve criminal charges should, with the consent of the complainant be reported to the police. If the allegation involves the use of force it will almost certainly be a criminal matter.

## **6. Avoidance of conflict of Interest**

Close relatives or close friends of either the accuser or the accused should not be directly involved in the investigation or the judicial process.

## **7. Pastoral support**

The Kirk Session or Presbytery as appropriate should ensure counselling or pastoral support to the victim and family if appropriate. Counselling or pastoral support should also be available if acceptable to the accused.

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### **Act XX — Act anent Special Arrangements for Congregation of Poolewe & Aultbea (No 20 of Class II)**

*Edinburgh, 23<sup>rd</sup> May 2001*

The General Assembly approve that the Congregation of Poolewe and Aultbea be placed on the Equal Dividend Platform for a period of 5 years.

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### **Act XXI – Act anent Standing and Special Committees (No 21 of Class II)**

*Edinburgh, 23<sup>rd</sup> May 2001*

The General Assembly enact and ordain that the work of the Assembly between their meetings shall be prosecuted by Standing Committees and Special Committees as follows:

1. Standing Committees
  - 1.1 That Standing Committees shall comprise three Groups
  - 1.2 That the Groups shall be arranged as follows:
    - 1.2.1 Group 1: Legal Advice & Property — *Adviser: Principal Clerk*  
Finance & Sustentation — *Adviser: Treasurer*
    - 1.2.2 Group 2: Public Questions, Religion & Morals — *Adviser: Editor of Witness*  
Publications (including defence of Church Principles) — *Editorial Team as Advisers*  
Training of the Ministry & Admissions
    - 1.2.3 Group 3 Welfare of Youth & Education — *Adviser: Editor of Explorer*  
Foreign & Home Missions  
Assembly Arrangements & Nominations — *Advisers: Assistant Clerk of Assembly, Moderator of immediately preceding Assembly, Moderator of last but one Assembly.*  
Ecumenical Relations
  - 1.3 These groups shall have stated meetings on the same dates as appointed by the General Assembly for



the meeting of the Commission of Assembly but shall also meet, as may be necessary, on dates additional to those dates.

- 1.4 Each Group shall comprise three members from each Synod, the representation from each Synod to include at least one minister and at least one elder and each Presbytery, insofar as practicable, to be represented on each group of Committees.
- 1.5 Advisers to Committees as detailed in 1.2 above shall have entitlement to be present at all meetings of Committee and shall have a right to participate in the deliberations of the Committee but shall have no vote.
2. Special Committees
  - 2.1 A Psalmody Committee which shall have a membership comprised of one Minister and one Elder from each Synod, nominated by Presbyteries on the ground of special knowledge of and practical expertise in Psalmody.
  3. That the appointment of Clerks to each Committee or Special Committee shall be made by the General Assembly, such appointments being made with due regard to such special requirements as may be peculiar to the Committees concerned and the suitability of the skills of the individual appointed. The Clerk appointed need not be drawn from the membership of the Committee.
4. General Regulations - Standing Committees
  - 4.1 Term of Service
    - 4.1.1 Of the Standing and Special Committees, a certain number of members, in normal conditions those who have served longest on the Committee, shall retire annually, so that within four years the membership of each Committee shall be changed throughout, and these retiring members shall not be eligible for appointment to the same Standing Committee for at least two years from the date of their retirement aforescribed; and that in the event of the death or resignation of a member of a Committee before his four years' service have expired, the Assembly Arrangements and Nominations Committee are empowered to nominate to the Assembly, or to its Commission, a substitute who will complete the unexpired portion of the period of service of the member in whose place he has been appointed.
    - 4.1.2 During the phasing in period representation of Presbyteries and duration of service will be subject to adjustment.
    - 4.1.3 Although in terms of 4.1.1 above any individual who has served on a group of Committees shall not be eligible to serve on the same group of Committees without a two-year break, that shall not preclude his potential eligibility for service on another group of Committees following, though not concurrent with, his service on the first group.
  - 4.2 Cessation of Membership of Committees other than on expiry of term of service for which appointed:

Resignation of membership of one of the Standing or Special Committees shall be intimated to the Convener of the Assembly Arrangements and Nominations Committee; that resignation from one Committee in a Group of Standing Committees shall involve resignation from the other Committees in that Group; and that any member of a Standing or Special Committee who shall, without good reason to be stated by him to, and sustained by, the Assembly Arrangements and Nominations Committee, have failed to attend any of the meetings of the relevant Committee during the period between the last General Assembly and the meeting of the Assembly Arrangements and Nominations Committee for the purpose of Standing Order VI.4.9 shall be deemed to have resigned his membership of that Committee.
  - 4.3.1 Appointment of replacement for a member whose membership of Standing Committees has ceased other than through expiry of term of service for which appointed:

When a member who represents a Presbytery on a Group of Standing Committees resigns his membership of Standing Committees or ceases to be an office-bearer of a Congregation within the Presbytery which he represented, then that individual loses his membership of Standing Committees and the Presbytery is permitted to appoint in his stead another office-bearer who shall take his place

on the said Committees until the ensuing General Assembly at which time the Assembly Arrangements and Nominations Committee shall make recommendations with regard to the fulfilment of the remainder of the term of office of the member whose term of office had been prematurely terminated.

4.3.2. Appointment of replacement for a member whose membership of a Special Committee has ceased other than through expiry of term of service for which appointed:

In the event of a member of a Special Committee not completing his four-year term of office a replacement shall be made by the Assembly Arrangements and Nominations Committee and reported on to the ensuing General Assembly.

5. Responsibilities — General

5.1 Each Committee named in 1.2 and 2.1 above shall assume the general responsibilities assigned to the Committee which previously bore their designation as detailed in the various Acts of Assembly relative to them. The Welfare of Youth Committee shall, however, cease to have any responsibility for publications and responsibility for all publications shall be transferred to the Publications Committee which shall liaise, as may be appropriate, with other relevant Committees. The responsibilities of the former Finance, Law and Advisory Committee with regard to legal advice and property shall be transferred to the Legal Advice & Property Committee and the responsibilities of the said former Committee with regard to finance shall be transferred to the Finance & Sustentation Committee which in turn shall assume the responsibilities of the former Committee on Sustentation, Supply and Buildings Maintenance, the Buildings Maintenance responsibilities of which shall, notwithstanding, be transferred to the Legal Advice & Property Committee. The Home & Foreign Missions Committee shall assume responsibility for all matters relating to the remits of the former Foreign Missions Board and the Committee on Church Extension. The Training of the Ministry & Admissions Committee shall assume the responsibilities of the former College Board.

5.2 Each Committee named in 1.2 and 2.1 above shall, for the purposes of legislation existing prior to the General Assembly of 2001, be deemed to be the Standing or Special Committee the remit of which is included in the remit of the Committee referred to in 1.2 and 2.1 above.

6. The General Assembly repeal all previous Acts bearing on the structure of Committees insofar as they are inconsistent with the foregoing and they direct that Standing Orders be adjusted with immediate effect.

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**Act XXII — Act anent Standing Order VI**  
(No 22 of Class II)

*Edinburgh, 23<sup>rd</sup> May 2001*

The General Assembly do hereby amend Standing Order VI of Assembly to read

VI. *AS TO COMMITTEES*

1. *Types of Committee*

That the business of the Church between one Assembly and the next ensuing shall be carried on by Standing Committees and Special Committees.

2. *Standing Committees*

1. That Standing Committees shall comprise three Groups

2. That the Groups shall be arranged as follows:

Group 1:      Legal Advice & Property — *Adviser: Principal Clerk*  
                  Finance & Sustentation — *Adviser: Treasurer*

Group 2:      Public Questions, Religion & Morals — *Adviser: Editor of Witness*  
                  Publications (including defence of Church Principles) — *Editorial Team as Advisers*  
                  Training of the Ministry & Admissions

Group 3      Welfare of Youth & Education — *Adviser: Editor of Explorer*  
                  Foreign & Home Missions

Assembly Arrangements & Nominations — *Advisers: Assistant Clerk of Assembly,  
Moderator of immediately preceding Assembly, Moderator of last but one Assembly.*  
Ecumenical Relations

These groups shall have stated meetings on the same dates as appointed by the General Assembly for the meeting of the Commission of Assembly but shall also meet, as may be necessary, on dates additional to those dates.

3. Each Group shall comprise three members from each Synod, the representation from each Synod to include at least one minister and at least one elder and each Presbytery, insofar as practicable, to be represented on each group of Committees.

4. That every person nominated to Group 1, 2, or 3 of Standing Committees must serve on all the Committees of the Group.

5. That the General Assembly shall each year appoint the Convener and Vice-convener of each Standing Committee, due regard being had to effective working and continuity of policy. In the event of the death or resignation of the Convener of any of the Standing Committees, the Vice-convener shall forthwith become the Convener, and in the event of the death or resignation of the Vice-convener or his succession to the position of Convener in the circumstances described above, the Committee shall forthwith appoint one of their number in room and place of the said Vice-convener so departing from office, but any Vice-convener so appointed by the Committee shall hold office only until the second-last day of the meeting of the next-ensuing General Assembly.

*3. Special Committees*

1. That these shall be appointed by the General Assembly.

2. That Special Committees shall comprise the following:

2.1 A Psalmody Committee which shall have a membership comprised of one Minister and one Elder from each Synod, nominated by Presbyteries on the ground of special knowledge of and practical expertise in Psalmody.

*4. Nominations to Committees*

1. That of the Standing and Special Committees, a certain number of members, in normal conditions those who have served longest on the Committee, shall retire annually, so that within four years the membership of each Committee shall be changed throughout, and these retiring members shall not be eligible for appointment to the same Standing Committee for at least two years from the date of their retirement aforescribed; and that in the event of the death or resignation of a member of a Committee before his four years' service have expired, the Assembly Arrangements and Nominations Committee are empowered to nominate to the Assembly, or to its Commission, a substitute who will complete the unexpired portion of the period of service of the member in whose place he has been appointed.

2. Although in terms of Standing Order VI.4.1. above any individual who has served on a group of Committees shall not be eligible to serve on the same group of Committees without a two-year break, that shall not preclude his potential eligibility for service on another group of Committees following, though not concurrent with, his service on the first group.

3. That resignation of membership of one of the Standing or Special Committees shall be intimated to the Convener of the Assembly Arrangements and Nominations Committee; that resignation from one Committee in a Group of Standing Committees shall involve resignation from the other Committees in that Group; and that any member of a Standing or Special Committee who shall, without good reason to be stated by him to, and sustained by, the Assembly Arrangements and Nominations Committee, have failed to attend any of the meetings of the relevant Committee during the period between the last General Assembly and the meeting of the Assembly Arrangements and Nominations Committee for the purpose of Standing Order VI.4.9 shall be deemed to have resigned his membership of that Committee.

4. That when a member who represents a Presbytery on a Group of Standing Committees resigns his membership of Standing Committees or ceases to be an office-bearer of a Congregation within the Presbytery which he represented, then that individual loses his membership of Standing Committees and

the Presbytery is permitted to appoint in his stead another office-bearer who shall take his place on the said Committees until the ensuing General Assembly at which time the Assembly Arrangements and Nominations Committee shall make recommendations with regard to the fulfilment of the remainder of the term of office of the member whose term of office had been prematurely terminated.

5. In the event of a member of a Special Committee not completing his four-year term of office a replacement shall be made by the Assembly Arrangements and Nominations Committee and reported on to the ensuing General Assembly.

6. That not later than the first day of January in each year the Principal Clerk of Assembly shall furnish to the Clerk of each Presbytery a list of the members of the Standing and Special Committees, indicating thereon which members of these Committees will retire from office at the next-ensuing Assembly and which members may have died or become disqualified.

7. That each Presbytery of the Church shall forward to the Principal Clerk of Assembly by the first day of November of each year a list of names of such Elders within their bounds (along with their designations, full addresses, telephone numbers and email addresses; together with a note of previous service, if any, on Committees, or their suitability for service on a Standing or Special Committee), as they desire to submit for the information of other Presbyteries, and being known by them to be eligible, suitable and available for nomination to vacancies on Standing or Special Committees. The Principal Clerk shall collate all these returns and forward a list of the names of the Elders so recommended to the Clerk of each Presbytery at the same time (viz. the first day of January each year) as he forwards the names of existing members of the Standing and Special Committees showing which members fall to be replaced.

8. That each Presbytery shall, not later than the last day of March next ensuing, furnish to the Principal Clerk of Assembly the names of Ministers and Elders (not necessarily members of Presbytery) recommended by the Presbytery as suitable for appointment to Standing and Special Committees, these lists not to contain more names than the known number of vacancies. The Principal Clerk shall forthwith cause these lists to be laid before the Assembly Arrangements and Nominations Committee.

9. That not later than the first day of May the Assembly Arrangements and Nominations Committee shall select, out of the names submitted by Presbyteries, as many Ministers and Elders as shall fill the vacancies of the various Standing and Special Committees, and shall recommend these to the General Assembly, and the names so recommended shall, not later than the first day of May, be communicated by the Assembly Arrangements and Nominations Committee to the Clerk of Assembly, and shall be included in the papers to be printed. That part of the Report of the Assembly Arrangements and Nominations Committee which relates to nominations to Standing and Special Committees shall be submitted separately from any Report dealing with other aspects of their remit.

10. The Assembly Arrangements and Nominations Committee, in making their nominations, shall take due cognisance of the recommendations of Presbyteries and shall (1) take special cognisance of the recommendations of potential Committee members by the Presbyteries of which these men are members; (2) have regard to fitness for the work of the particular Committee or Committees for which the persons are to be nominated; (3) have regard to as even a distribution of influence as possible over the Church; (4) have regard to economy in relation to the expense connected with attendance at meetings of Committees.

11. That it shall be competent for any Member of Assembly to move an amendment or amendments to the recommendations of the Assembly Arrangements and Nominations Committee, provided that notice of such amendment shall have been given to the Clerk of Assembly in writing, not later than the second last day of the Assembly, and provided that such amendments are in accordance with the provisions of Standing Orders VI.4.1-4 above.

12. That the appointment of Clerks to each Committee or Special Committee shall be made by the General Assembly, such appointments being made with due regard to such special requirements as may be peculiar to the Committees concerned and the suitability of the skills of the individual appointed. The Clerk appointed need not be drawn from the membership of the Committee.

13. That Advisers to Committees as detailed in Standing Order VI.2.2 above shall have entitlement to be present at all meetings of Committee and shall have a right to participate in the deliberations of the Committee but shall have no vote.
14. That each Standing and Special Committee shall produce and maintain an up-to-date Memorandum on Procedure to serve as a guide to members as to how the Committee should proceed in terms of the Laws and Practice of the Church.
15. That each Committee named in Standing Orders VI.2.2 and VI.3.2 above shall, for the purposes of legislation existing prior to the General Assembly of 2001, be deemed to be the Standing or Special Committee the remit of which is included in the remit of the Committee referred to in Standing Order VI.2.2 or VI.3.2 above.
16. That in the selection of Ministers and Elders to form any *Ad hoc* Special Committee, which is to report to a subsequent Assembly, the Assembly shall not be restricted to its own members.
17. That when the appointment of an *Ad hoc* Special Committee has been resolved on, the Committee shall not be nominated until the following day, except in cases the urgency of which does not admit of a day's delay.
18. That no Committee shall sit while the Moderator is in the Chair at any diet of the Assembly's meeting.

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**Act XXIII — Act anent Denominational Magazines**  
(No 23 of Class II)

*Edinburgh, 23<sup>rd</sup> May 2001*

The General Assembly approve the following document outlining the job specification for the editors and the outline of editorial policy:

**FREE CHURCH WITNESS**

**Editorial Policy**

1. The denominational magazine will be called the *Free Church Witness* and the magazine supplement for young people will be called *The Explorer*.
2. The Editor of the *Free Church Witness* is the Rev. William Macleod and the Editor of *The Explorer* is the Rev. Henry J.T. Woods, both appointments to run for a period of four years from May 2000. The Production Manager is the Rev. James Frew.
3. The magazine and its supplement will be produced monthly, with one issue a year covering two months.
4. The material in the magazine and its supplement will be fully consistent with the doctrine, worship and government of the Free Church of Scotland.
5. There will be a balance of theological, devotional, historical, ethical, practical and missionary articles. There will also be comment on current affairs in church and state, book reviews, church news, occasional Gaelic articles, financial information and a church directory. There will be no letters section in the magazine.
6. The magazine will be produced to the highest standard, making use of all the means of modern technology, and maintaining a balance of text, pictures and colour.
7. The magazine will be made available on the web site.

**2. Policy for Editors**

1. The Editors will be responsible to the Publications Committee. They will have the assistance of a proof-reading committee consisting of the Rev. John MacLeod, *Principal Clerk*, the Rev. David Blunt and Mr Maurice Grant.
2. The Editors will be responsible for the writing and the commissioning of articles.
3. The Editors will be responsible for involving as many people in the Church as possible in producing material for the magazine and acquiring news from around the congregations.
4. The Editors will ensure a proper balance in the content of each issue, considering the needs of all

sections of the Church.

### **3. Policy for Production**

1. Once the Editors have determined the articles and features for a particular issue of the magazine all the material will pass to the Production Manager who will have the responsibility for the format and layout in consultation with the editors.
2. The Production Team will have the use of state-of-the-art hardware and publishing software to ensure the highest quality finish to the magazine, the costs to be met within a budget set by the Finance Committee.

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**Act XXIV — Act anent Trustees**  
(No 24 of Class II)

*Edinburgh, 23<sup>rd</sup> May 2001*

The General Assembly instruct the Legal Advice and Property Committee:

- (a) to make a critical appraisal of the present legislation regarding General Trustees for the Church;
- (b) to recommend changes if necessary, with special reference to the status and responsibilities of the General Trustees;
- (c) to obtain from Presbyteries names of men considered suitable as General Trustees for the Church.

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**Act XXV — Act anent Repeal of Act VI (Class II) 1997**  
(No 25 of Class II)

*Edinburgh, 23<sup>rd</sup> May 2001*

The General Assembly repeal Act VI (Class II) 1997.

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**Act XXVI — Act anent Committee on Negotiations**  
(No 26 of Class II)

*Edinburgh, 24<sup>th</sup> May 2001*

The General Assembly appoint a Special Committee anent Negotiations consisting of: The Members of the Ecumenical Relations Committee with the addition of John J. Harding, Iain Smith, John MacLeod (Duthil Dores), Hugh M Ferrier, John A Gillies, Principal Clerk, the Moderator, Alex Morrison (Edinburgh), Maurice Grant and Murdoch Murchison; Dr Murdoch Murchison, Convener.

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**Act XXVII — Act anent ad hoc Special Committee anent  
Review of the Acts of Assembly**  
(No 27 of Class II)

*Edinburgh, 24<sup>th</sup> May 2001*

The General Assembly appoint an *ad hoc* Special Committee anent Review of the Acts of Assembly consisting of: Maurice Grant, Alex. Morrison (Edinburgh), Henry J.T. Woods, James I. Gracie, the Principal Clerk and the Assistant Clerk; Mr Maurice Grant, Convener.

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**Act XXVIII — Act anent Special Committee anent Building Projects**  
(No 28 of Class II)

*Edinburgh, 24<sup>th</sup> May 2001*

The General Assembly receive the Overture from Members of the House and grant its crave.

1. They appoint a Committee on Building Projects to provide technical expertise and assistance to

congregations contemplating new build and renovation projects.

The Committee will

- (a) include members having intimate knowledge of the building trade
- (b) organise a pool of architectural and trades resources which may be available throughout the church

2. The General Assembly remind Presbyteries of their crucial role in encouraging and supervising congregations within their bounds to fulfil their needs for suitable buildings.

The General Assembly appoint a Special Committee anent Building Projects consisting of: Kenneth MacDonald (Convener), John Morrison, Ministers with John MacLean (Bragar), J. C. Sutherland, John MacKenzie (Assynt), John Price, Alasdair Morrison (Lochalsh) and Roderick MacKay, Elders.

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**Act XXIX — Act anent Special Committee anent Provision of  
Administrative Assistance**  
(No 29 of Class II)

*Edinburgh, 24<sup>th</sup> May 2001*

The General Assembly appoint a Special Committee anent Provision of Administrative Assistance consisting of: David P. Murray (Convener), Allan I.M. Maciver, John J. Harding, Roderick MacLeod, Ministers, with David Murray (Inverness), John MacIver (Cross), John N. Gillies (Partick) and Alistair MacLean (Portree).

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**Act XXX — Act anent Mission Budget**  
(No 30 of Class II)

*Edinburgh, 24<sup>th</sup> May 2001*

The General Assembly, aware of the Church's responsibility under God to spread the Word to all nations, instruct that a sum equal to ten per cent of the ministers' total net salary expenditure be allocated annually as a Mission budget.

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**Act XXXI — Act Appointing Commission of Assembly**  
(No 31 of Class II)

*Edinburgh, 24<sup>th</sup> May 2001*

The General Assembly did and hereby do nominate and appoint a Commission, consisting of all the members of Assembly, with the addition of the name of Mr Norman Campbell, *Edinburgh*, named by the Moderator:- TO BE A COMMISSION of this General Assembly, with power to the said Commission, or their quorum, which is hereby declared to be any fifteen or more of their number, whereof eight at the least are always to be Ministers, to meet and convene at Inverness, the second Tuesday in October and the second Tuesday in March next to come, and oftener when and where they shall think fit and convenient, and with power to choose their own Moderator: And the General Assembly fully empower the said Commission, or their quorum above mentioned, to cognosce and finally determine, as they shall see cause, in every matter referred to them or which shall be referred to them, by or in virtue of any Act or order of the Assembly, and to do everything contained in and conform to the instructions given or to be given by the Assembly; and to advert to the interests of the Church on every occasion, that the Church do not suffer or sustain any prejudice which they can prevent, as they will be answerable. In view of present circumstances, the Assembly empower the Commission to take all steps necessary and proper to be taken in the interests of the Church, and such as the Assembly themselves might take, in all the questions that may arise thereanent: And the Assembly hereby empower the Commission to receive and dispose of all references, complaints, and appeals

arising in the Inferior Courts, which may be brought before them in accordance with the law and practice of the Church: And the Inferior Courts are hereby instructed to remit all such cases to the said meetings in due time (in accordance with the Standing Orders of the General Assembly): And in all their actings the said Commission are to proceed according to the Acts and Constitution of this Church, and to do nothing contrary thereto or to the prejudice of the same, declaring that in and for all their actings they shall be accountable to, and censurable by, the next General Assembly, as they shall see cause. And this Commission shall continue and endure until another Commission be appointed, and members are required to attend the diets of the said Commission.

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**Act XXXII — Act Appointing Next General Assembly**  
(No 32 of Class II)

*Edinburgh, 24<sup>th</sup> May 2001*

The General Assembly appoint the next General Assembly of the Free Church of Scotland (Continuing) to meet in Edinburgh on Monday 27<sup>th</sup> May 2002 years at 6 o'clock in the evening.

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**Acts of the Commission of Assembly**

**Act I — Act anent Consolidation of Congregations of Knock & Point**

*Inverness, 30<sup>th</sup> November 2000*

The Commission declare the Congregations of Knock and Point Free Churches (Continuing) consolidated in one Congregation with one Kirk Session and one Deacons' Court, the Consolidated Charge to be known as Knock and Point.

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**Act II — Act Anent Working Party anent General Trustees**

*Inverness, 6<sup>th</sup> March 2001*

The Commission appoint Rev. John Keddie, Rev. Daniel MacKinnon and Mr Maurice Grant, a Working party on Trustees; Rev. John Keddie, *Interim Treasurer*, Convener.

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# Principal Acts 2002

## List of Acts 2002

### ACTS OF THE GENERAL ASSEMBLY

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ACT IV	Act anent Ministers' Stipend
ACT V	Act anent Reappointment of Honorary General Treasurer
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ACT VII	Act anent Appointment of General Assessors to the Free Presbytery of Caithness and Sutherland
ACT VIII	Act anent Appointment of General Assessors to the Free Presbytery of Edinburgh and Perth
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**Acts of the General Assembly 2002**

THE PRINCIPAL  
**ACTS**  
OF THE  
**GENERAL ASSEMBLY OF THE FREE CHURCH  
OF SCOTLAND (Continuing)**  
MAY MMII

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

**Act I — Act anent Representation of Presbyteries in the General Assembly**  
(No 1 of Class I)

*Edinburgh, 28<sup>th</sup> May 2002*

The General Assembly, with the consent of a majority of Presbyteries, enact and ordain as follows

Whereas it is desirable that General Assemblies should be generally representative of the Church at large

and

whereas it is undesirable that some ministers and elders be returned as Commissioners repeatedly whereas others willing and eligible and suitably qualified to serve as Commissioners are not granted the opportunity so to serve

and

whereas it is possible, on the basis of the representation set out in Act I, 1942, for a majority to permanently exclude a minority of ministers and elders from serving as Commissioners to any General Assembly

1. Act I, Class I, 1942 is hereby repealed.
  2. Each Presbytery of the Church shall henceforth be represented in the General Assembly by all members of the said Presbytery. Where any Representative Elder who is a Member of Presbytery can show just cause why he cannot attend the diets of the General Assembly it shall be permissible for that Presbytery to elect an Elder as an Assembly Commissioner from outwith the membership of Presbytery; such election in the first place to be from *bona fide* acting Elders of Kirk Sessions within the Bounds of the Presbytery, failing which, any *bona fide* acting Elder within the Church. Each Presbytery is to make due return in accordance with the laws and practice of the Church.
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## **CLASS II — ACTS WHICH ARE OF GENERAL INTEREST TO THE CHURCH**

### **Act II — Act anent Nomination of Moderator-Designate** (No 2 of Class II)

*Edinburgh, 27<sup>th</sup> May 2002*

The General Assembly direct the Assembly Arrangements and Nominations Committee to nominate a Moderator for the General Assembly after due consultation with Presbyteries. Act V (Class II) 1938 is hereby repealed.

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### **Act III — Act amending Standing Orders** (No 3 of Class II)

*Edinburgh, 27<sup>th</sup> May 2002*

The General Assembly amend Standing Orders as follows:

- a. Para I.5 Delete: “meet in the month of January annually for the purpose of considering and ascertaining” and replace with “at its stated meeting in October and ascertain”.
  - b. Para V.3.1 Delete: “the Foreign, Jewish and Overseas Missions Board and of” and insert “Assembly Arrangements &” before “Nominations Committee”.
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### **Act IV — Act anent Ministers’ Stipend** (No 4 of Class II)

*Edinburgh, 28<sup>th</sup> May 2002*

The General Assembly declare a Stipend of £15,000 as from 1st July 2002.

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### **Act V — Act anent Reappointment of Honorary General Treasurer** (No 5 of Class II)

*Edinburgh, 28<sup>th</sup> May 2002*

The General Assembly reappoint Rev. John Keddie as Honorary General Treasurer for a further year.

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### **Act VI — Act anent Appointment of General Assessors to the Free Presbytery of Argyll and Lochaber** (No 6 of Class II)

*Edinburgh, 28<sup>th</sup> May 2002*

The General Assembly receive the Petition of the Free Presbytery of Argyll & Lochaber anent Appointment of Assessor Elders and grant its crave; they appoint the Members of the Free Presbytery of Lochcarron as General Assessors to the Free Presbytery of Argyll & Lochaber.

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### **Act VII — Act anent Appointment of General Assessors to the Free Presbytery of Caithness and Sutherland** (No 7 of Class II)

*Edinburgh, 29<sup>th</sup> May 2002*

The General Assembly receive the Petition of the Presbytery of Caithness & Sutherland and grant its crave. They appoint Messrs Daniel MacKinnon and John MacLeod (Tarbat) General Assessors to the Free Presbytery of Caithness and Sutherland.

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**Act VIII — Act anent Appointment of General Assessors to the  
Free Presbytery of Edinburgh and Perth**  
(No 8 of Class II)

*Edinburgh, 29<sup>th</sup> May 2002*

The General Assembly receive the Petition of the Free Presbytery of Edinburgh & Perth and grant its crave. They appoint as General Assessors to the Free Presbytery of Edinburgh & Perth Messrs H.J.T. Woods, Iain Smith and John A. MacPherson.

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**Act IX — Act anent Appointment of General Assessors to the  
Free Presbytery of Great Lakes and Western Canada**  
(No 9 of Class II)

*Edinburgh, 29<sup>th</sup> May 2002*

The General Assembly receive the Petition of the Free Presbytery of Great Lakes & Western Canada and grant its crave. They appoint Messrs John A. Gillies, John MacLeod (Tarbat), John MacKenzie (Assynt) and Peter B. Matheson General Assessors to the Free Presbytery of Great Lakes & Western Canada.

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**Act X — Act anent Appointment of General Assessors to the  
Free Presbytery of Inverness**  
(No 10 of Class II)

*Edinburgh, 29<sup>th</sup> May 2002*

The General Assembly receive the Petition of the Free Presbytery of Inverness and grant its crave. They appoint Messrs John MacLeod (Tarbat) and Roderick MacLeod General Assessors to the Free Presbytery of Inverness.

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**Act XI — Act anent Appointment of General Assessors to the  
Free Presbytery of Lewis**  
(No 11 of Class II)

*Edinburgh, 29<sup>th</sup> May 2002*

The General Assembly receive the Petition of the Free Presbytery of Lewis and grant its crave. They appoint Messrs John A. Gillies and James I. Gracie General Assessors to the Free Presbytery of Lewis.

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**Act XII — Act anent Appointment of General Assessors to the  
Free Presbytery of Lochcarron**  
(No 12 of Class II)

*Edinburgh, 29<sup>th</sup> May 2002*

The General Assembly receive the Petition of the Free Presbytery of Lochcarron and grant its crave. They appoint the Members of the Free Presbytery of Skye & Uist General Assessors to the Free Presbytery of Lochcarron.

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**Act XIII — Act amending Act XIX 2001 anent Procedures for dealing with allegations of Sexual  
Impropriety Involving Adults**  
(No 13 of Class II)

*Edinburgh, 29<sup>th</sup> May 2002*

The General Assembly amend Act XIX 2001 by deleting Paragraph 4 “Specific Arrangements” and replacing it with the following:

#### 4 Specific Arrangements

If a complainant wishes to discuss her concern or is unsure of procedural arrangements, the relevant Church Court will consider the appointment of one or more women advisers whom she can contact confidentially. The adviser will assist the complainant, as to procedure only, in notifying the Clerk of the relevant Church Court of all allegations. The adviser may be invited by the complainant to accompany her at any subsequent interview or hearing. It is for the relevant Church Court to determine whether the allegations are to be processed to a formal hearing, and to give prior notice of the complaint to the alleged abuser, the rights of all parties being reserved;

In addition, the Church shall appoint a panel of experienced persons, both male and female, which can be consulted by a Kirk Session or Presbytery in cases of special difficulty.

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### **Act XIV — Act anent Loyal and Dutiful Address to Her Majesty the Queen** (No 14 of Class II)

*Edinburgh, 29<sup>th</sup> May 2002*

#### **TO THE QUEEN'S MOST EXCELLENT MAJESTY** The Loyal and Dutiful Address of the General Assembly of the Free Church of Scotland (Continuing)

May it please Your Majesty

We, the Ministers and Elders of the Free Church of Scotland (Continuing) met in General Assembly this 29th day of May 2002, humbly desire to declare our sincere and unfeigned loyalty to Your Majesty's Person and Throne.

We are thankful to our God for the good health that Your Majesty enjoys in the providence of the Lord, and that you have been strengthened by Him in the many arduous duties that fall to Your Majesty to fulfil as Head of State. Your Majesty's devotion to duty over these fifty years, and the gracious manner in which these duties have been performed at home and abroad, has ensured to Your Majesty a lasting place in your subjects' affection and esteem. Each member of Your Royal House is faithfully remembered in prayer in our congregations in public and in private.

We assure Your Majesty that many in our land mourned with Your Majesty in the sad passing of Your Majesty's dear sister, Princess Margaret, and of your much loved mother, Queen Elizabeth, the Queen Mother. The Queen Mother was especially dear to the people of Scotland, and television coverage of her funeral service moved the nation to many remembrances of her selfless devotion to duty, especially in wartime, over the many years that God granted to her.

We would commend Your Majesty to the comfort of the King of kings and Lord of lords, who is terrible in wrath, but plentiful in mercy, that Your Majesty would find strength in time of weakness, tender loving kindness in time of hurt, love to bind up brokenness, and the light of God's Word to guide to holiness of life. As ministers and elders we often find ourselves dealing with many distressed people among Your Majesty's subjects, yet we have proved repeatedly that God is a very present help in time of need. May it be so for Your Majesty and Your Majesty's loved ones in all their difficulties and in the pressures of our confused and restless society, especially on the young. May God preserve our children to become pillars in the Church of His Son, the Lord Jesus Christ, the Prince of Peace.

We rejoice with Your Majesty in this fiftieth year of Your Majesty's stable and encouraging rule over us. We would gladly recognise the supportive role that has been exercised by Your Majesty's Consort,

His Royal Highness, Prince Philip. It gives us much pleasure that Your Majesty is presently in Scotland. Our desire is that in these times Your Majesty's presence among Her people will result in an even greater commitment to Your Majesty's rule and person.

We would respectfully draw Your Majesty's attention to what appears to be a wilful disregard to Acts that have guarded the Protestant succession to Your Majesty's Throne. This is greatly troubling many of Your Majesty's most faithful and loyal subjects in the United Kingdom. We hereby appeal to Your Majesty that You may do all that You are able to do under God to maintain the vows that Your Majesty made at Your Coronation.

Last September the world was shaken by the terrible destruction of life in New York and Washington. This brought home to many the fragility of man's defences and the evil of the human heart. Truly, it is of the Lord's goodness that we are not consumed and the Lord's mercies are new every morning. Our prayer is that Your Majesty's Person, family, and throne would continue to know these mercies of the Lord.

May it please Your Majesty to accept this expression of our devotion to Your Majesty's Person and Throne. We know that Your Majesty acknowledges the accountability of all of us to a Sovereign God. It is our prayer that Your Majesty may know and experience that living relationship with God through Jesus Christ which alone can enable us to render an acceptable account to Him.

May God who has upheld Your Majesty over these fifty years continue to bless Your Majesty and Your Royal House, and to establish Your Throne in truth and righteousness.

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

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**Act XV — Act anent Raising of Smiths Falls to a Fully Sanctioned Charge**  
(No 15 of Class II)

*Edinburgh, 29<sup>th</sup> May 2002*

The General Assembly receive the Petition of the Free Presbytery of Great Lakes & Western Canada and grant its crave. They authorise the erection of a fully sanctioned Charge in the Smiths Falls area, directing the Home & Foreign Missions Committee, in accordance with existing legislation, to liaise with the Presbytery of Great Lakes & Western Canada as may be necessary, the Charge to be known as Smiths Falls.

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**Act XVI — Act anent Admission of Rev. Robert D. McCurley**  
(No 16 of Class II)

*Edinburgh, 29<sup>th</sup> May 2002*

The General Assembly receive the Application from Rev. Robert D. McCurley, and admit him an ordained minister of the Free Church of Scotland (Continuing), with effect from his signing of the Formula, to be arranged by the Presbytery of Great Lakes and Western Canada. They instruct the Clerk of Assembly to include Mr McCurley's name on the register of ministers eligible for a call on receipt of an extract from the Presbytery of Great Lakes and Western Canada, certifying that Mr McCurley has duly signed the Formula.

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**Act XVII — Act amending Act XXIII 2001 anent Policy for Editors**  
(No 17 of Class II)

*Edinburgh, 30<sup>th</sup> May 2002*

The General Assembly add the following to section 2 'Policy for Editors' of the policy document approved by the 2001 General Assembly:

5. The Editors will purchase their own computers;
6. The Committee will purchase software for the use of the Editors suitable to the tasks they are required to perform;
7. The Committee will purchase scanners for the use of the Editors when these are required for specific purposes.

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**Act XVIII — Act appointing Commission of Assembly**  
(No 18 of Class II)

*Edinburgh, 30<sup>th</sup> May 2002*

The General Assembly did and hereby do nominate and appoint a Commission, consisting of all the members of Assembly, with the addition of the name of Rev. Robert D. McCurley, named by the Moderator:- TO BE A COMMISSION of this General Assembly, with power to the said Commission, or their quorum, which is hereby declared to be any fifteen or more of their number, whereof eight at the least are always to be Ministers, to meet and convene at Inverness, the first Tuesday in October and the first Tuesday in March next to come, and oftener when and where they shall think fit and convenient, and with power to choose their own Moderator: And the General Assembly fully empower the said Commission, or their quorum above mentioned, to cognosce and finally determine, as they shall see cause, in every matter referred to them or which shall be referred to them, by or in virtue of any Act or order of the Assembly, and to do everything contained in and conform to the instructions given or to be given by the Assembly; and to advert to the interests of the Church on every occasion, that the Church do not suffer or sustain any prejudice which they can prevent, as they will be answerable. In view of present circumstances, the Assembly empower the Commission to take all steps necessary and proper to be taken in the interests of the Church, and such as the Assembly themselves might take, in all the questions that may arise thereanent: And the Assembly hereby empower the Commission to receive and dispose of all references, complaints, and appeals arising in the Inferior Courts, which may be brought before them in accordance with the law and practice of the Church: And the Inferior Courts are hereby instructed to remit all such cases to the said meetings in due time (in accordance with the Standing Orders of the General Assembly): And in all their actings the said Commission are to proceed according to the Acts and Constitution of this Church, and to do nothing contrary thereto or to the prejudice of the same, declaring that in and for all their actings they shall be accountable to, and censurable by, the next General Assembly, as they shall see cause. And this Commission shall continue and endure until another Commission be appointed, and members are required to attend the diets of the said Commission.

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**Act XIX — Act appointing next General Assembly**  
(No 19 of Class II)

*Edinburgh, 30<sup>th</sup> May 2002*

The General Assembly appoint the next General Assembly of the Free Church of Scotland (Continuing) to meet in Edinburgh on Monday 19<sup>th</sup> May 2003 years at 6 o'clock in the evening.

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# **Acts of the Commission of Assembly**

## **Act I — Act anent Rev. David Fraser**

*Inverness, 9<sup>th</sup> October 2001*

The Commission of Assembly direct that

- 1.1. Mr Fraser be given a monthly sum of £800 until such time as he reaches retirement age;
- 1.2. the said funds to be drawn out of the budget of the Home & Foreign Missions Committee;
- 1.3. this arrangement regarding financial support will terminate when Mr Fraser ceases work at Covenant College, Zambia;
2. The Commission of Assembly direct the Free Presbytery of Lewis to induct Rev. David Fraser Missionary at large in Zambia and grant him a seat on the Presbytery.

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## **Act II — Act anent Evangelist/Church Planter in Presbytery of Edinburgh and Perth**

*Inverness, 9<sup>th</sup> October 2001*

The Commission of Assembly approve the continued appointment of Rev. David M. Blunt as Evangelist / Church Planter in the Presbytery of Edinburgh & Perth in terms of Act XXVIII 1989, Mr Blunt being hereby empowered to act as Moderator of the Aberdeen Kirk Session.

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## **Act III — Act anent Representation on British Evangelical Council**

*Inverness, 9<sup>th</sup> October 2001*

The Commission of Assembly note the finding of the Executive of the British Evangelical Council. They appoint Rev. John J. Murray and Rev. Iain Smith their representatives to the Executive of the British Evangelical Council.

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## **Act IV — Act anent Congregation of Knock and Point**

*Inverness, 9<sup>th</sup> October 2001*

The Commission receive and adopt the Report of the Committee and approve the application of the Congregation of Knock and Point to be placed on the Equal Dividend Platform, under Special Arrangements, for a period of five years with immediate effect.

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## **Act V — Act anent Co-operative Evangelism**

*Inverness, 12<sup>th</sup> March 2002*

The Commission of Assembly direct the Home & Foreign Missions Committee to encourage Co-operative Evangelism throughout the Church through the following Scheme which will take place under the auspices and supervision of the Committee in consultation with the relevant Presbytery of the Bounds:

1. The Committee will prepare a database of preachers and others, drawn from among our own brethren, who are able and willing to help in the Scheme;
2. The Committee will provide resources to cover any expenses such as hire of halls, tracts, supply etc, these resources to be drawn from the Committee's own budget;
3. The method of evangelism to be used under the scheme will primarily focus on the public preaching



of the Gospel, but also through other means such as tracts, door-to door and special meetings. At no time will any means of evangelism be used which are contrary to the Church's Standards and practice;

4. The Committee are to ensure that adequate publicity is given throughout the whole Church to all work undertaken under the Scheme that the Church may be stirred to prayer for the Lord's blessing.
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# Principal Acts 2003

## List of Acts 2003

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ACT IV	Act anent Supply Fees and Expenses
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ACT VI	Act Appointing General Assessors to the Free Presbytery of Caithness & Sutherland
ACT VII	Act Appointing General Assessors to the Free Presbytery of Edinburgh & Perth
ACT VIII	Act Appointing Rev. John J. Murray as a General Assessor to the Free Presbytery of Glasgow
ACT IX	Act Appointing General Assessors to the Free Presbytery of Great Lakes & Western Canada
ACT X	Act Appointing General Assessors to the Free Presbytery of Inverness
ACT XI	Act Appointing General Assessors to the Free Presbytery of Lewis
ACT XII	Act Appointing General Assessors to the Free Presbytery of Lochcarron
ACT XIII	Act anent Appointment of Home Mission Worker
ACT XIV	Act anent Overseas Students Scholarship Fund
ACT XV	Act anent Admission of Magill Bible Presbyterian Church, Adelaide
ACT XVI	Act anent Admission of Rev. R. Sherman Isbell
ACT XVII	Act anent Admission of Metropolitan Washington Congregation
ACT XVIII	Act anent Appointment of Strategy Committee
ACT XIX	Act anent College Arrangements and Constitution of College Committee
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ACT XXI	Act Appointing Commission of Assembly
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### ACTS OF THE COMMISSION OF ASSEMBLY

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ACT II	Act anent Appointment of Lecturer in Hebrew & Old Testament
ACT III	Act anent Appointment of Lecturer in Greek & New Testament
ACT IV	Act anent Appointment of Lecturer in Systematic Theology
ACT V	Act anent Appointment of Lecturer in Church History & Church Principles
ACT VI	Act anent Appointment of College Co-ordinator
ACT VII	Act anent Financial Assistance for Smiths Falls
ACT VIII	Act anent Appointment of General Assessor to Free Presbytery of Great Lakes & Western Canada
ACT IX	Act anent Management of Inverness Property

**Acts of the General Assembly 2003**  
THE PRINCIPAL  
**ACTS**  
OF THE  
**GENERAL ASSEMBLY OF THE FREE CHURCH  
OF SCOTLAND (Continuing)**  
MAY MMI

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

None

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

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

*Edinburgh, 20<sup>th</sup> May 2003*

TO THE QUEEN'S MOST EXCELLENT MAJESTY  
The Loyal and Dutiful Address of the General Assembly  
of the Free Church of Scotland (Continuing)

May it please Your Majesty

We, the Ministers and Elders of the Free Church of Scotland (Continuing) met in General Assembly this 20<sup>th</sup> day of May 2003, humbly desire to declare our sincere and unfeigned loyalty to Your Majesty's person and throne.

We are thankful to the Most High, 'by whom Kings reign and princes decree justice' that You have been kept in health and strength throughout another year and have been enabled to undertake all the arduous duties that fall to You as Head of State. As dependent creatures who have been called to serve God and our fellows we have need to seek His help in prayer constantly.

We are glad that the Jubilee Year and Your Presence in so many parts of the United Kingdom were met with such enthusiasm, indicating the esteem in which You are held throughout the land. We note with thankfulness that the 2<sup>nd</sup> of June, God willing, will mark the 50th Anniversary of Your Majesty's Coronation.

We cannot but be conscious of the changes that have come upon our land and the world during these last 50 years. The threat posed by terrorism at home and abroad is a matter of grave concern. The Word of God reminds us that the Almighty has appointed civil government for the restraint and control of evil. The Word of God exhorts us 'to pray for kings and for all in authority that we may lead a quiet and peaceable life in all godliness and honesty'. (1 Tim 2.1-2). We are thankful for the determination of Your Majesty's government to defeat terrorism, and assure You of our continued prayer to that end.

In recent months we have seen our armed forces once again engaged in military action. The skill, courage and diplomacy of British Forces have earned the admiration of many, not only in this nation but also overseas. We give thanks to the Almighty that the conflict was not prolonged and that the loss of life was not as much as feared. We honour the memory of those who gave their lives and extend our sympathy to all relatives of those killed in action.

We are thankful for the measure of peace that has been maintained in Northern Ireland during the past year. We pray that all parties will finally lay the terrorist agenda aside and that a lasting and just settlement be established.

As loyal supporters of the British constitution we rejoice in its enduring character and stability. We would urge that the utmost caution be exercised by Your Majesty's Government in committing the country to a Constitution of Europe that would lead to the loss of our independence and national sovereignty.

May the Lord uphold Your Majesty, His Royal Highness the Duke of Edinburgh and all members of Your Royal House in your persons and in your work, and continue to maintain Your Majesty's throne in the interests of righteousness and true liberty.

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

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**Act II — Act anent Equal Dividend**  
(No 2 of Class II)

*Edinburgh, 20<sup>th</sup> May 2003*

The General Assembly declare an Equal Dividend of £15,450 as from 1<sup>st</sup> July 2003.

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**Act III — Act anent Reappointment of Honorary General Treasurer**  
(No 3 of Class II)

*Edinburgh, 20<sup>th</sup> May 2003*

The General Assembly reappoint Rev. John Keddie as Honorary General Treasurer for a further year.

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**Act IV — Act anent Supply Fees and Expenses**  
(No 4 of Class II)

*Edinburgh, 20<sup>th</sup> May 2003*

The General Assembly approve the following arrangements for Resident Supply:

1) The following scale of preaching fees will be effective from 1<sup>st</sup> July 2003:

Resident supply by Students and Probationers:

- Single men at the rate of £100 per week
- Married men without children at the rate of £120 per week
- Married men with children at the rate of £120 per week plus £20 for each child, up to an

overall total of £200 per family, including children.

Resident supply by Retired Ministers:

- Single men at the rate of £50 per week
- Married men at the rate of £75 per week

Other preaching supply:

- At the rate of £20 per service, up to a maximum of £40 per Lord's day
- This is not applicable to ministers in charges and in receipt of full stipends.

2) Additional Expenses may be claimed in the performance of the duties involved as follows:

Motor car mileage at 20p per mile without distance restriction

Costs of public transport, including ferry costs, trains or buses

Bridge tolls and any other out-of-pocket expenses (supported by relevant receipts where possible)

Resident supply fees and expenses, when arranged by the Sustentation and Supply Committee, will be calculated and paid for by the Committee and charged to the congregation requesting the resident supply arrangement, unless that congregation is not a fully sanctioned charge.

3) Supply preachers should use the most economical mode of transport readily available to and from the congregation supplied.

4) Supply preachers supplying on the Lord's day should avoid travel by public transport on the Lord's day. In cases where public transport is used to fulfil an engagement in a congregation accommodation should be arranged in the local congregation from the Saturday to the Monday.

The General Assembly repeal Act IX, 1985 (No. 9 of Class II) (anent Supply Fees and Expenses).

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**Act V — Act anent Appointment of General Assessors to the  
Free Presbytery of Argyll and Lochaber**  
(No 5 of Class II)

*Edinburgh, 20<sup>th</sup> May 2003*

The General Assembly receive the Petition of the Free Presbytery of Argyll & Lochaber and grant its crave. They appoint the members of the Free Presbytery of Lochcarron as General Assessors to the Free Presbytery of Argyll & Lochaber.

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**Act VI — Act anent Appointment of General Assessors to the  
Free Presbytery of Caithness and Sutherland**  
(No 6 of Class II)

*Edinburgh, 20<sup>th</sup> May 2003*

The General Assembly receive the Petition of the Free Presbytery of Caithness & Sutherland and grant its crave. They appoint Messrs Daniel MacKinnon and John MacLeod (Tarbat) General Assessors to the Free Presbytery of Caithness & Sutherland.

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**Act VII — Act anent Appointment of General Assessors to the  
Free Presbytery of Edinburgh and Perth**  
(No 7 of Class II)

*Edinburgh, 20<sup>th</sup> May 2003*

The General Assembly receive the Petition of the Free Presbytery of Edinburgh & Perth and grant its crave. They appoint Messrs H.J.T. Woods and John A. MacPherson General Assessors to the Free Presbytery of Edinburgh & Perth.

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**Act VIII — Act anent Appointment of Rev. John J. Murray as a General Assessor to the Free  
Presbytery of Glasgow**  
(No 8 of Class II)

*Edinburgh, 20<sup>th</sup> May 2003*

The General Assembly receive the Petition of the Free Presbytery of Glasgow and grant its crave. They appoint Rev. John J. Murray a General Assessor to the Free Presbytery of Glasgow.

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**Act IX — Act anent Appointment of General Assessors to the  
Free Presbytery of Great Lakes and Western Canada**  
(No 9 of Class II)

*Edinburgh, 20<sup>th</sup> May 2003*

The General Assembly receive the Petition of the Free Presbytery of Great Lakes & Western Canada and grant its crave. They appoint as General Assessors to the Free Presbytery of Great Lakes & Western Canada Messrs John A. Gillies, John MacLeod (Tarbat), John MacKenzie (Assynt) P.B. Matheson and M. Thomson.

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**Act X — Act anent Appointment of General Assessors to the  
Free Presbytery of Inverness**  
(No 10 of Class II)

*Edinburgh, 20<sup>th</sup> May 2003*

The General Assembly receive the Petition of the Free Presbytery of Inverness and grant its crave. They appoint Rev. Roderick MacLeod (Rtd) and Rev. John MacLeod (Tarbat) General Assessors to the Free Presbytery of Inverness.

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**Act XI — Act anent Appointment of General Assessors to the  
Free Presbytery of Lewis**  
(No 11 of Class II)

*Edinburgh, 20<sup>th</sup> May 2003*

The General Assembly receive the Petition of the Free Presbytery of Lewis and grant its crave. They appoint Rev. John A. Gillies a General Assessor to the Free Presbytery of Lewis until the next meeting of the General Assembly.

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**Act XII — Act anent Appointment of General Assessors to the  
Free Presbytery of Lochcarron**  
(No 12 of Class II)

*Edinburgh, 20<sup>th</sup> May 2003*

The General Assembly receive the Petition of the Free Presbytery of Lochcarron and grant its crave. They appoint the Ministerial Members of the Free Presbytery of Skye & Uist together with Rev. Donald M. MacDonald (Uig, Rtd) General Assessors to the Free Presbytery of Lochcarron.

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**Act XIII — Act anent Appointment of Home Mission Worker**  
(No 13 of Class II)

*Edinburgh, 21<sup>st</sup> May 2003*

The General Assembly welcome the proposed development regarding a Home Mission Worker and hereby authorise the Committee to make an appointment, the appointment to be made in accordance with the following terms:

1. The Home Mission Worker, under the direction of the Home & Foreign Missions Committee and with the express authorisation of the relevant Presbytery, will target areas of opportunity and need and liaise with local ministers and Interim Moderators in the fulfilment of his duties as Home Mission Worker;
2. The Home Mission Worker will be available to assist in local congregational Mission where required;
3. In fulfilling his remit as a colporteur the Home Mission Worker will have to hand a stock of Bibles, tracts and books approved by the Committee. To this end the Home & Foreign Missions Committee will identify, annually, a proportion of their budget to be used for literature;
4. Appropriate and equitable arrangements will be made for the provision of suitable transport;
5. The salary of the Home Mission Worker will be set at 75% of the Equal Dividend;
6. The Church will be responsible for paying his National Insurance Contributions, providing adequate living accommodation and paying council tax relating thereto;
7. As an employee of the Church he will be included in the Church's Pensions arrangements;
8. The Home Mission Worker will submit a report to each stated meeting of the Home & Foreign Missions Committee on his activities;
9. The appointment will be for an initial period of three years;
10. Prior to any appointment being made a candidate will be required to pass a medical examination by one of the examiners approved by the Training of the Ministry & Admissions Committee;
11. The Home Mission Worker shall be required to subscribe without reservation to the doctrines of the Free Church of Scotland as expressed in the Questions and Formula put to office-bearers on their admission to office;
12. In the event of an appointment being made the General Assembly request the Free Presbytery of Inverness to formally commission the person appointed to the work of Home Mission Worker;

13. In the event of the Home & Foreign Missions Committee not having proceeded to an appointment within two years from permission being granted, the General Assembly require the Home & Foreign Missions Committee to apply to the General Assembly for renewal of permission to appoint a Home Mission Worker.

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**Act XIV — Act anent Establishment of the Overseas Student Scholarship Fund**  
(No 14 of Class II)

*Edinburgh, 21<sup>st</sup> May 2003*

The General Assembly direct the Home & Foreign Missions Committee to set up a fund to be known as the Overseas Student Scholarship Fund to help with the cost of training, through our own College, students from the Developing World, the Fund to be administered by the Home & Foreign Missions Committee in consultation with the College Committee.

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**Act XV — Act anent Admission of Magill Presbyterian Church, Adelaide**  
(No 15 of Class II)

*Edinburgh, 21<sup>st</sup> May 2003*

The General Assembly receive the Congregation of Magill Bible Presbyterian Church, Adelaide;

The General Assembly place the Congregation of Magill Bible Presbyterian Church, Adelaide in the meantime under the supervision of the Committee on Home & Foreign Missions, that Committee to act *in loco synodi*; the Missions Committee to report to the General Assembly of May 2004 with recommendations for the future ecclesiastical status of the Congregation, the congregation to be known in the meantime, for ecclesiastical purposes, as Adelaide Congregation of the Free Church of Scotland (Continuing).

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**Act XVI — Act anent Admission of Rev. R. Sherman Isbell**  
(No 16 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2003*

The General Assembly receive the application of Rev. Roy Sherman Isbell and admit him as an ordained minister of the Free Church of Scotland (Continuing) with effect from his signing of the Formula, to be arranged by the Free Presbytery of Great Lakes & Western Canada.

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**Act XVII — Act anent Admission of Metropolitan Washington Congregation**  
(No 17 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2003*

The General Assembly receive the Petition of the Presbyterian Reformed Church of Metropolitan Washington and grant its crave. They admit the Congregation as a Congregation of the Free Church of Scotland to be known for ecclesiastical purposes as the Metropolitan Washington Congregation and declare Rev. R. Sherman Isbell to be Minister of the Congregation with effect from his signing the Formula.

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**Act XVIII — Act anent Appointment of Strategy Committee**  
(No 18 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2003*

The General Assembly receive the overture of the Free Presbytery of Caithness & Sutherland and grant its crave. They appoint, as a Standing Committee of Assembly, a Strategy Committee comprising the Conveners of Groups 1, 2, and 3 Standing Committees together with, as advisers, the Principal Clerk of Assembly, the Assistant Clerk of Assembly and the General Treasurer; the Convener of the Legal Advice & Property Committee to be Convener and the Assembly Clerk's Department to provide clerking support, the Committee to meet at least once annually and on such additional occasions as is expedient. Act XXI (Class II) 2001 is amended accordingly.

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**Act XIX — Act anent College Arrangements & Constitution of College Committee**  
(No 19 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2003*

1. For administrative reasons the teaching centre will be known as the Free Church of Scotland (Continuing) Seminary, or for short, the Free Church Seminary; The General Assembly appoint that the Free Church of Scotland (Continuing) Seminary will open D.V. on 23<sup>rd</sup> September 2003 with an inaugural public address at 7:30 p.m.;
2. The General Assembly direct that the College Lecturers and College Co-ordinator be constituted the College Committee and that they be allocated a budget to cover all necessary expenses incurred in the actual running of the Seminary including the reimbursement of any accommodation costs and I.T. facilities;
3. The General Assembly instruct that the multi-media library will be funded by the Church and will remain its property;
4. The General Assembly appoint the following subjects to be taught: —  
First Year: Church History I, Apologetics, Hebrew and Old Testament I, Greek and New Testament I  
Second Year: Church History II, Hebrew and Old Testament II, Greek and New Testament II, Systematic Theology I  
Third Year: Hebrew and Old Testament III, Systematic Theology II and Practical Theology  
There will be an entrance examination in Greek as required;
5. The General Assembly direct that the Co-ordinator will facilitate the prescribed courses and that timetables will be adhered to ensuring that continuous assessment is fair and the students adequately examined. The Co-ordinator will attend the Training of the Ministry & Admissions Committee meetings when invited and will submit an annual report with recommendations to the Committee;
6. The General Assembly instruct lecturers to adhere to the curriculum as approved;
7. The General Assembly appoint that when required a leave of absence from congregational responsibilities will be allowed to college staff for one month at any one time but such a leave not to exceed two months in any one year;
8. The General Assembly direct that student placements be arranged;
9. The General Assembly appoint that all legitimate expenses incurred by students will be reimbursed;
10. The General Assembly direct that the Finding of the Commission of Assembly of 1st October 2002 on the Report of the Training of the Ministry & Admissions Committee be taken as enabling legislation until such time as the present system of training is tested and where necessary revised or modified: they note that definitive legislation will be put in place at the earliest practicable opportunity;
11. The General Assembly remind presbyteries of their responsibilities with regard to candidates for

- the ministry under their supervision;
12. The General Assembly instruct the Training of the Ministry & Admissions Committee to arrange for External Examiners;

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**Act XX — Act anent Annual Leave for Ministers of Pensionable Age in Pastoral Charges**  
(No 20 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2003*

The General Assembly amend Act IV (Class II) 1994 para 2.3 to read:

Holiday leave shall not exceed 42 days of which only 6 may be Sabbaths, in any one calendar year except that in the case of a minister who has attained the age of 65 years and is serving full time in a pastoral charge his annual holiday entitlement shall be increased to 70 days of which only 10 may be Sabbaths. Any one holiday period shall not exceed 28 successive days without the minister informing the Presbytery of his proposed arrangements. All holiday entitlement shall be taken up before 31<sup>st</sup> December or extended to 28<sup>th</sup> February of the following year with the agreement of the Presbytery.

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**Act XXI — Act appointing Commission of Assembly**  
(No 21 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2003*

The General Assembly did and hereby do nominate and appoint a Commission, consisting of all the members of Assembly, with the addition of the name of Mr Desmond Biggerstaff, named by the Moderator:- TO BE A COMMISSION of this General Assembly, with power to the said Commission, or their quorum, which is hereby declared to be any fifteen or more of their number, whereof eight at the least are always to be Ministers, to meet and convene at Dores, the first Tuesday in October and the first Tuesday in March next to come, and oftener when and where they shall think fit and convenient, and with power to choose their own Moderator: And the General Assembly fully empower the said Commission, or their quorum above mentioned, to cognosce and finally determine, as they shall see cause, in every matter referred to them or which shall be referred to them, by or in virtue of any Act or order of the Assembly, and to do everything contained in and conform to the instructions given or to be given by the Assembly; and to advert to the interests of the Church on every occasion, that the Church do not suffer or sustain any prejudice which they can prevent, as they will be answerable. In view of present circumstances, the Assembly empower the Commission to take all steps necessary and proper to be taken in the interests of the Church, and such as the Assembly themselves might take, in all the questions that may arise thereanent: And the Assembly hereby empower the Commission to receive and dispose of all references, complaints, and appeals arising in the Inferior Courts, which may be brought before them in accordance with the law and practice of the Church: And the Inferior Courts are hereby instructed to remit all such cases to the said meetings in due time (in accordance with the Standing Orders of the General Assembly): And in all their actings the said Commission are to proceed according to the Acts and Constitution of this Church, and to do nothing contrary thereto or to the prejudice of the same, declaring that in and for all their actings they shall be accountable to, and censurable by, the next General Assembly, as they shall see cause. And this Commission shall continue and endure until another Commission be appointed, and members are required to attend the diets of the said Commission.

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**Act XXII — Act Appointing next General Assembly**  
(No 22 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2003*

The General Assembly appoint the next General Assembly of the Free Church of Scotland (Continuing)

to meet in Edinburgh on Monday 17<sup>th</sup> May 2004 years at 6 o'clock in the evening.

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## **Acts of the Commission of Assembly**

### **Act I — Act anent Appointment of Lecturer in Apologetics & Pastoral Theology**

*Inverness, 2<sup>nd</sup> October 2002*

The Commission of Assembly appoint Mr James Frew, *Minister at Kiltearn*, Lecturer in Apologetics & Pastoral Theology.

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### **Act II — Act anent Appointment of Lecturer in Hebrew & Old Testament**

*Inverness, 2<sup>nd</sup> October 2002*

The Commission of Assembly appoint Mr David P. Murray, *Minister at Stornoway*, Lecturer in Hebrew & Old Testament.

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### **Act III — Act anent Appointment of Lecturer in Greek & New Testament**

*Inverness, 2<sup>nd</sup> October 2002*

The Commission appoint Mr Maurice J. Roberts, *Minister at Free Greyfriars, Inverness*, Lecturer in Greek & New Testament.

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### **Act IV — Act Appointment of Lecturer in Systematic Theology**

*Inverness, 2<sup>nd</sup> October 2002*

The Commission appoint Mr John Morrison, *Minister at Kilmuir & Stenscholl*, Lecturer in Systematic Theology.

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### **Act V — Act anent Appointment of Lecturer in Church History & Church Principles**

*Inverness, 2<sup>nd</sup> October 2002*

The Commission appoint Mr Ronald MacKenzie, *Minister at Glenelg & Arnisdale, Rtd*, Lecturer in Church History & Church Principles.

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### **Act VI — Act anent Appointment of College Co-ordinator**

*Inverness, 2<sup>nd</sup> October 2002*

The Commission appoint Mr William MacLeod, *Minister at Portree*, College Co-ordinator.

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### **Act VII — Act anent Financial Assistance for Smiths Falls**

*Inverness, 2<sup>nd</sup> October 2002*

The Commission of Assembly grant the Congregation of Smiths Falls in terms of an agreed undertaking between the Finance & Sustentation Committee and the Congregation of Smiths Falls, financial assistance up to a maximum of £15,000 Sterling per annum for a period not exceeding three years.

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### **Act VIII — Act anent Appointment of General Assessors to the Free Presbytery of Great Lakes & Western Canada**

*Inverness, 2<sup>nd</sup> October 2002*

The Commission of Assembly appoint Mr Malcolm Thomson (Stornoway) a General Assessor to the Free Presbytery of Great Lakes & Western Canada.

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### **Act IX — Act anent Management of Inverness Property**

*Inverness, 4<sup>th</sup> March 2003*

1. The Commission of Assembly note the urgent desirability for use by the Home & Foreign Committee and other Church bodies of a property in Inverness;
  2. The Commission of Assembly appoint the Special Committee anent Building Projects along with a member of the College Staff, a member of the Legal Advice & Property Committee, and a member of the Home & Foreign Missions Committee to manage the said property if and when such is secured;
  3. The Commission of Assembly instruct that the running costs of the property should be met out of the budget of each Committee which uses the premises in proportion to their use of the house.
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# Principal Acts 2004

## List of Acts 2004

### ACTS OF THE GENERAL ASSEMBLY

CLASS I — ACTS WHICH HAVE PASSED THE BARRIER ACT — NONE

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

ACT I	Act anent Loyal and Dutiful Address to Her Majesty the Queen
ACT II	Act anent Re-appointment of Honorary General Treasurer
ACT III	Act anent Equal Dividend
ACT IV	Act anent Special Arrangements for Shettleston
ACT V	Act appointing General Assessors to the Free Presbytery of Argyll & Lochaber
ACT VI	Act appointing General Assessors to the Free Presbytery of Caithness & Sutherland
ACT VII	Act appointing General Assessors to the Free Presbytery of Edinburgh & Perth
ACT VIII	Act appointing General Assessors to the Free Presbytery of Glasgow
ACT IX	Act anent Seat of Presbytery of the Free Presbytery of Great Lakes & Western Canada
ACT X	Act appointing General Assessors to the Free Presbytery of Great Lakes & Western Canada
ACT XI	Act appointing General Assessors to the Free Presbytery of Inverness
ACT XII	Act appointing General Assessors to the Free Presbytery of Lewis
ACT XIII	Act appointing General Assessors to the Free Presbytery of Lochcarron
ACT XIV	Act anent Financial Assistance for Adelaide
ACT XV	Act anent Student Placements
ACT XVI	Act anent College Co-ordinator
ACT XVII	Act anent Students' Employment
ACT XVIII	Act anent Applications for Recognition as a Candidate for the Ministry
ACT XIX	Act anent Financial Support of Students
ACT XX	Act appointing Commission of Assembly
ACT XXI	Act appointing next General Assembly

### ACTS OF THE COMMISSION OF ASSEMBLY

ACT I	Act anent Appointment of General Assessor to the Free Presbytery of Glasgow
ACT II	Act anent Sale of Church Building at Rothesay

**Acts of the General Assembly 2004**  
**THE PRINCIPAL**  
**ACTS**  
**OF THE**  
**GENERAL ASSEMBLY OF THE FREE CHURCH**  
**OF SCOTLAND (Continuing)**

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

None

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

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

*Edinburgh, 18<sup>th</sup> May 2004*

TO THE QUEEN'S MOST EXCELLENT MAJESTY  
The Loyal and Dutiful Address of the General Assembly  
of the Free Church of Scotland (Continuing)

May it please Your Majesty.

We, the Ministers and Elders of the Free Church of Scotland (Continuing) met in General Assembly this 18th day of May in the year of our Lord 2004, humbly desire to express our sincere and unfeigned loyalty to Your Majesty's person and throne. We give thanks to God that you have been preserved and sustained in body and soul to carry out all your arduous journeys and appointments with your accustomed dignity, dedication and charm. May you continue to be upheld in your personal faith in our only Lord and Saviour Jesus Christ and by the prayers of your people.

We pray that you will receive all needed strength to uphold and maintain the Laws of God and the true profession of the Gospel and the Protestant Reformed Religion established by Law.

We are gratified that Your Majesty's forces deployed in Iraq have honoured their Queen and Country by commendable restraint, as well as bravery, in maintaining a temporary presence in that land torn by strife and violence. We pray for the speedy hand over of that territory (the native land of the patriarch Abraham) to its own just and quiet government.

We are thankful for recent legislation approved by Your Majesty's Parliament which guarantees the right of employees to rest on the Sabbath Day according to the Fourth Commandment. We hope and pray that they will be equally supportive of the Fifth Commandment which protects the traditional family unit, the only sure nurturing locus of our children, the Scotland of the future.

We are encouraged by your continued role as Head of the Commonwealth wherein it has pleased God to give us a ministry. Our church has seen recent encouragement in Central Africa where the East Zambian people have received our help in education and medical assistance where they need it most. We would wish to see greater encouragement given to these governments, like Zambia, which promote development, and greater pressure on their neighbours, like Zimbabwe, who rob their helpless people of freedom and prosperity.

Our Moderator has fond memories of Your Majesty's Coronation when his father (then Moderator of the Free Church General Assembly) was present in the Abbey. Great changes have taken place since that day, but the unchanging Sovereign and Almighty God is presiding over the unfolding of His irresistible decree to which we entrust Your Majesty, His Royal Highness the Duke of Edinburgh and all members of Your Royal House until that day when all sovereignty is yielded up to the Lord of Lords and King of Kings.

So pray Your Majesty's loyal subjects, the Ministers and Elders of the Free Church of Scotland (Continuing) in General Assembly convened.

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**Act II — Act anent Reappointment of Honorary General Treasurer**  
(No 2 of Class II)

*Edinburgh, 18<sup>th</sup> May 2004*

The General Assembly appoint Rev. John Keddie as Honorary General Treasurer for a further year.

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**Act III — Act anent Equal Dividend**  
(No 3 of Class II)

*Edinburgh, 18<sup>th</sup> May 2004*

The General Assembly declare an Equal Dividend of £16,100 as from 1<sup>st</sup> July 2004.

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**Act IV — Act anent Special Arrangements for Shettleston**  
(No 4 of Class II)

*Edinburgh, 18<sup>th</sup> May 2004*

The General Assembly direct that the Congregation of Shettleston be placed on the Equal Dividend Platform under Special Arrangements for a period of three years.

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**Act V — Act anent Appointment of General Assessors to the  
Free Presbytery of Argyll and Lochaber**  
(No 5 of Class II)

*Edinburgh, 19<sup>th</sup> May 2004*

The General Assembly receive the Petition of the Free Presbytery of Argyll & Lochaber and grant its crave. They appoint the members of the Free Presbytery of Lochcarron as General Assessors to the Free Presbytery of Argyll & Lochaber.

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**Act VI — Act anent Appointment of General Assessors to the  
Free Presbytery of Caithness and Sutherland**  
(No 6 of Class II)

*Edinburgh, 19<sup>th</sup> May 2004*

The General Assembly receive the Petition of the Free Presbytery of Caithness & Sutherland and grant its crave. They appoint Messrs Daniel MacKinnon and John MacLeod (Tarbat) General Assessors to the Free Presbytery of Caithness & Sutherland.

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**Act VII — Act anent Appointment of General Assessors to the  
Free Presbytery of Edinburgh and Perth**  
(No 7 of Class II)

*Edinburgh, 19<sup>th</sup> May 2004*

The General Assembly receive the Petition of the Free Presbytery of Edinburgh & Perth and grant its crave. They appoint Messrs H.J.T. Woods and John A. MacPherson General Assessors to the Free Presbytery of Edinburgh & Perth.

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**Act VIII — Act anent Appointment of General Assessors to the  
Free Presbytery of Glasgow**  
(No 8 of Class II)

*Edinburgh, 19<sup>th</sup> May 2004*

The General Assembly receive the Petition of the Free Presbytery of Glasgow and grant its crave. They appoint Rev. John J. Murray and Rev. David S. Fraser General Assessors to the Free Presbytery of Glasgow.

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**Act IX — Act anent Seat of Presbytery of the  
Free Presbytery of Great Lakes and Western Canada**  
(No 9 of Class II)

*Edinburgh, 19<sup>th</sup> May 2004*

The General Assembly receive the Petition of the Free Presbytery of Great Lakes and Western Canada and grant its crave. They declare the Seat of the Free Presbytery of Great Lakes and Western Canada to be at Fairfax, Virginia.

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**Act X — Act anent Appointment of General Assessors to the  
Free Presbytery of Great Lakes and Western Canada**  
(No 10 of Class II)

*Edinburgh, 19<sup>th</sup> May 2004*

The General Assembly receive the Petition of the Free Presbytery of Great Lakes & Western Canada and grant its crave. They appoint as General Assessors to the Free Presbytery of Great Lakes & Western Canada Messrs John A. Gillies, John MacLeod (Tarbat), John MacKenzie (Assynt) P.B. Matheson and M. Thomson.

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**Act XI — Act anent Appointment of General Assessors to the  
Free Presbytery of Inverness**  
(No 11 of Class II)

*Edinburgh, 19<sup>th</sup> May 2004*

The General Assembly receive the Petition of the Free Presbytery of Inverness and grant its crave. They appoint Rev. Roderick MacLeod (Rtd) and Rev. John MacLeod (Tarbat) General Assessors to the Free Presbytery of Inverness.

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**Act XII — Act anent Appointment of General Assessors to the  
Free Presbytery of Lewis**  
(No 12 of Class II)

*Edinburgh, 19<sup>th</sup> May 2004*

The General Assembly receive the Petition of the Free Presbytery of Lewis and grant its crave. They appoint Rev. John A. Gillies and Rev. Daniel MacKinnon General Assessors to the Free Presbytery of Lewis until the next meeting of the General Assembly.

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**Act XIII — Act anent Appointment of General Assessors to the  
Free Presbytery of Lochcarron**  
(No 13 of Class II)

*Edinburgh, 19<sup>th</sup> May 2004*

The General Assembly receive the Petition of the Free Presbytery of Lochcarron and grant its crave. They appoint the Ministerial Members of the Free Presbytery of Skye & Uist together with Rev. Donald M. MacDonald (Uig, Rtd) General Assessors to the Free Presbytery of Lochcarron.

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**Act XIV — Act anent Financial Assistance for Adelaide**  
(No 14 of Class II)

*Edinburgh, 19<sup>th</sup> May 2004*

The General Assembly grant the Congregation of Adelaide, in terms of an undertaking to be agreed between the Home & Foreign Missions Committee and the Congregation of Adelaide, financial assistance up to a maximum of 50% of the Equal Dividend for an initial period not exceeding five years, commencing with the date of the settlement of a minister in the Congregation; the accounts of the congregation to be duly audited in accordance with the laws of South Australia and to be submitted timeously to the Home & Foreign Missions Committee who shall report annually to the General Assembly on the matter. The Adelaide Congregation shall make all due effort to ensure that the need for financial assistance is reduced.

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**Act XV — Act anent Student Placements**  
(No 15 of Class II)

*Edinburgh, 20<sup>th</sup> May 2004*

The General Assembly direct that student placements be normally with the student's own Minister or Interim Moderator, and normally in the student's home Congregation.

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**Act XVI — Act anent College Co-ordinator**  
(No 16 of Class II)

*Edinburgh, 20<sup>th</sup> May 2004*

The General Assembly direct that the designation “College Co-ordinator” be replaced with the designation “Seminary Principal” and that all references to “College Co-ordinator” in Act XIX Class II 2003 be amended accordingly.

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**Act XVII — Act anent Students’ Employment**  
(No 17 of Class II)

*Edinburgh, 20<sup>th</sup> May 2004*

The General Assembly direct that students at the Seminary must give up full-time employment, but that some part-time employment is permissible.

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**Act XVIII — Act anent Applications for Recognition as a  
Candidate for the Ministry**  
(No 18 of Class II)

*Edinburgh, 20<sup>th</sup> May 2004*

1. The General Assembly remind the Training of the Ministry & Admissions Committee that all parties involved in an Application for Recognition should be sent timeously an extract Minute of the Finding of the Committee, as should the Assembly Clerks’ Department; and that the Training of the Ministry and Admissions Committee must report to the Assembly or its Commission all applications for recognition as a candidate for the ministry with due regard to the confidentiality of applicants.
  2. The General Assembly direct the Training of the Ministry & Admissions Committee that where an Application Form for Recognition as a Candidate for the Ministry is received by the Committee, the applicant must be interviewed before any decision is reached regarding the granting of recognition.
  3. The General Assembly remind Candidates for Recognition that full documentation to accompany the Application should be submitted to enable Kirk Sessions, Presbyteries, Medical Examiners and the Committee to make an informed decision.
  4. The General Assembly direct the Training of the Ministry & Admissions Committee to reconsider any Applications for Recognition at the earliest practicable opportunity if requested to do so by a Presbytery.
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**Act XIX — Act anent Financial Support for Students**  
(No 19 of Class II)

*Edinburgh, 20<sup>th</sup> May 2004*

The General Assembly direct that financial support of students should be at a similar level to that normally provided by the Students’ Award Agency.

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**Act XX — Act appointing Commission of Assembly**  
(No 20 of Class II)

*Edinburgh, 20<sup>th</sup> May 2004*

The General Assembly did and hereby do nominate and appoint a Commission, consisting of all the members of Assembly, with the addition of the name of Mr Ewan W. Wilson, named by the Moderator:  
– TO BE A COMMISSION of this General Assembly, with power to the said Commission, or their quorum, which is hereby declared to be any fifteen or more of their number, whereof eight at the least are always to be Ministers, to meet and convene at Dores, the first Tuesday in October and the first

Tuesday in March next to come, and oftener when and where they shall think fit and convenient, and with power to choose their own Moderator: And the General Assembly fully empower the said Commission, or their quorum above mentioned, to cognosce and finally determine, as they shall see cause, in every matter referred to them or which shall be referred to them, by or in virtue of any Act or order of the Assembly, and to do everything contained in and conform to the instructions given or to be given by the Assembly; and to advert to the interests of the Church on every occasion, that the Church do not suffer or sustain any prejudice which they can prevent, as they will be answerable. In view of present circumstances, the Assembly empower the Commission to take all steps necessary and proper to be taken in the interests of the Church, and such as the Assembly themselves might take, in all the questions that may arise thereanent: And further the said Commission are hereby empowered to receive and fully dispose of any Applications for Admission to the Ministry; And the Assembly hereby empower the Commission to receive and dispose of all references, complaints, and appeals arising in the Inferior Courts, which may be brought before them in accordance with the law and practice of the Church: And the Inferior Courts are hereby instructed to remit all such cases to the said meetings in due time (in accordance with the Standing Orders of the General Assembly): And in all their actings the said Commission are to proceed according to the Acts and Constitution of this Church, and to do nothing contrary thereto or to the prejudice of the same, declaring that in and for all their actings they shall be accountable to, and censurable by, the next General Assembly, as they shall see cause. And this Commission shall continue and endure until another Commission be appointed, and members are required to attend the diets of the said Commission.

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**Act XXI — Act Appointing next General Assembly**  
(No 21 of Class II)

*Edinburgh, 20<sup>th</sup> May 2004*

The General Assembly appoint the next General Assembly of the Free Church of Scotland (Continuing) to meet in Edinburgh on Monday 23<sup>rd</sup> May 2005 years at 6 o'clock in the evening.

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**Acts of the Commission of Assembly**

**Act I — Act anent Appointment of General Assessor to Free Presbytery of Glasgow**

*Dores, 7<sup>th</sup> October 2003*

The Commission of Assembly receive the Petition of the Free Presbytery of Glasgow and grant its crave. They appoint Rev. David S. Fraser a General Assessor to the Free Presbytery of Glasgow.

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**Act II — Act anent Sale of Church Building at Rothesay**

*Dores, 7<sup>th</sup> October 2003*

The Commission of Assembly, noting the peculiar circumstances surrounding the proposed sale of the Church Building at Rothesay and the legal difficulties entailed due to the current legal situation, waive the irregularities in procedure and authorise the sale of the Church Building at Rothesay subject to the usual necessary documentation being in the hands of the Principal Clerk of Assembly by 31<sup>st</sup> December 2003, the proceeds to be lodged in accordance with advice from the Church's Law Agent for the behoof of the Congregation at Rothesay.

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# Principal Acts 2005

## List of Acts 2005

### ACTS OF THE GENERAL ASSEMBLY

CLASS 1	ACTS WHICH HAVE PASSED THE BARRIER ACT— None
CLASS 2	ACTS OF GENERAL INTEREST TO THE CHURCH
ACT I	Act anent Loyal and Dutiful Address to HM the Queen
ACT II	Act anent Re-appointment of Honorary General Treasurer
ACT III	Act anent Ministers' Expenses
ACT IV	Act anent Financial Assistance for Smiths Falls
ACT V	Act anent Equal Dividend
ACT VI	Act anent repeal of Act XV, 1983 (No 15 of Class 2) and Act XVIII, 1994 (No 18 of Class 2)
ACT VII	Act appointing General Assessors to the Free Presbytery of Argyll & Lochaber
ACT VIII	Act appointing General Assessors to the Free Presbytery of Caithness & Sutherland
ACT IX	Act appointing General Assessors to the Free Presbytery of Edinburgh & Perth
ACT X	Act appointing a General Assessor to the Free Presbytery of Glasgow
ACT XI	Act appointing General Assessors to the Free Presbytery of Great Lakes & Western Canada
ACT XII	Act appointing General Assessors to the Free Presbytery of Inverness
ACT XIII	Act appointing a General Assessor to the Free Presbytery of Lewis
ACT XIV	Act appointing General Assessors to the Free Presbytery of Lochcarron
ACT XV	Act anent Special Arrangements for Ayr
ACT XVI	Act anent Conducting of Business and Causes in Church Courts and Committees
ACT XVII	Act appointing Commission of Assembly
ACT XVIII	Act appointing next General Assembly

### ACTS OF THE COMMISSION OF ASSEMBLY

ACT I	Act anent Application for Admission from Rev. Warren E Gardner
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**Acts of the General Assembly 2005**  
THE PRINCIPAL  
**ACTS**  
OF THE  
**GENERAL ASSEMBLY OF THE FREE CHURCH  
OF SCOTLAND (Continuing)**

MAY MMV

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

None

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

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

*Edinburgh, 24<sup>th</sup> May 2005*

TO THE QUEEN'S MOST EXCELLENT MAJESTY  
The Loyal and Dutiful Address of the General Assembly  
of the Free Church of Scotland (Continuing)

May it please Your Majesty.

We, the Ministers and Elders of the Free Church of Scotland (Continuing) met in General Assembly this 24th day of May 2005, declare our sincere loyalty to your Majesty's person and throne.

We give thanks to God that He continues to bestow upon your Majesty the needed strength that sustains your Majesty in fulfilling so graciously the many duties which devolve upon you. The prayer of your loyal subjects of the Free Church of Scotland (Continuing) is that your Majesty may continue to be blessed with health for many years to come.

In a troubled world we give thanks that we, your subjects, enjoy the precious blessings of peace and freedom of speech and worship. At the same time we grieve over the departure from the Biblical morality which characterised us in the past and made us a great nation. We pray that your Majesty will continue to exhibit standards of dignity and conduct. We long to see our nation returning to the fear of God and the observance of the Ten Commandments.

We are thankful for the free elections conducted in Iraq during the past year and the attempts of the new

government to establish law and order. We grieve over the continued loss of life due to the violence of insurgents and others. We thank God for the relatively low casualties endured by our armed forces and pray that it might soon be possible for them to return home leaving a fair and free Iraqi government in control.

We are thankful for the measure of peace that has been maintained in Northern Ireland during the past year. We pray that all parties will finally lay terrorism aside and that a just and lasting settlement will be established.

We note the marriage of His Royal Highness Prince Charles to Mrs Camilla Parker Bowles. We wish them well. We pray that marriage vows will increasingly be taken seriously and that marriage will be seen as vital to healthy families and that such families be seen as essential to a stable society.

We pledge ourselves anew to remember your Majesty and all the royal family in our prayers. May the Lord uphold your Majesty, his Royal Highness the Duke of Edinburgh and all members of the Royal House. May God Almighty continue to maintain your Majesty's throne and grant that righteousness and truth might ever flourish in this land which we love.

So pray your Majesty's most loyal subjects, the Ministers and Elders of the Free Church of Scotland (Continuing) in General Assembly convened.

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**Act II — Act anent Reappointment of Honorary General Treasurer**  
(No 2 of Class II)

*Edinburgh, 24<sup>th</sup> May 2005*

The General Assembly appoint Rev. John Keddie as Honorary General Treasurer for a further year.

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**Act III — Act anent Ministers' Expenses**  
(No 3 of Class II)

*Edinburgh, 24<sup>th</sup> May 2005*

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

1. Deacons' Courts (or Finance Committees) are to take care to endeavour to ensure that Ministers are reimbursed all expenses, as indicated below, incurred in the performance of their duties. The method of payment of such expenses will be at a frequency and by a manner agreed by the Deacons' Court (or Finance Committee) and by arrangement with the local Treasurer.
2. Expenses should not be made by way of round-sum payments, but always by reimbursement of specific expenses claims. If payments are made by round sums to account of expenses monthly (or more or less frequently) it will be necessary for Ministers in such a case to provide a note of expenses incurred periodically to their Deacons' Courts (or Finance Committees) in order that adjustments may be made over the year to bring actual expenses claimed in line with payments made to them by the said Deacons' Courts (or Finance Committees).
3. It is recommended that expenses shall be payable to or on behalf of Ministers by their Congregations in respect of the following items:
  - 3.1. 75% of Council Tax on houses owned and occupied by Ministers who, in the circumstances brought about as an immediate result of the division of 2000 have no manse available to the Congregation;
  - 3.2. Telephone line-rental charges (land lines) (plus VAT thereon) together with all call charges for Church business (including the VAT thereon);
  - 3.3. Reasonable hospitality costs (including those granted at Communion times);

- 3.4. Car mileage at a rate determined by the Deacons' Court (or Finance Committee), but not lower than 20p per mile, and not higher than 25 pence per mile, except that for those Ministers in Congregations in the outer Isles (Lewis, Harris and North Uist) the upper limit will be 35 pence per mile;  
The Minister will be required to keep a log of Church mileage and make periodic claims - monthly, quarterly, or at some other times as agreed with the Deacons' Court (or Finance Committee) - and by arrangement with the local Treasurer. The Minister should seek to organise his car mileage records to comply as far as possible with voluntary or mandatory regulations of the Inland Revenue, in order to maximise Tax allowances;
- 3.5. Heat and light costs, up to a limit of 50% of total costs.
- 3.6. It is recognised that all but the expenses on the church-owned Manse, and telephone rental (which should be in the name of the Deacons' Court or Finance Committee), and costs of heat and light above 25% of the total for the Manse, are taxable benefits in the hands of the Minister.
- 3.7. Expenses for items such as congregational stationery and literature for distribution, though often incurred by the Minister, are properly expenses falling on the Congregation and, if incurred by the Minister, should be reimbursed by the Deacons' Court (or Finance Committee) to him and are not part of Ministers' expenses.
4. Interim Moderators of vacant Congregations will be entitled to reimbursement of any expenses incurred in the performance of their duties in the Congregation, in line with the above criteria in calculating allowable expenses.
- 5.1. It is ordained that where a Minister's total expenses *as calculated according to the aforementioned rules* (sections 1 to 3 above) are in excess of what he receives from the Deacons' Court (or Finance Committee), an application may be made by the Minister *at least once per quarter* for the reimbursement of such amounts, provided the following criteria are both met:
  - 5.1.1. The Congregation remits at least 66% of total Congregational income; and
  - 5.1.2. The Congregation remits less than 120% of the level of Equal Dividend to Central Funds.
- 5.2. In this connection "Congregational income" will include all ordinary income including taxes recovered on Gift Aid Declarations, but will exclude all collections for special or extra-denominational purposes, and separate Congregational Building or Fabric Fund collections.
- 5.3. The application should be submitted with the relevant supporting documentation through the Deacons' Court (or Finance Committee) to the appropriate Presbytery. Presbyteries will submit such claims to the Finance & Sustentation Committee, for the settlement of such amounts as may be appropriate to cover the full reimbursement of expenses incurred by the Minister in the performance of his duties.

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**Act IV — Act anent Financial Assistance for Smiths Falls**  
(No 4 of Class II)

*Edinburgh, 24<sup>th</sup> May 2005*

The General Assembly ordain that the Congregation of Smiths Falls receive support of £15,000 per annum for a further three years commencing on 2nd October 2005, with the proviso that the Congregation be advised, if there is no clear evidence of improved givings at the beginning of year 3, that consideration will be given by the Church to re-deployment of the Minister's talents at expiry of that year.

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**Act V — Act anent Equal Dividend**  
(No 5 of Class II)

*Edinburgh, 24<sup>th</sup> May 2005*

The General Assembly declare an Equal Dividend of £16,620 as from 1<sup>st</sup> July 2005.

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**Act VI — Act anent Repeal of Act XV, 1983 (No 15 of Class 2)  
& Act XVIII, 1994 (No 18 of Class 2)**  
(No 6 of Class II)

*Edinburgh, 24<sup>th</sup> May 2005*

The General Assembly ordain that in the present circumstances there shall be no Supplements paid to any Minister from his Congregation.

The General Assembly repeal Act XV, 1983 (No. 15 of Class II) and Act XVIII, 1994 (No. 18 of Class II).

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**Act VII — Act anent Appointment of General Assessors to the  
Free Presbytery of Argyll & Lochaber**  
(No 7 of Class II)

*Edinburgh, 24<sup>th</sup> May 2005*

The General Assembly receive the Petition of the Free Presbytery of Argyll & Lochaber and grant its crave. They appoint the members of the Free Presbytery of Lochcarron General Assessors to the Free Presbytery of Argyll & Lochaber.

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**Act VIII — Act anent Appointment of General Assessors to the  
Free Presbytery of Caithness & Sutherland**  
(No 8 of Class II)

*Edinburgh, 24<sup>th</sup> May 2005*

The General Assembly receive the Petition of the Free Presbytery of Caithness & Sutherland anent Appointment of Assessor Elders and grant its crave. They appoint Rev. Daniel MacKinnon, *Kilmorack & Strathglass (Rtd)*, and Rev. John MacLeod, *Tarbat*, General Assessors to the Free Presbytery of Caithness & Sutherland.

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**Act IX — Act anent Appointment of General Assessors to the  
Free Presbytery of Edinburgh and Perth**  
(No 9 of Class II)

*Edinburgh, 24<sup>th</sup> May 2005*

The General Assembly receive the Petition of the Free Presbytery of Edinburgh & Perth anent Appointment of Assessor Elders and grant its crave. They appoint Rev. Murdo A.N. MacLeod, Mr Norman Smith and Mr John A. MacPherson General Assessors to the Free Presbytery of Edinburgh & Perth.

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**Act X — Act anent Appointment of a General Assessor to the  
Free Presbytery of Glasgow**  
(No 10 of Class II)

*Edinburgh, 24<sup>th</sup> May 2005*

The General Assembly receive the Petition of the Free Presbytery of Glasgow anent Appointment of a General Assessor and grant its crave. They appoint Rev. John J. Murray a General Assessor to the Free Presbytery of Glasgow.

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**Act XI — Act anent Appointment of General Assessors to the  
Free Presbytery of Great Lakes and Western Canada**  
(No 11 of Class II)

*Edinburgh, 24<sup>th</sup> May 2005*

The General Assembly receive the Petition of the Free Presbytery of Great Lakes & Western Canada anent Appointment of Assessor Elders and grant its crave. They appoint Messrs John A. Gillies (Glasgow, Rtd), John MacLeod (Tarbat), Rory MacLeod (Edinburgh), Warren Gardner, John MacKenzie (Assynt), Peter Matheson and Malcolm Thomson General Assessors to the Free Presbytery of Great Lakes & Western Canada.

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**Act XII — Act anent Appointment of General Assessors to the  
Free Presbytery of Inverness**  
(No 12 of Class II)

*Edinburgh, 24<sup>th</sup> May 2005*

The General Assembly receive the Petition of the Free Presbytery of Inverness anent Appointment of Assessor Elders and grant its crave. They appoint Rev. Roderick MacLeod and Rev. John MacLeod (Tarbat) General Assessors to the Free Presbytery of Inverness.

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**Act XIII — Act anent Appointment of a General Assessor to the  
Free Presbytery of Lewis**  
(No 13 of Class II)

*Edinburgh, 24<sup>th</sup> May 2005*

The General Assembly receive the Petition of the Free Presbytery of Lewis anent Appointment of an Assessor Elder and grant its crave. They appoint Rev. Daniel MacKinnon a General Assessor to the Free Presbytery of Lewis.

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**Act XIV — Act anent Appointment of General Assessors to the  
Free Presbytery of Lochcarron**  
(No 14 of Class II)

*Edinburgh, 24<sup>th</sup> May 2005*

The General Assembly receive the Petition of the Free Presbytery of Lochcarron anent Appointment of Assessor Elders and grant its crave. They appoint Messrs John W. Keddie, Allan I.M. Maciver, Alasdair Gillies and Peter MacAskill General Assessors to the Free Presbytery of Lochcarron.

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**Act XV — Act anent Special Arrangements for Ayr**  
(No 15 of Class II)

*Edinburgh, 25<sup>th</sup> May 2005*

The General Assembly receive the Petition of the Free Presbytery of Glasgow. They disregard the irregularities in relation to references to the status of the Congregation of Ayr and grant its crave to the extent that they place the Congregation of Ayr on the Equal Dividend Platform under Special Arrangements for a period of five years commencing from the date of settlement of a minister over the Congregation.

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**Act XVI — Act anent Conducting of Business and Causes  
in Church Courts and Committees**  
(No 16 of Class II)

*Edinburgh, 26<sup>th</sup> May 2005*

The General Assembly remind all Church Courts and Committees that in the conduct of their business they should *inter alia* take note of the following:

1. It is imperative that matters be handled in the lowest Court practicable in order to avoid later problems arising;
2. Assembly or Committee Findings on sensitive matters dealing with individuals should be as minimalistic as is appropriate;
3. A Finding is incompetent unless it provides or is accompanied by sufficient information for it to be implemented;
4. Communication of Findings should be by means of extract Minute, and only in such cases when a person would be unlikely to comprehend an extract Minute should an accompanying letter explaining the extract be sent;
5. Private Sessions are for private business, although the Minute is a public record. However, nothing should be said in a Private Session which a person would not be willing and able to substantiate and which would not have been otherwise made had the Court not been in Private Session.

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**Act XVII — Act appointing Commission of Assembly**  
(No 17 of Class II)

*Edinburgh, 26<sup>th</sup> May 2005*

The General Assembly did and hereby do nominate and appoint a Commission, consisting of all the members of Assembly, with the addition of the name of Mr Donald MacKay, Partick, named by the Moderator: — TO BE A COMMISSION of this General Assembly, with power to the said Commission, or their quorum, which is hereby declared to be any fifteen or more of their number, whereof eight at the least are always to be Ministers, to meet and convene at Dores, the first Tuesday in November and the first Tuesday in March next to come, and oftener when and where they shall think fit and convenient, and with power to choose their own Moderator: And the General Assembly fully empower the said Commission, or their quorum above mentioned, to cognosce and finally determine, as they shall see cause, in every matter referred to them or which shall be referred to them, by or in virtue of any Act or order of the Assembly, and to do everything contained in and conform to the instructions given or to be given by the Assembly; and to advert to the interests of the Church on every occasion, that the Church do not suffer or sustain any prejudice which they can prevent, as they will be answerable. In view of present circumstances, the Assembly empower the Commission to take all steps necessary and proper to be taken in the interests of the Church, and such as the Assembly themselves might take, in all the questions that may arise thereanent: And further the said Commission are hereby empowered to receive and fully dispose of any Applications for Admission to the Ministry; And the Assembly hereby empower the Commission to receive and dispose of all references, complaints, and appeals arising in the

Inferior Courts, which may be brought before them in accordance with the law and practice of the Church: And the Inferior Courts are hereby instructed to remit all such cases to the said meetings in due time (in accordance with the Standing Orders of the General Assembly): And in all their actings the said Commission are to proceed according to the Acts and Constitution of this Church, and to do nothing contrary thereto or to the prejudice of the same, declaring that in and for all their actings they shall be accountable to, and censurable by, the next General Assembly, as they shall see cause. And this Commission shall continue and endure until another Commission be appointed, and members are required to attend the diets of the said Commission.

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**Act XVIII — Act Appointing next General Assembly**  
(No 18 of Class II)

*Edinburgh, 26<sup>th</sup> May 2005*

The General Assembly appoint the next General Assembly of the Free Church of Scotland (Continuing) to meet in Edinburgh on Monday 22<sup>nd</sup> May 2006 years at 6 o'clock in the evening.

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**Acts of the Commission of Assembly**

**Act I — Act anent Application for Admission from Rev. Warren E. Gardner**

*Dores, 5<sup>th</sup> October 2004*

The Commission of the General Assembly receive the application of Rev. Warren Gardner and admit him as an ordained minister of the Free Church of Scotland (Continuing) with effect from the signing of the Formula, to be arranged by the Free Presbytery of Great Lakes and Western Canada. They instruct the Clerk of Assembly to include Mr Gardner's name on the register of Ministers eligible for a call on receipt of an extract from the Free Presbytery of Great Lakes and Western Canada, certifying that Mr Gardner has duly signed the formula.

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# Principal Acts 2006

## List of Acts 2006

### ACTS OF THE GENERAL ASSEMBLY

CLASS 1	ACTS WHICH HAVE PASSED THE BARRIER ACT— None
CLASS 2	ACTS OF GENERAL INTEREST TO THE CHURCH
ACT I	Act anent Loyal and Dutiful Address to HM the Queen
ACT II	Act anent Re-appointment of Honorary General Treasurer
ACT III	Act anent Equal Dividend
ACT IV	Act anent Special Arrangements for Poolewe & Aultbea
ACT V	Act anent Special Arrangements for North Uist & Grimsay
ACT VI	Act appointing General Assessors to the Free Presbytery of Argyll & Lochaber
ACT VII	Act appointing General Assessors to the Free Presbytery of Caithness & Sutherland
ACT VIII	Act appointing General Assessors to the Free Presbytery of Edinburgh & Perth
ACT IX	Act appointing a General Assessor to the Free Presbytery of Glasgow
ACT X	Act appointing General Assessors to the Free Presbytery of Great Lakes & Western Canada
ACT XI	Act appointing General Assessors to the Free Presbytery of Inverness
ACT XII	Act appointing General Assessors to the Free Presbytery of Lochcarron
ACT XIII	Act appointing Commission of Assembly
ACT XIV	Act appointing next General Assembly

### ACTS OF THE COMMISSION OF ASSEMBLY

ACT I	Act appointing General Assessors to the Free Presbytery of Great Lakes & Western Canada
ACT I I	Act anent Admission of Rev. James Clark
ACT III	Act anent Financial Assistance for Smiths Falls
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**Acts of the General Assembly 2006**  
THE PRINCIPAL  
**ACTS**  
OF THE  
**GENERAL ASSEMBLY OF THE FREE CHURCH  
OF SCOTLAND (Continuing)**

MAY MMVI

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

None

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

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

*Edinburgh, 23<sup>rd</sup> May 2006*

TO THE QUEEN'S MOST EXCELLENT MAJESTY  
The Loyal and Dutiful Address of the General Assembly  
of the Free Church of Scotland (Continuing)

May it please Your Majesty.

We, the Ministers and Elders of the Free Church of Scotland (Continuing) met in General Assembly this 23rd day of May 2006, declare our sincere loyalty to your Majesty's Person and Throne.

We join with your Majesty's loyal subjects throughout the world in congratulating your Majesty on your recent 80th birthday. We give thanks to God for the health and strength with which he has favoured your Majesty and for the dedication and commitment which your Majesty has brought to the many responsibilities which his Providence has laid upon you. Our prayer is that God will continue to sustain your Majesty in all your public duties.

We are thankful for God's protecting care of your Majesty in your journeys at home and overseas. We have followed with interest your Majesty's recent visit to Australia, where our Church has a congregation, and where the welcome extended to your Majesty gave clear evidence of the affection and respect in which your Majesty is held throughout the Commonwealth.

We pray that you will receive all needed strength to uphold and maintain the Laws of God and the true

profession of the Gospel and the Protestant Reformed Religion established by Law.

We continue to remember those of your Majesty's armed forces who serve in foreign lands, often in circumstances of danger and difficulty. We pray that they may be preserved from harm. We have been impressed by the practical concern shown by those Members of the Royal Family who have visited our troops in Iraq. We pray that peace may soon be restored to that land and a lasting settlement established.

In our own land we continue to prize the strength and stability of our constitutional government. However, at a time when the hand of terrorism has cast its dark shadow over us we are reminded of the constant need to safeguard those freedoms we have long enjoyed and which were in many cases dearly bought. As ministers of Christ we particularly cherish the freedom we have had for many years under the law to proclaim the Christian Gospel without fear of persecution. We pray that this freedom may long be preserved in our land.

In acknowledging the freedoms which we enjoy as a Church of Christ we remain mindful of the responsibility which the Word of God places upon us to support by our prayers our civil rulers and all in authority over us. We assure your Majesty that the prayers offered for you in our congregations from week to week are offered in no formal spirit but from the heart. May Almighty God, by whom, in the words of Scripture, "kings reign and princes decree justice", continue to guide and uphold your Majesty, His Royal Highness Prince Philip, Duke of Edinburgh, and all Members of the Royal Household.

So pray your Majesty's most loyal subjects, the Ministers and Elders of the Free Church of Scotland (Continuing) in General Assembly convened.

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**Act II — Act anent Reappointment of Honorary General Treasurer**  
(No 2 of Class II)

*Edinburgh, 23<sup>rd</sup> May 2006*

The General Assembly appoint Rev. John Keddie as Honorary General Treasurer for a further year.

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**Act III — Act anent Equal Dividend**  
(No 3 of Class II)

*Edinburgh, 23<sup>rd</sup> May 2006*

The General Assembly declare an Equal Dividend of £17,040 as from 1st July 2006.

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**Act IV — Act anent Special Arrangements for Poolewe & Aultbea**  
(No 4 of Class II)

*Edinburgh, 23<sup>rd</sup> May 2006*

The General Assembly approve that the Congregation of Poolewe & Aultbea be placed on the Equal Dividend Platform for a period of five years.

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**Act V — Act anent Special Arrangements for North Uist & Grimsay**  
(No 5 of Class II)

*Edinburgh, 23<sup>rd</sup> May 2006*

The General Assembly approve that the Congregation of North Uist & Grimsay be placed on the Equal Dividend Platform for a period of five years.

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**Act VI — Act anent Appointment of General Assessors to the  
Free Presbytery of Argyll & Lochaber**  
(No 6 of Class II)

*Edinburgh, 23<sup>rd</sup> May 2006*

The General Assembly receive the Petition of the Free Presbytery of Argyll & Lochaber and grant its crave and appoint the Members of the Free Presbytery of Lochcarron General Assessors to the Free Presbytery of Argyll & Lochaber.

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**Act VII — Act anent Appointment of General Assessors to the  
Free Presbytery of Caithness & Sutherland**  
(No 7 of Class II)

*Edinburgh, 23<sup>rd</sup> May 2006*

The General Assembly receive the Petition of the Free Presbytery of Caithness & Sutherland and grant its crave. They appoint Rev. Daniel MacKinnon (Rtd), Rev John MacLeod, (Tarbat) and Rev. Henry J.T. Woods (Kilmorack & Strathglass) General Assessors to the Free Presbytery of Caithness & Sutherland.

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**Act VIII — Act anent Appointment of General Assessors to the  
Free Presbytery of Edinburgh & Perth**  
(No 8 of Class II)

*Edinburgh, 23<sup>rd</sup> May 2006*

The General Assembly receive the Petition and grant its crave. They appoint Rev. Murdo A.N. MacLeod, Mr Norman Smith and Mr John A. MacPherson General Assessors to the Free Presbytery of Edinburgh & Perth.

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**Act IX — Act anent Appointment of a General Assessor to the  
Free Presbytery of Glasgow**  
(No 9 of Class II)

*Edinburgh, 23<sup>rd</sup> May 2006*

The General Assembly receive the Petition of the Free Presbytery of Glasgow anent the Appointment of General Assessors and grant its crave. They appoint Rev. John J. Murray a General Assessor to the Free Presbytery of Glasgow until the meeting of the General Assembly of 2007.

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**Act X — Act anent Appointment of General Assessors to the  
Free Presbytery of Great Lakes & Western Canada**  
(No 10 of Class II)

*Edinburgh, 23<sup>rd</sup> May 2006*

The General Assembly receive the Petition of the Free Presbytery of Great Lakes & Western Canada anent Appointment of General Assessors and grant its crave, appointing Messrs John MacLeod (Tarbat), Henry J.T. Woods, Graeme Craig, David P. Murray, Kenneth MacDonald, John MacKenzie, Rory MacLeod (Edinburgh), Peter B. Matheson and Norman Smith (Partick) General Assessors to the Free Presbytery of Great Lakes & Western Canada.

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**Act XI — Act anent Appointment of General Assessors to the  
Free Presbytery of Inverness**  
(No 11 of Class II)

*Edinburgh, 23<sup>rd</sup> May 2006*

The General Assembly receive the Petition of the Free Presbytery of Inverness and grant its crave. They appoint Rev. John MacLeod (Tarbat), and Rev. Roderick MacLeod (Rtd Dundee) General Assessors to the Free Presbytery of Inverness until the meeting of the General Assembly of 2007.

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**Act XII — Act anent Appointment of General Assessors to the  
Free Presbytery of Lochcarron**  
(No 12 of Class II)

*Edinburgh, 23<sup>rd</sup> May 2006*

The General Assembly receive the Petition of the Presbytery of Lochcarron and grant its crave and appoint Rev. Allan I. M. Maciver, Rev. John W. Keddie and Mr Peter MacAskill General Assessors to the Free Presbytery of Lochcarron until the General Assembly of 2007.

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**Act XIII — Act appointing Commission of Assembly**  
(No 13 of Class II)

*Edinburgh, 25<sup>th</sup> May 2006*

The General Assembly did and hereby do nominate and appoint a Commission, consisting of all the members of Assembly, with the addition of the name of Mr Alasdair Bauld, named by the Moderator:— TO BE A COMMISSION of this General Assembly, with power to the said Commission, or their quorum, which is hereby declared to be any fifteen or more of their number, whereof eight at the least are always to be Ministers, to meet and convene at Dores, the first Tuesday in October and the first Tuesday in March next to come, and oftener when and where they shall think fit and convenient, and with power to choose their own Moderator: And the General Assembly fully empower the said Commission, or their quorum above mentioned, to cognosce and finally determine, as they shall see cause, in every matter referred to them or which shall be referred to, them, by or in virtue of any Act or order of the Assembly, and to do everything contained in and conform to the instructions given or to be given by the Assembly; and to advert to the interests of the Church on every occasion, that the Church do not suffer or sustain any prejudice which they can prevent, as they will be answerable. In view of present circumstances, the Assembly empower the Commission to take all steps necessary and proper to be taken in the interests of the Church, and such as the Assembly themselves might take, in all the questions that may arise thereanent: And the Assembly hereby empower the Commission to receive and dispose of all references, complaints, and appeals arising in the Inferior Courts, which may be brought before them in accordance with the law and practice of the Church: And the Inferior Courts are hereby instructed to remit all such cases to the said meetings in due time (in accordance with the Standing Orders of the General Assembly): And in all their actings the said Commission are to proceed according to the Acts and Constitution of this Church, and to do nothing contrary thereto or to the prejudice of the same, declaring that in and for all their actings they shall be accountable to, and censurable by, the next General Assembly, as they shall see cause. And this Commission shall continue and endure until another Commission be appointed, and members are required to attend the diets of the said Commission.

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**Act XIV — Act Appointing next General Assembly**  
(No 14 of Class II)

*Edinburgh, 25<sup>th</sup> May 2006*

The General Assembly appoint the next General Assembly of the Free Church of Scotland (Continuing)



to meet in Edinburgh on Monday 21<sup>st</sup> May 2007 years at 6 o'clock in the evening.

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## **Acts of the Commission of Assembly**

### **Act I — Act anent Appointment of General Assessors to the Free Presbytery of Great Lakes & Western Canada**

*Dores, 1<sup>st</sup> November 2005*

The Commission of Assembly receive the Petition of the Free Presbytery of Great Lakes & Western Canada anent Appointment of General Assessors and grant its crave. They appoint Messrs Graeme Craig, Kenneth MacDonald, David P. Murray and Henry J.T. Woods General Assessors to the Free Presbytery of Great Lakes & Western Canada.

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### **Act II — Act anent Admission of Rev. James Clark**

*Dores, 1<sup>st</sup> November 2005*

The Commission of Assembly receive the Application from Rev. James Clark, and admit him an ordained minister of the Free Church of Scotland (Continuing), with effect from his signing of the Formula, to be arranged by the Free Presbytery of Edinburgh & Perth. They instruct the Clerk of Assembly to include Mr Clark's name on the register of ministers eligible for a call on receipt of an extract from the Free Presbytery of Edinburgh & Perth, certifying that Mr Clark has duly signed the Formula.

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### **Act III — Act anent Financial Assistance for Smiths Falls**

*Dores, 2<sup>nd</sup> November 2005*

The Commission of Assembly ordain that no new agreement to provide financial support to the Congregation of Smiths Falls be entered into meantime.

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### **Act IV — Act anent Raising of Atlanta Preaching Station to a Fully-sanctioned Charge**

*Dores, 7<sup>th</sup> March 2006*

The Commission of Assembly receive the Petition of the Free Presbytery of Great Lakes & Western Canada and grant its crave. They raise the Preaching Station at Atlanta to a fully-sanctioned charge, the charge to be known as Atlanta.

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# Principal Acts 2007

## List of Acts 2007

### ACTS OF THE GENERAL ASSEMBLY

CLASS 1 ACTS WHICH HAVE PASSED THE BARRIER ACT— None

CLASS 2 ACTS OF GENERAL INTEREST TO THE CHURCH

ACT I Act anent Loyal and Dutiful Address to HM the Queen

ACT II Act appointing General Assessors to the Free Presbytery of Argyll & Lochaber

ACT III Act appointing General Assessors to the Free Presbytery of Caithness & Sutherland

ACT IV Act anent Disjunction of Eddrachillis and Rogart

ACT V Act anent Consolidation of Assynt & Eddrachillis

ACT VI Act anent Consolidation of Clyne, Lairg & Rosehall, Rogart, Dornoch and Lybster, Bruan, Latheron & Berriedale

ACT VII Act declaring Rev. Allan Murray Minister of Brora ad vitam aut culpam

ACT VIII Act appointing General Assessors to the Free Presbytery of Edinburgh & Perth

ACT IX Act appointing General Assessor to the Free Presbytery of Glasgow

ACT X Act appointing General Assessors to the Free Presbytery of Great Lakes & Western Canada

ACT XI Act appointing General Assessors to the Free Presbytery of Inverness

ACT XII Act appointing General Assessors to the Free Presbytery of Lochcarron

ACT XIII Act anent Remuneration for Home Mission Worker

ACT XIV Act anent appointment of Denominational Trustees

ACT XV Act anent re-appointment of Honorary General Treasurer

ACT XVI Act anent Equal Dividend

ACT XVII Act anent purchase of Free Church Seminary property at 85 Old Edinburgh Road, Inverness

ACT XVIII Act amending Act IV (Class 2) 2003 anent Supply Arrangements

ACT XIX Act anent Special Arrangements for Harris

ACT XX Act suspending terms of Act I (Class I) 1989 ad interim

ACT XXI Act appointing Commission of Assembly

ACT XXII Act appointing next General Assembly

### ACTS OF COMMISSION OF ASSEMBLY

ACT I Act anent appointment of Lecturer in Apologetics & Practical Theology

ACT II Act anent Special Arrangements for Aberdeen

ACT III Act anent Special Arrangements for Assynt

ACT IV Act anent Special Arrangements for Knock & Point

ACT V Act anent Appointment of Evangelist / Church Planter in Presbytery of Edinburgh & Perth

ACT VI Act anent raising of Greenville Preaching Station (South Carolina) to a Fully-sanctioned Charge

**Acts of the General Assembly 2007**

THE PRINCIPAL  
**ACTS**  
OF THE  
**GENERAL ASSEMBLY OF THE FREE CHURCH  
OF SCOTLAND (Continuing)**

MAY MMVII

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

None

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

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

*Edinburgh, 22<sup>nd</sup> May 2007*

TO THE QUEEN'S MOST EXCELLENT MAJESTY  
The Loyal and Dutiful Address of the General Assembly  
of the Free Church of Scotland (Continuing)

May it please Your Majesty.

We, the Ministers and Elders of the Free Church of Scotland (Continuing) met in General Assembly this 23rd day of May 2007, declare our sincere loyalty to your Majesty's Person and Throne.

We give thanks to God for the continued health and strength with which He has favoured your Majesty and for the dedication and commitment which your Majesty has brought to the many responsibilities which God's providence has laid upon you. Our prayer is that the Almighty will continue to sustain your Majesty in health and strength for all your public duties.

We are thankful for God's protective care of your Majesty in your journeys at home and overseas. We have followed with interest the royal visit to Amsterdam in connection with the celebrations to mark the four hundredth anniversary of the Scottish Church in that city and we remember with thankfulness the kindness of the Dutch Church to our persecuted forefathers.

We note with interest your Majesty's visit to Jamestown, Virginia, to commemorate the four hundredth anniversary of settlement from the British Isles in Virginia, where Presbyterians such as Francis Makemie and Samuel Davies came to champion the liberty to preach the gospel and to worship God in

accordance with His revelation in Holy Scripture.

We are gratified to learn of your Majesty's attendance at the Service of Commemoration in Westminster Abbey to mark the bi-centenary of the Abolition of the Slave Trade and are thankful for your Majesty's diligence in all these duties.

We pray that your Majesty will receive all needed strength to uphold and maintain the laws of God and the true profession of the gospel and the Protestant Reformed religion established by law with its attendant liberties.

We continue to remember those of your Majesty's Armed Services who serve in foreign lands, often in circumstances of danger and difficulty. We pray that they may be preserved from harm. We note that the Princes William and Harry are serving in your Armed Services and we pray for their safety, as we indeed do for all your Majesty's grandchildren, upon all of whom we would wish God's grace to rest.

In our own land we continue to prize the strength and stability of our constitutional government. We assure your Majesty that our Church is in continual prayer that the due and proper balance between security and freedom will be wisely maintained in the modern world in which we live.

We value too the example of your Majesty in regular attendance at Public Worship, believing as we do that righteousness alone exalteth a nation since the well-being of nations is in God's sovereign power.

May God Almighty continue to guide and uphold your Majesty, his Royal Highness Prince Philip and all members of the royal household.

In these turbulent days it is our prayer that our beloved nation may be preserved from persecution and harm from within and without so that there may be no loss of our national freedom to worship the blessed God and Jesus Christ our Lord.

So pray your Majesty's most loyal subjects, the ministers and elders of the Free Church of Scotland (Continuing) in General Assembly convened.

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**Act II — Act anent Appointment of General Assessors to the  
Free Presbytery of Argyll & Lochaber**  
(No 2 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2007*

The General Assembly receive the Petition of the Free Presbytery of Argyll & Lochaber and grant its crave and appoint the Members of the Free Presbytery of Lochcarron General Assessors to the Free Presbytery of Argyll & Lochaber.

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**Act III — Act anent Appointment of General Assessors to the  
Free Presbytery of Caithness & Sutherland**  
(No 3 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2007*

The General Assembly receive the Petition of the Free Presbytery of Caithness & Sutherland and grant its crave. They appoint Rev. Daniel MacKinnon (Rtd), Rev John MacLeod, (Tarbat) and Rev. Henry J.T. Woods (Kilmorack & Strathglass) General Assessors to the Free Presbytery of Caithness & Sutherland.

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**Act IV — Act anent Disjunction of Eddrachillis and Rogart**  
(No 4 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2007*

The General Assembly disjoin the Eddrachillis section of the Congregation of Rogart and Eddrachillis from the Rogart section of the Congregation.

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**Act V — Act anent Consolidation of Assynt and Eddrachillis**  
(No 5 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2007*

The General Assembly consolidate the Congregation of Eddrachillis with the Congregation of Assynt, under one Kirk Session and one Deacons' Court; the Congregation to be known henceforth as Assynt & Eddrachillis.

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**Act VI — Act anent Consolidation of Clyne, Lairg & Rosehall, Rogart, Dornoch and Lybster, Bruan, Latheron & Berriedale**  
(No 6 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2007*

The General Assembly consolidate the Congregations of Rogart, Clyne, Lairg & Rosehall, Dornoch and Lybster, Bruan, Latheron & Berriedale, under one Kirk Session and one Deacons' Court, the Charge to be known as Brora.

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**Act VII — Act Declaring Rev. Allan Murray Minister at Brora *ad vitam aut culpam***  
(No 7 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2007*

The General Assembly declare Rev. Allan Murray to be Minister at Brora *ad vitam aut culpam*.

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**Act VIII — Act anent Appointment of General Assessors to the Free Presbytery of Edinburgh & Perth**  
(No 8 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2007*

The General Assembly receive the Petition of the Free Presbytery of Edinburgh & Perth and grant its crave. They appoint Rev. William B. Scott (Rtd), Rev. Murdo A. N. MacLeod (Partick), Mr Norman Smith and Mr John A. Macpherson General Assessors to the Free Presbytery of Edinburgh & Perth.

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**Act IX — Act anent Appointment of a General Assessor to the Free Presbytery of Glasgow**  
(No 9 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2007*

The General Assembly receive the Petition of the Free Presbytery of Glasgow and grant its crave. They appoint Rev. John J. Murray a General Assessor to the Free Presbytery of Glasgow until the meeting of the next General Assembly.

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**Act X — Act anent Appointment of General Assessors to the Free Presbytery of Great Lakes & Western Canada**  
(No 10 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2007*

The General Assembly receive the Petition of the Free Presbytery of Great Lakes & Western Canada and grant its crave. They appoint as General Assessors to the Free Presbytery of Great Lakes & Western Canada, Rev. Kenneth MacDonald (Snizort), Rev. David P. Murray (Stornoway), Mr. Hector Campbell (Kiltearn), Mr. James Frew (Ayr) and Mr. Rory MacLeod (Edinburgh).

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**Act XI — Act anent Appointment of General Assessors to the Free Presbytery of Inverness**  
(No 11 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2007*

The General Assembly receive the Petition of the Free Presbytery of Inverness and grant its crave. They appoint Rev. John Macleod (Tarbat), a General Assessor to the Free Presbytery of Inverness until the next meeting of the General Assembly.

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**Act XII — Act anent Appointment of General Assessors to the Free Presbytery of Lochcarron**  
(No 12 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2007*

The General Assembly receive the Petition of the Free Presbytery of Lochcarron and grant its crave. They appoint Rev Allan I. M. Maciver, (Rtd), Rev. John W. Keddie (Bracadale), Mr. Alasdair Gillies (Kilmuir & Stenscholl) and Mr. Peter Macaskill (Strath), General Assessors to the Free Presbytery of Lochcarron.

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**Act XIII — Act anent Remuneration of Home Mission Worker**  
(No 13 of Class II)

*Edinburgh, 23<sup>rd</sup> May 2007*

The General Assembly increase the level of remuneration for the Home Mission Worker from 75% to 85% of the Equal Dividend.

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**Act XIV — Act anent Appointment of Denominational Trustees**  
(No 14 of Class II)

*Edinburgh, 24<sup>th</sup> May 2007*

The General Assembly approve the appointment as Denominational Trustees of the following ministers and elders duly nominated by their respective Presbyteries:

Caithness & Sutherland: Mr John MacKenzie

Inverness: Mr Alistair Mackintosh

Skye & Uist: Mr Angus Shaw

Glasgow: Mr John N Gillies

Edinburgh & Perth: Mr Maurice Grant.

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**Act XV — Act anent Reappointment of Honorary General Treasurer**  
(No 15 of Class II)

*Edinburgh, 24<sup>th</sup> May 2007*

The General Assembly appoint Rev. John Keddie as Honorary General Treasurer for a further year.

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**Act XVI — Act anent Equal Dividend**  
(No 16 of Class II)

*Edinburgh, 24<sup>th</sup> May 2007*

The General Assembly declare an Equal Dividend of £17,400 as from 1<sup>st</sup> July 2007.

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**Act XVII — Act anent Purchase of Free Church Seminary**  
(No 17 of Class II)

*Edinburgh, 24<sup>th</sup> May 2007*

The General Assembly approve the purchase of 85 Old Edinburgh Road, Inverness, as soon as practicable during the current financial year, and thank the Lord for this provision for the work of the Church; they also again express their deep gratitude to the owners of the property for granting us the use of the premises and for the option for us to purchase it at such reasonable cost.

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**Act XVIII — Act amending Act IV (Class II) 2003 anent Supply Arrangements**  
(No 18 of Class II)

*Edinburgh, 24<sup>th</sup> May 2007*

The General Assembly amend Act IV (Class II) 2003 by inserting the following as Paragraph 5:

- 5.1 In the case of a Charge where more than three services are provided on a Sabbath and two preachers are required to supply the Charge (either during a Vacancy or because the Minister is necessarily away from his Pulpit), the Deacons' Court(s) of the Charge shall be entitled to reclaim 50% of the cost of Supply Fees and Expenses from the Finance & Sustentation Committee.
  - 5.2 In the case of a charge which has remitted 66% of its total income but less than the Equal Dividend in the previous year and, where supply expenses on any given Sabbath exceed £100 (either in a vacancy or because the minister is necessarily away from his pulpit for an extended period) the Deacons' Court of the charge shall be entitled to reclaim 50% of the additional cost over £100 of supply fees and expenses from the Finance & Sustentation Committee.
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**Act XIX — Act anent Special Arrangements for Harris**  
(No 19 of Class II)

*Edinburgh, 24<sup>th</sup> May 2007*

The General Assembly approve that the Congregation of Harris (Leverburgh) be placed on the Equal Dividend Platform under Special Arrangements for a period of five years.

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**Act XX — Act suspending terms of Act I (Class I) *ad interim***  
(No 20 of Class II)

*Edinburgh, 24<sup>th</sup> May 2007*

The General Assembly suspend the terms of Act I (Class I) 1989 *ad interim*.

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**Act XXI — Act appointing Commission of Assembly**  
(No 21 of Class II)

*Edinburgh, 24<sup>th</sup> May 2007*

The General Assembly did and hereby do nominate and appoint a Commission, consisting of all the members of Assembly, with the addition of the name of Mr David MacRae (Inverness), named by the Moderator:- TO BE A COMMISSION of this General Assembly, with power to the said Commission, or their quorum, which is hereby declared to be any fifteen or more of their number, whereof eight at the least are always to be Ministers, to meet and convene at Dores, the first Tuesday in October and the first Tuesday in March next to come, and oftener when and where they shall think fit and convenient, and with power to choose their own Moderator: And the General Assembly fully empower the said Commission, or their quorum above mentioned, to cognosce and finally determine, as they shall see cause, in every matter referred to them or which shall be referred to, them, by or in virtue of any Act or order of the Assembly, and to do everything contained in and conform to the instructions given or to be given by the Assembly; and to advert to the interests of the Church on every occasion, that the Church do not suffer or sustain any prejudice which they can prevent, as they will be answerable; provided always that, save as hereafter stated this general clause be not extended to particular affairs or processes before Synods or Presbyteries that are not of universal concern to, or influence upon, the whole Church. And it is hereby appointed that no private processes be determined except at the stated diets and that what shall be determined at one diet of Commission with relation to private causes, shall be unalterable by any other diet thereof and shall stand and continue in force until disapproved by the General Assembly. And further, the said Commission are hereby empowered to receive and fully dispose of applications that may be forwarded to them for raising preaching stations or suppressed charges to fully sanctioned charges, for consolidating congregations into one charge, for the appointment of Ministers overseas and Foreign Missionaries in the Mission Fields of the Church, and to receive any references and appeals that shall be made to them from Synods in matters of doctrine, and ripen such affairs for next General Assembly and to contribute what they can to the suppression of vice and immorality, and to give all needful advice and assistance to Synods, Presbyteries and Committees of Assembly upon application to them for that end. In view of present circumstances arising out of the division of 2000, the Assembly empower the Commission to take all steps necessary and proper to be taken immediately in the interests of the Church, and such as the Assembly themselves might take, in all the questions that may arise directly therefrom or thereanent: And the Assembly hereby empower the Commission to receive and dispose of all references, complaints, and appeals arising in the Inferior Courts, which may be brought before them in accordance with the law and practice of the Church: And the Inferior Courts are hereby instructed to remit all such cases to the said meetings in due time (in accordance with the Standing Orders of the General Assembly): And in all their actings the said Commission are to proceed according to the Acts and Constitution of this Church, and to do nothing contrary thereto or to the prejudice of the same, declaring that in and for all their actings they shall be accountable to, and censurable by, the next General Assembly, as they shall see cause. And this Commission shall continue and endure until another Commission be appointed, and members are required to attend the diets of the said Commission.

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**Act XXII — Act Appointing next General Assembly**  
(No 22 of Class II)

*Edinburgh, 24<sup>th</sup> May 2007*

The General Assembly appoint the next General Assembly of the Free Church of Scotland (Continuing) to meet in Edinburgh on Monday 19<sup>th</sup> May 2008 years at 6 o'clock in the evening.

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## **Acts of the Commission of Assembly**

### **Act I — Act anent Appointment of Lecturer in Apologetics & Practical Theology**

*Dores, 3<sup>rd</sup> October 2006*

The Commission of Assembly appoint Rev. Henry J.T. Woods, *Minister at Kilmorack & Strathglass*, Lecturer in Apologetics & Practical Theology, the appointment to take effect from the date of the admission of Rev. James Frew to the charge at Adelaide.

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### **Act II — Act anent Special Arrangements for Aberdeen**

*Dores, 3<sup>rd</sup> October 2006*

The Commission of Assembly place the Congregation of Aberdeen on the Equal Dividend Platform under special arrangements for a period of five years;

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### **Act III — Act anent Special Arrangements for Assynt**

*Dores, 3<sup>rd</sup> October 2006*

The Commission of Assembly place the Congregation of Assynt on the Equal Dividend Platform under special arrangements for a period of five years;

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### **Act IV — Act anent Special Arrangements for Knock & Point**

*Dores, 3<sup>rd</sup> October 2006*

The Commission of Assembly place the Congregation of Knock & Point on the Equal Dividend Platform under special arrangements for a period of five years.

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### **Act V — Act anent Appointment of Evangelist / Church Planter in Presbytery of Edinburgh & Perth**

*Dores, 3<sup>rd</sup> October 2006*

The Commission of Assembly authorise the Presbytery of Edinburgh & Perth to appoint a new Church Planter/Evangelist, in terms of Act XXVIII (Class II) 1989, for a period of 5 years.

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### **Act VI — Act anent Raising of Greenville Preaching Station (South Carolina) to a Fully-sanctioned Charge**

*Dores, 6<sup>th</sup> March 2007*

The Commission of Assembly receive the Petition of the Free Presbytery of Great Lakes and Western Canada and grant its crave and raise the Preaching Station at Greenville, South Carolina, to a fully-sanctioned Charge, the Charge to be known as Greenville.

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# Principal Acts 2008

## List of Acts 2008

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CLASS II	ACTS OF GENERAL INTEREST TO THE CHURCH
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ACT III	Act anent Presbytery and Synod Reorganisation
ACT IV	Act anent Re-appointment of Honorary General Treasurer
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ACT X	Act anent Appointment of General Assessors to the Free Presbytery of Edinburgh & Perth
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ACT XII	Act anent Appointment of General Assessors to the Free Presbytery of Inverness
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ACT XIV	Act anent Consolidation of Congregations of Dumbarton and Thornwood
ACT XV	Act anent Appointment of General Assessor to the Free Presbytery of Ross
ACT XVI	Act anent Appointment of Lecturer in Church History & Church Principles
ACT XVII	Act anent Boundaries of Presbytery of Great Lakes & Western Canada and Disjunction of Congregation of Smiths Falls
ACT XVIII	Act appointing Commission of Assembly
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### ACTS OF COMMISSION OF ASSEMBLY

ACT I	Act anent Appointment of Lecturer in Hebrew & Old Testament
ACT II	Act anent Appointment of General Assessor to the Free Presbytery of Lewis

# Acts of the General Assembly 2008

## THE PRINCIPAL ACTS OF THE GENERAL ASSEMBLY OF THE FREE CHURCH OF SCOTLAND (Continuing) MAY MMVIII

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### CLASS I — ACTS WHICH HAVE PASSED THE BARRIER ACT

#### Act I — Act repealing Act I Class I 1989 (No 1 of Class I)

*Edinburgh, 20<sup>th</sup> May 2008*

The General Assembly, with consent of Presbyteries,

1. Enact and ordain that Act I Class I 1989 is hereby repealed;
2. Declare that all Ministers inducted to Charges or appointed to full time positions in the Church which are without restriction of time since May 1989 are Ministers of the Charge *ad vitam aut culpam*;
3. Direct Presbyteries that when a Minister in a Charge or appointed to a full-time post attains 70 years of age the said Presbyteries shall give diligence to make enquiries regarding the ability of the Minister to fulfil his duties, such enquiries to be repeated when the said Minister attains the age of 75 years and yearly thereafter.

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### CLASS II — ACTS WHICH ARE OF GENERAL INTEREST TO THE CHURCH

#### Act II — Act anent Loyal and Dutiful Address to Her Majesty the Queen (No 2 of Class II)

*Edinburgh, 20<sup>th</sup> May 2008*

TO THE QUEEN'S MOST EXCELLENT MAJESTY  
The Loyal and Dutiful Address of the General Assembly  
of the Free Church of Scotland (Continuing)

May it please Your Majesty.

We, the Ministers and Elders of the Free Church of Scotland (Continuing) met in General Assembly this 20th day of May 2008, declare to Your Majesty our sincere loyalty to Your Majesty's person and throne.

We thank Almighty God for His continued protection and gracious care of Your Majesty in all the many duties and journeys involved in Your Majesty's work as Head of State, at home and abroad.

Prayer is regularly offered to the Lord in our Churches for Your Majesty's person and family, that You may know His blessing, and might enjoy His grace and wisdom in Your family life and in Your many

official duties.

We pray constantly for Your Majesty's Ministers and Government that they may have God-given wisdom, grace and strength for carrying out their responsibilities, in the conviction that they are answerable to the Head of nations, the Lord Jesus Christ, and that "righteousness exalts a nation; but sin is a reproach to any people."

We also remember in prayer the members of Your Majesty's Armed Forces, particularly as they continue to seek to bring peace and stability to the troubled lands of Iraq and Afghanistan, in dangerous and difficult circumstances. We admire the commitment of the Princes William and Harry to the service of their country and we thank God that they have been preserved from harm.

We pray that your Majesty will continue faithfully to honour Your Coronation Oath to maintain to the utmost of your power in the United Kingdom the Protestant Reformed Religion established by law. We believe it is on this Protestant basis, in obedience to the Lord Jesus Christ, that there rest the grounds of a righteous and stable society and the civil and religious liberties which we prize.

May God Almighty continue to guide and uphold Your Majesty, his Royal Highness Prince Philip and all members of the Royal household.

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

**Act III — Act anent Presbytery and Synod Reorganisation**  
(No 3 of Class II)

*Edinburgh, 20<sup>th</sup> May 2008*

1. The General Assembly enact the following scheme for the adjustment of Presbytery and Synod Bounds:
  - i. The bounds of the Presbytery of Ross adjusted to exclude the parish of Kilmorack. The bounds of the Presbytery of Inverness adjusted to include the parish of Kilmorack. The charge of Kilmorack & Strathglass transferred to the Presbytery of Inverness;
  - ii. The bounds of the Presbytery of Edinburgh & Perth adjusted to exclude Aberdeen. The bounds of the Presbytery of Inverness adjusted to include Aberdeen. The charge of Aberdeen transferred from the Presbytery of Edinburgh & Perth to the Presbytery of Inverness;
  - iii. The bounds of the Presbytery of Argyll & Lochaber adjusted to exclude all parishes north and west of Ballachulish. The bounds of the Presbytery of Inverness extended to include all parishes north and west of Ballachulish;
  - iv. The Presbyteries of Caithness & Sutherland and Ross are hereby united, to be known as the Northern Presbytery, with its Seat in Lairg;
  - v. The Presbyteries of Argyll & Lochaber, Edinburgh & Perth and Glasgow are hereby united, to be known as the Southern Presbytery, with its Seat in Glasgow;
  - vi. The bounds of the Presbytery of Skye & Uist adjusted to exclude all parishes in the Outer Hebrides. The bounds of the Presbytery of Lewis adjusted to include all parishes in the Outer Hebrides. The charge of North Uist & Grimsay transferred from the Presbytery of Skye & Uist to the Presbytery of Lewis;
  - vii. The Presbytery of Lewis is hereby renamed the Outer Hebrides Presbytery;
  - viii. The Presbyteries of Skye & Uist and Lochcarron are hereby united, to be known as the Presbytery of Skye & Lochcarron, with its Seat in Portree and the proviso that at least two meetings per year take place within the bounds of the former Presbytery of Lochcarron;
  - ix. The Southern and Northern Synods are hereby united, to be known as the Mainland Synod;
2. The General Assembly ordain that the first Meetings of those Presbyteries and Synods affected by

Amalgamation according to the foregoing scheme shall be held according to the following schedule and the Moderators named shall be responsible for the convening of the respective courts:

- i. Northern Presbytery: Tuesday 16<sup>th</sup> September 2008 at 7pm at ‘Shalom’, Lochside, Lairg; Moderator, Rev. Robert Josey, Resolis *Rtd.*;
  - ii. Southern Presbytery: Tuesday 2<sup>nd</sup> September 2008 at 7pm at Partick Free Church, Glasgow; Moderator, Rev. David S. Fraser, Shettleston;
  - iii. Skye & Lochcarron: Tuesday 16<sup>th</sup> September 2008 at 11am in Portree Free Church; Moderator, Rev. John Morrison, Kilmuir & Stenscholl;
  - iv. Mainland Synod: Tuesday 7<sup>th</sup> April 2009 at 2pm in Kingussie; Moderator, Rev. John A. Gillies, Partick Highland, *Rtd.*;
3. The General Assembly ordain that all new courts shall inherit and discharge all benefits and burdens which may have pertained to former courts now within their bounds, according to existing regulations;
- 4.1 The General Assembly amend Standing Order VI.1.3 to read “Each Group shall comprise four members from each Synod, two Ministers and two Elders, and each Presbytery, in so far as is practicable, shall be represented on each group of Committees”;
- 4.2 The General Assembly amend Standing Order VI.3.3 to read “A Psalmody Committee which shall have a Membership comprised of one Minister or Elder from each Presbytery, nominated by Presbyteries on the ground of special knowledge of and practical experience in Psalmody”;
- 4.3 The General Assembly suspend for one year Standing Orders VI.1.3, VI.3.3 and VI.4.1—VI.4.4 and direct the Assembly Arrangements & Nominations Committee to make such transitional arrangements as are appropriate for the coming year, bearing in mind the principles which are reflected in the Standing Orders.

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**Act IV — Act anent Reappointment of Honorary General Treasurer**  
(No 4 of Class II)

*Edinburgh, 20<sup>th</sup> May 2008*

The General Assembly re-appoint Rev. John Keddie as Honorary General Treasurer for a further year.

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**Act V — Act anent Equal Dividend**  
(No 5 of Class II)

*Edinburgh, 20<sup>th</sup> May 2008*

The General Assembly declare an Equal Dividend of £18,000 as from 1<sup>st</sup> July 2008.

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**Act VI — Act anent Supply Fees and Expenses**  
(No 6 of Class II)

*Edinburgh, 20<sup>th</sup> May 2008*

The General Assembly approve the following Supply Fees and Expenses:

1. The following scale of preaching fees will be effective from 1<sup>st</sup> July 2008:

Resident supply by Students and Probationers:

- Single men at the rate of £110 per week
- Married men without children at the rate of £125 per week
- Married men with children at the rate of £125 per week plus £25 for each child, up to an overall total of £225 per family, including amounts for children.

Resident supply by Retired Ministers:

- Single men at the rate of £55 per week
- Married men at the rate of £80 per week

Other preaching supply:

- At the rate of £25 per service, up to a maximum of £50 per Lord's Day. This is not applicable to Ministers in Charge in receipt of full stipend.
2. Additional expenses may be claimed in the performance of the duties involved as follows:
    - Motor car mileage at 25p per mile without distance restriction
    - Costs of public transport, including ferry costs, trains or buses, and any other out-of-pocket expenses (supported by relevant receipts where possible)
    - Resident supply fees and expenses, when arranged by the Sustentation and Supply Committee, will be calculated and paid for by the Committee and charged to the congregation requesting the resident supply arrangement, unless that congregation is not a fully sanctioned charge.
  3. Supply preachers should use the most economical mode of transport readily available to and from the congregation supplied.
  4. Supply preachers supplying on the Lord's Day should not use travel by public transport on the Lord's Day. In cases where public transport is used to fulfil an engagement in a congregation accommodation should be arranged in the local congregation from the Saturday to the Monday.
  5. a). In the case of a Charge where more than three services are provided on a Sabbath and two preachers are required to supply the Charge (either during a vacancy or because the Minister is necessarily away from his pulpit) the Deacons' Court(s) of the Charge shall be entitled to claim 50% of Supply Fees and Expenses from the Finance & Sustentation Committee.  
 b). In the case of a Charge which has remitted 66% of its total income but less than the Equal Dividend in the previous year and where supply expenses on any given Sabbath exceed £100 (either in a vacancy or because the Minister is away from his pulpit for an extended period) the Deacons' Court(s) of the Charge shall be entitled to claim 50% of the cost of Supply Fees and Expenses, up to a maximum of £1500 in any given calendar year.

The General Assembly repeal Act IV (Class II) 2003 anent Supply Fees and Expenses and Act XVIII (Class II) 2007 anent Supply Fees and Expenses.

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**Act VII — Act anent Appointment and Employment of Resident Lay Agents  
and Procedure in Applications  
(No 7 of Class II)**

*Edinburgh, 20<sup>th</sup> May 2008*

The General Assembly repeal Act XIV 1972, and approve the following Regulations governing the appointment and employment of Resident Lay Agents, and the Procedures in Applications for the services of Resident Lay Agents (as set out in Appendix 1 below).

APPENDIX 1.  
REGULATIONS GOVERNING APPOINTMENT AND EMPLOYMENT OF RESIDENT LAY AGENTS.

APPOINTMENT AND EMPLOYMENT

1. A Resident Lay Agent is appointed by the Finance & Sustentation Committee to preach and exercise pastoral care under the direction of the Minister (or Interim Moderator) and Kirk Session of the Congregation, and oversight of the Presbytery.
2. Ordinarily, no person shall be employed as Resident Lay Agent in the Free Church of Scotland (Continuing) who has not been a communicant member in the Free Church of Scotland (Continuing) for a period of two years.
3. Application for recognition as a Resident Lay Agent shall be made on a prescribed form through the Kirk Session and Presbytery to the Finance & Sustentation Committee who shall interview each applicant before authorising that his name be added to the Roll of Resident Lay Agents.
4. The applicant must first sign the Formula before his name can be added to the Roll of Lay Agents in the Free Church of Scotland (Continuing). This will be done under the supervision of the Finance &

Sustentation Committee.

5. All appointments to Congregations, which shall be provisional for the first year, shall be made in consultation with Kirk Sessions.
6. The appointment as a Resident Lay Agent does not, of itself, entitle the Resident Lay Agent to a seat in a Presbytery.
7. The engagement as a Resident Lay Agent does not, of itself, entitle a person to a seat in a Kirk Session; he may, however, be elected as an Elder in that congregation and thus have a seat on that Congregation's Kirk Session.
8. Resident Lay Agents are entitled to the statutory notice of termination of contract. Termination can only be determined by the Committee. Resident Lay Agents must give statutory notice of termination of contract.
9. Ordinarily, the Congregation(s) shall provide the Resident Lay Agent with a house free of charge which shall always be included in the certified Quinquennial Schedules on the condition of Congregational property; and before a new appointment is made a report on the house, certifying that all needed repairs or replacements have been carried out or arranged for, shall be transmitted to the Committee through the Presbytery of the bounds.
10. When a Resident Lay Agent's duties involve travel and other expenses, the Congregation shall make such contributions towards his expenses as may seem reasonable and possible.
11. The Congregation shall pay such assessment in respect of the Resident Lay Agent's salary as may be approved by the General Assembly.
12. A Resident Lay Agent appointed to a vacant congregation, or settled charge, shall only be permitted to engage in other employment provided, and as long as, the Presbytery and Kirk Session are satisfied that such employment will in no way hinder or conflict with the discharge of the duties he is expected to undertake in his capacity as a Resident Lay Agent.
13. A Resident Lay Agent may be transferred from one sphere of work to another at the Committee's discretion, after due intimation to the Kirk Session and Presbyteries involved. He is required to take his Disjunction Certificate with him in order that his name is added to the Communion Roll of the Congregation.
14. The Committee shall meet removal expenses from one sphere to another.
15. A Resident Lay Agent shall receive a salary equivalent to 85% of the Equal Dividend in any one year. Should he take up other employment, as permitted in paragraph 12, he must immediately inform the Committee, and, if necessary, an appropriate adjustment in salary shall be made.
16. Congregations having the services of a Resident Lay Agent shall meet the expenses incurred for Supply when he is on holiday, up to a maximum of four weeks. Holiday entitlement accrues from month to month. Holiday leave shall not exceed 42 days of which only 6 may be Sabbaths, in any one particular year. Any one holiday period shall not exceed 28 successive days without the Resident Lay Agent informing the Presbytery of his proposed arrangements. All holiday entitlement shall be taken up before 31<sup>st</sup> December or extended to 28<sup>th</sup> February of the following year with the agreement of the Presbytery.
17. If a Resident Lay Agent is unfit through illness, he shall follow the same procedure as is set out in Act 4, Class II, 1994, Sections 1.1-1.9. {Act anent Leave of Absence}
18. If a Resident Lay Agent's absence from duty shall extend beyond four successive Sabbaths, the same procedure shall be followed as is set out in Act 4, Class II, 1994, Sections 1.1-1.9.
19. If a Resident Lay Agent shall continue unfit for duty by reason of illness for more than twelve months, the same procedure shall be followed as is set out in Act 4, Class II, 1994, Sections 1.1 –1.9.
20. The Committee shall be responsible for the Resident Lay Agent's salary, and the costs of Pension and Death in Service benefit.
21. Pension will be provided in conformity with the Church's Pension Scheme.
22. The Committee may, in unusual circumstances, engage a Resident Lay Agent to serve in more than one Congregation within a Presbytery or Presbyteries provided that Linkage is not a realistic option.

23. In the case of a Resident Lay Agent being engaged by the Committee to serve in more than one Congregation, the above-noted shall apply with the proviso that the Committee shall consult with the Ministers (or Interim Moderators) and Kirk Sessions of the Congregations as well as the Presbytery or Presbyteries with a view to the Committee determining
  1. the proportion of service allotted to each congregation
  2. the proportion of expenses etc payable by each congregation
  3. the proportion of Assessment attributed to each congregation
  4. in which congregation the Resident Lay Agent should have his membership.
24. The above Regulations will take effect from the close of the 2008 Assembly with respect to all Resident Lay Agents on the Roll of Lay Agents, as well as to those who may be placed upon it in future.

PROCEDURE IN APPLICATIONS

1. An application by a Kirk Session for a Resident Lay Agent will be considered provided that a suitable Manse free of charge is available, and the Congregation is prepared to meet the assessment in respect of the Resident Lay Agent's salary approved by the General Assembly in the case of a) a vacant congregation unable to have a settled minister, or a link with a neighbouring charge, and b) a settled charge where simultaneous services are held in widely separated districts within the Congregational bounds. Each application shall be made on a prescribed schedule obtainable from the Clerk to the Finance & Sustentation Committee.
2. In the event of a Lay Agent being transferred from one Congregation to another, the Kirk Session of the Congregation from which he is transferred shall make fresh application, if a replacement is required.
3. Exceptional cases may be considered on their merits with regard to the interests of the Church and the state of the Funds at the disposal of the Committee.
4. Every application must be made by the Kirk Session and transmitted to the Committee through the Presbytery.

**Act VIII — Act anent Appointment of General Assessors to the  
Free Presbytery of Argyll & Lochaber**  
(No 8 of Class II)

*Edinburgh, 20<sup>th</sup> May 2008*

The General Assembly receive the Petition of the Free Presbytery of Argyll & Lochaber and grant its crave and appoint the Members of the Free Presbytery of Lochcarron General Assessors to the Free Presbytery of Argyll & Lochaber.

**Act IX — Act anent Appointment of General Assessors to the  
Free Presbytery of Caithness & Sutherland**  
(No 9 of Class II)

*Edinburgh, 20<sup>th</sup> May 2008*

The General Assembly receive the Petition of the Free Presbytery of Caithness & Sutherland and grant its crave. They appoint Rev. Daniel MacKinnon (Rtd), Rev. Robert Josey (Rtd), Rev John MacLeod, (Tarbat) and Rev. Henry J.T. Woods (Kilmorack & Strathglass) General Assessors to the Free Presbytery of Caithness & Sutherland.

**Act X — Act anent Appointment of General Assessors to the  
Free Presbytery of Edinburgh & Perth**  
(No 10 of Class II)

*Edinburgh, 20<sup>th</sup> May 2008*

The General Assembly receive the Petition of the Free Presbytery of Edinburgh & Perth and grant its



crave. They appoint Rev. William B. Scott (Rtd), Rev. Murdo A.N. MacLeod (Partick), Mr Norman Smith and Mr John A. Macpherson General Assessors to the Free Presbytery of Edinburgh & Perth.

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**Act XI — Act anent Appointment of General Assessor to the  
Free Presbytery of Glasgow**  
(No 11 of Class II)

*Edinburgh, 20<sup>th</sup> May 2008*

The General Assembly receive the Petition of the Free Presbytery of Glasgow and grant its crave. They appoint Rev. John J. Murray a General Assessor to the Free Presbytery of Glasgow.

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**Act XII — Act anent Appointment of General Assessors to the  
Free Presbytery of Inverness**  
(No 12 of Class II)

*Edinburgh, 20<sup>th</sup> May 2008*

The General Assembly receive the Petition of the Free Presbytery of Inverness and grant its crave and appoint Rev. Allan I.M. Maciver and Rev. John A. Gillies General Assessors to the Free Presbytery of Inverness.

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**Act XIII — Act anent Appointment of General Assessors to the  
Free Presbytery of Lochcarron**  
(No 13 of Class II)

*Edinburgh, 20<sup>th</sup> May 2008*

The General Assembly receive the Petition of the Free Presbytery of Lochcarron and grant its crave. They appoint Rev Allan I. M. Maciver, (Rtd), Rev. John W. Keddie (Bracadale), Mr. Alasdair Gillies (Kilmuir & Stenscholl) and Mr. Peter Macaskill (Strath), General Assessors to the Free Presbytery of Lochcarron.

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**Act XIV — Act anent Consolidation of Congregations of  
Dumbarton and Thornwood**  
(No 14 of Class II)

*Edinburgh, 20<sup>th</sup> May 2008*

The General Assembly receive the Petition of the Congregation of Dumbarton and grant its crave. They consolidate the Congregations at Dumbarton and Thornwood as one Charge to be known as Thornwood, under one Kirk Session and one Deacons' Court.

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**Act XV — Act anent Appointment of General Assessor to the  
Free Presbytery of Ross**  
(No 15 of Class II)

*Edinburgh, 21<sup>st</sup> May 2008*

The General Assembly appoint to the Free Presbytery of Ross as Assessor to serve until the General Assembly of 2009 or until such earlier time as the vacant Charge of Kiltearn be settled, Rev. Henry J.T. Woods.

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**Act XVI — Act anent Appointment of Lecturer  
in Church History & Church Principles**  
(No 16 of Class II)

*Edinburgh, 21<sup>st</sup> May 2008*

The General Assembly appoint Rev. John W. Keddie Lecturer in Church History & Church Principles.

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**Act XVII — Act anent Boundaries of Presbytery of Great Lakes & Western Canada and  
Disjunction of Congregation of Smiths Falls**  
(No 17 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2008*

The General Assembly receive the Petition from the Presbytery of Great Lakes & Western Canada and note that such Congregations and office-bearers of the Free Presbytery of Great Lakes & Western Canada as lie within the United States of America are seeking to establish in the near term an indigenous denomination organizationally distinct from the Free Church of Scotland (Continuing) but committed to the same constitutional principles in doctrine, worship and government;

The General Assembly grant the crave of the Petition and

- a. disjoin the Congregation of Smiths Falls from the Presbytery of Great Lakes and Western Canada and place it under the supervision of the Committee on Home and Foreign Missions, that Committee to act in *loco synodi*.
  - b. declare that the bounds of the Free Presbytery of Great Lakes & Western Canada are hereby altered to comprise the area known as the United States of America, the Presbytery from henceforth to be known as the Free Presbytery of the United States of America.
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**Act XVIII — Act appointing Commission of Assembly**  
(No 18 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2008*

The General Assembly did and hereby do nominate and appoint a Commission, consisting of all the members of Assembly, with the addition of the name of Mr David MacRae (Inverness), named by the Moderator:- TO BE A COMMISSION of this General Assembly, with power to the said Commission, or their quorum, which is hereby declared to be any fifteen or more of their number, whereof eight at the least are always to be Ministers, to meet and convene at Dores, the first Tuesday in October and the first Tuesday in March next to come, and oftener when and where they shall think fit and convenient, and with power to choose their own Moderator: And the General Assembly fully empower the said Commission, or their quorum above mentioned, to cognosce and finally determine, as they shall see cause, in every matter referred to them or which shall be referred to, them, by or in virtue of any Act or order of the Assembly, and to do everything contained in and conform to the instructions given or to be given by the Assembly; and to advert to the interests of the Church on every occasion, that the Church do not suffer or sustain any prejudice which they can prevent, as they will be answerable; provided always that, save as hereafter stated this general clause be not extended to particular affairs or processes before Synods or Presbyteries that are not of universal concern to, or influence upon, the whole Church. And it is hereby appointed that no private processes be determined except at the stated diets and that what shall be determined at one diet of Commission with relation to private causes, shall be unalterable by any other diet thereof and shall stand and continue in force until disapproved by the General Assembly. And further, the said Commission are hereby empowered to receive and fully dispose of applications that may be forwarded to them for raising preaching stations or suppressed charges to fully sanctioned charges, for consolidating congregations into one charge, for the appointment of Ministers overseas and Foreign Missionaries in the Mission Fields of the Church, and to receive any references

and appeals that shall be made to them from Synods in matters of doctrine, and ripen such affairs for next General Assembly and to contribute what they can to the suppression of vice and immorality, and to give all needful advice and assistance to Synods, Presbyteries and Committees of Assembly upon application to them for that end. In view of present circumstances arising out of the division of 2000, the Assembly empower the Commission to take all steps necessary and proper to be taken immediately in the interests of the Church, and such as the Assembly themselves might take, in all the questions that may arise directly therefrom or thereanent: And the Assembly hereby empower the Commission to receive and dispose of all references, complaints, and appeals arising in the Inferior Courts, which may be brought before them in accordance with the law and practice of the Church: And the Inferior Courts are hereby instructed to remit all such cases to the said meetings in due time (in accordance with the Standing Orders of the General Assembly): And in all their actings the said Commission are to proceed according to the Acts and Constitution of this Church, and to do nothing contrary thereto or to the prejudice of the same, declaring that in and for all their actings they shall be accountable to, and censurable by, the next General Assembly, as they shall see cause. And this Commission shall continue and endure until another Commission be appointed, and members are required to attend the diets of the said Commission.

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**Act XIX — Act appointing next General Assembly**  
(No 19 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2008*

The General Assembly appoint the next General Assembly of the Free Church of Scotland (Continuing) to meet in Edinburgh on Monday 18<sup>th</sup> May 2009 years at 6 o'clock in the evening.

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**Acts of the Commission of Assembly**

**Act I — Act anent Appointment of Lecturer in Hebrew & Old Testament**

*Dores, 2<sup>nd</sup> October 2007*

The Commission of Assembly appoint Rev. Allan Murray, *Minister at Brora*, Lecturer in Hebrew & Old Testament.

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**Act II — Act anent Appointment of General Assessor to the  
Free Presbytery of Lewis**

*Dores, 4<sup>th</sup> March 2008*

The Commission of Assembly receive the Petition of the Free Presbytery of Lewis and grant its crave and appoint Rev. David M. Blunt a General Assessor to the Free Presbytery of Lewis.

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# Principal Acts 2009

## List of Acts 2009

### ACTS OF THE GENERAL ASSEMBLY

CLASS I ACTS WHICH HAVE PASSED THE BARRIER ACT — NONE

CLASS II ACTS OF GENERAL INTEREST TO THE CHURCH

ACT I	Act anent Declaration of Interests
ACT II	Act anent Loyal and Dutiful Address to Her Majesty the Queen
ACT III	Act anent Equal Dividend
ACT IV	Act amending Act VI 2001 (Duties of Honorary General Treasurer)
ACT V	Act anent Special Arrangements for Shettleston
ACT VI	Act anent Appointment of Lecturer in Hebrew & Old Testament
ACT VII	Act anent Appointment of General Assessors to the Free Presbytery of Inverness
ACT VIII	Act anent Change of Name of Thornwood congregation
ACT IX	Act anent Home Mission Workers
ACT X	Act anent Training for Resident Lay Agents & Home Mission Workers
ACT XI	Act anent Disciplinary Powers of Home & Foreign Missions Committee
ACT XII	Act appointing Commission of Assembly
ACT XIII	Act appointing next General Assembly

ACTS OF COMMISSION OF ASSEMBLY — NONE

# Acts of the General Assembly 2009

## THE PRINCIPAL ACTS OF THE GENERAL ASSEMBLY OF THE FREE CHURCH OF SCOTLAND (Continuing) MAY MMIX

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### CLASS I — ACTS WHICH HAVE PASSED THE BARRIER ACT

None

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### CLASS II — ACTS WHICH ARE OF GENERAL INTEREST TO THE CHURCH

#### Act I — Act anent Declaration of Interests (No 1 of Class II)

*Edinburgh, 18<sup>th</sup> May 2009*

The General Assembly remind all Church Courts and Committees that it is the duty of any member or party having an interest or close personal relationship relating to business under consideration to disclose and declare that interest or close personal relationship, and that in most cases it would be inappropriate to be present during consideration of any business where such a declaration was made; further, the General Assembly amend Standing Order V by the inclusion of the following addendum as paragraph V.17. “That it is the duty of any member or party having an interest or close personal relationship relating to business under consideration to disclose and declare that interest or close personal relationship. Furthermore, the Moderator, Convener or Chairman shall take due cognizance of the appropriateness or otherwise of an individual or individuals having an interest or close personal relationship being present during consideration of such business and, if the member or party having an interest or close personal relationship, having been requested to withdraw do not withdraw voluntarily for the duration of consideration of the business in which he has an interest or close personal relationship, the Moderator, Convener or Chairman shall call for the appointment of a committee or sub-committee comprising all members, other than those having an interest, to deal with the business in question during a period of suspension and to report back with recommendations immediately after the suspension.”

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

*Edinburgh, 19<sup>th</sup> May 2009*

TO THE QUEEN'S MOST EXCELLENT MAJESTY  
The Loyal and Dutiful Address of the General Assembly  
of the Free Church of Scotland (Continuing)

May it please Your Majesty.

We, the Ministers and Elders of the Free Church of Scotland (Continuing) met in General Assembly this 19th day of May 2009, declare to your Majesty our sincere loyalty to your Majesty's person and throne.

It gives us continued pleasure to see your Majesty enjoying the health and strength to perform the duties of Your high position with that dignity which we have long come to associate with your Majesty. We admire the example your Majesty continues to give of dedication to duty and service to others. These are values of enduring importance in our modern society.

The past year has been one of uncertainty on the world scene. Like many other countries, our country has had to face the challenge of economic and financial upheaval. The present crisis has highlighted the futility of materialistic solutions to the world's problems. We pray that the time may soon come when the leaders of the nations will acknowledge their dependence upon Almighty God in all their concerns.

We continue to value the stability of the British constitution and the part your Majesty has played in upholding and preserving it. In particular we treasure those civil and religious freedoms, including freedom of worship, for which our country has a long and honoured tradition. We would hope that in whatever measures are taken to enhance human rights in our society a place will be found to maintain and protect those basic freedoms. We are confident that your Majesty will remain mindful of Your Coronation Oath to maintain to the utmost of Your power in the United Kingdom the Protestant Reformed Religion established by law.

We welcome our country's continued contribution to international peace, particularly in those parts of the world where this is under threat. We admire the commitment and dedication of our armed forces, both those who have now completed their duty in Iraq and those who are continuing to serve in Afghanistan. While we grieve with the families of those who have fallen in action, we pray that their sacrifice may help to restore basic freedoms to these countries and to defeat international terrorism.

We are pleased to note the increasing role being played in public affairs by the younger members of the Royal household, including the Princes William and Harry. We pray that they will be enabled to maintain the high tradition of public service which your Majesty represents. We are thankful too that his Royal Highness Prince Philip enjoys good health and continues to take an active part in public life.

May your Majesty be conscious of the gracious and upholding hand of Almighty God in all Your varied duties.

So pray your Majesty's most loyal subjects, the Ministers and Elders of the Free Church of Scotland (Continuing) in General Assembly convened.

**Act III — Act anent Equal Dividend**  
(No 3 of Class II)

*Edinburgh, 19<sup>th</sup> May 2009*

The General Assembly declare an Equal Dividend of £18,000 from 1<sup>st</sup> July 2009.

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**Act IV — Act amending Act VI 2001 (Duties of Honorary General Treasurer)**  
(No 4 of Class II)

*Edinburgh, 19<sup>th</sup> May 2009*

The General Assembly note that guidelines have been drawn up regarding the duties of the Honorary General Treasurer. The General Assembly direct that Act VI Class II 2001 be amended so as to now read as follows:

1. The position of Honorary General Treasurer will be taken by a person who is a member of the Free Church of Scotland (Continuing), and that person should preferably be a qualified accountant.
  2. The Honorary General Treasurer will be responsible for the overall financial function (including financial administration) of the Church and will have a Financial Administrator and other part time or voluntary staff with him. His duties will include the following: liaising with and serving as adviser to the Finance & Sustentation Committee; providing that Committee with Budget spreadsheets and other requested spreadsheets, and with an annual report; managing the car loan scheme, building fund loans and Legal account; overseeing OSCR returns, checking P11D's; producing and circulating circulars, including congregational accounts *pro formas* and Statistical Schedules; liaison and discussion with auditors over a wide range of issues.
  3. The Honorary General Treasurer, if he is a Minister, will be allowed three weeks' annual leave from his congregation to attend more specifically to the tasks of the Treasurer, such supply as is necessary being paid for by the Finance & Sustentation Committee.
  4. The Honorary General Treasurer will work under the authority of the Finance & Sustentation Committee and will be responsible to the General Assembly for the effective discharging of these tasks.
  5. In the event of the individual appointed not being an employee / Minister of the denomination then the appointee is to receive appropriate remuneration to be agreed at the discretion of the Finance & Sustentation Committee. In such a case the post would be that of General Treasurer.
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**Act V — Act anent Special Arrangements for Shettleston**  
(No 5 of Class II)

*Edinburgh, 19<sup>th</sup> May 2009*

The General Assembly approve that the congregation of Shettleston be placed on the Equal Dividend Platform under Special Arrangements for a period of one year.

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**Act VI — Act anent Appointment of Lecturer in Hebrew & Old Testament**  
(No 6 of Class II)

*Edinburgh, 19<sup>th</sup> May 2009*

The General Assembly appoint Rev. Gavin Beers as Lecturer in Hebrew & Old Testament.

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**Act VII — Act anent Appointment of General Assessors to the  
Free Presbytery of Inverness**  
(No 7 of Class II)

*Edinburgh, 19<sup>th</sup> May 2009*

The General Assembly appoint Rev. John A. Gillies and Rev. Allan I.M. Maciver General Assessors to the Free Presbytery of Inverness.

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**Act VIII — Act anent Change of Name of Thornwood Congregation**  
(No 10 of Class II)

*Edinburgh, 19<sup>th</sup> May 2009*

The General Assembly receive the Petition of the Congregation of Thornwood anent Change of Name of Congregation and grant its crave. They ordain that the Congregation hitherto known as Thornwood be known henceforth as Knightswood.

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**Act IX — Act anent Home Mission Workers**  
(No 8 of Class II)

*Edinburgh, 20<sup>th</sup> May 2009*

1. The General Assembly, noting the success of the current Home Mission Worker scheme and that there is potential to include additional Home Mission Workers, approve and enact the revised legislation detailed in the Regulations as set out in Appendix 1 governing the appointment and employment of Home Mission Workers;
2. The General Assembly direct the Home & Foreign Missions Committee to seek the permission of the General Assembly before proceeding to make any appointment as a Home Mission Worker; in the event of the Committee not having proceeded to any such specifically-authorized appointment within two years from permission being granted, application must be made to the General Assembly for renewal of permission to appoint a Home Mission Worker to that position;
3. The General Assembly ordain that each Home Mission Appointment will be for an initial period of three years, but will be open to reappointment on Application to the General Assembly;
4. In the event of appointments being made the Committee shall request a relevant Presbytery to formally commission a person appointed to the work of a Home Mission Worker;
5. The General Assembly hereby repeal Act XIII, 2003 and Act XIII 2007.

APPENDIX 1  
REGULATIONS GOVERNING APPOINTMENT AND EMPLOYMENT  
OF HOME MISSION WORKERS

1. A Home Mission Worker is appointed by the Home & Foreign Missions Committee to engage in outreach activity under the direction of the Committee who will allocate his respective sphere of operation.
2. A Home Mission Worker, with the express authorisation of the relevant Presbytery, will target areas of opportunity and need in his allotted area and liaise with local Ministers and Interim Moderators in the fulfilment of his duties.
3. A Home Mission Worker will be available to assist in local congregational Missions where required.
4. In fulfilling his remit as a colporteur a Home Mission Worker will have to hand a stock of Bibles, tracts and books approved by the Committee. To this end the Home & Foreign Missions Committee will identify, annually, a proportion of their budget to be used for literature.



5. A Home Mission Worker will submit a report to each stated meeting of the Home & Foreign Missions Committee on his activities.
6. Ordinarily, no person shall be employed as a Home Mission Worker in the Free Church of Scotland (Continuing) who has not been a communicant member in the Free Church of Scotland (Continuing) for a period of two years.
7. Application for recognition as a Home Mission Worker shall be made on a prescribed form through the Kirk Session and Presbytery to the Home & Foreign Missions Committee who shall interview each applicant before engaging him as a Home Mission Worker.
8. A Home Mission Worker shall be required to subscribe without reservation to the doctrines of the Free Church of Scotland as expressed in the Questions and Formula put to office-bearers on their admission to office and must first sign the Formula before being engaged as a Home Mission Worker. This will be done under the supervision of the Home & Foreign Missions Committee.
9. All appointments shall be provisional for the first year.
10. Appointment as a Home Mission Worker does not, of itself, entitle the Home Mission Worker to a seat in a Presbytery.
11. A Home Mission Worker is entitled to the statutory notice of termination of contract. Termination can only be determined by the Committee. A Home Mission Worker must give statutory notice of termination of contract.
12. Ordinarily, the Committee shall provide the Home Mission Worker with a house free of charge and will be responsible for appropriate and equitable arrangements to be made for the provision of suitable transport.
13. A Home Mission Worker shall only be permitted to engage in other employment provided, and as long as, the Committee are satisfied that such employment will in no way hinder or conflict with the discharge of the duties he is expected to undertake in his capacity as a Home Mission Worker.
14. A Home Mission Worker may be transferred from one sphere of work to another at the Committee's discretion; the Committee shall meet removal expenses from one sphere to another.
15. A Home Mission Worker shall receive a salary equivalent to 85% of the Equal Dividend in any one year (75% for a single Man). Should he take up other employment, as permitted in paragraph 13, he must immediately inform the Committee, and, if necessary, an appropriate adjustment in salary shall be made.
16. Holiday entitlement for a Home Mission Worker accrues from month to month. Holiday leave shall not exceed 42 days of which only 6 may be Sabbaths, in any one particular year. Any one holiday period shall not exceed 28 successive days without the Home Mission Worker informing the Committee of his proposed arrangements. All holiday entitlement shall be taken up before 31st December or extended to 28th February of the following year with the agreement of the Committee.
17. If a Home Mission Worker is unfit through illness, he shall follow the same procedure as is set out in Act IV. Class II, 1994, Sections 1.1-1.9 (Act anent Leave of Absence).
18. If a Home Mission Worker's absence from duty shall extend beyond four successive weeks, the same procedure shall be followed as is set out in Act IV. Class II, 1994, Sections 1.1-1.9.
19. If a Home Mission Worker shall continue unfit for duty by reason of illness for more than twelve months, the same procedure shall be followed as is set out in Act IV. Class II, 1994, Sections 1.1 – 1.9.
20. The Committee shall be responsible for the Home Mission Worker's salary, and the costs of Pension and Death in Service benefit.
21. Pension will be provided in conformity with the Church's Pension Scheme.
22. The above Regulations will take effect from the close of the 2009 Assembly with respect to all Home Mission Workers currently engaged by the Committee, as well as to those who may be engaged in the future.

**Act X — Act anent Training for Resident Lay Agents and Home Mission Workers**  
(No 9 of Class II)

*Edinburgh, 20<sup>th</sup> May 2009*

The General Assembly approve of a program of training for Resident Lay Agents and Home Mission Workers and ordain as follows:

Training for Resident Lay Agents and Home Mission Workers

1. The program of training will be called ‘The Resident Lay Agents and Home Mission Workers’ Training Program’.
2. The Program will be administered by the Training of the Ministry & Admissions Committee, the clerk of the Committee to keep a record of those on the Program and, in consultation with the Presbytery and the Seminary, report progress each year to the Committee.
3. When a Presbytery considers an application for a Resident Lay Agent or Home Mission Worker, it must give consideration to the further training of the candidate.
4. The candidate should, as a matter of course, be required by Presbytery to undertake the Training Program. Those exempted should be the exception rather than the rule, and should be exempted solely on the grounds of a demonstrable lack of academic capability or age.
5. The Presbytery must make application on behalf of the candidate for a place on the Program to the Training of the Ministry & Admissions Committee not later than 30th June in the year in which the candidate intends commencing studies.
6. The course should begin in the first year with at least ONE of the following subjects, the choice of subject being left to the candidate himself in conjunction with his Presbytery who should give all assistance in helping identify a suitable subject for him.

*New Testament Greek*

*Old Testament Studies (language exemption)*

*History I*

*History II*

*Systematic Theology I*

*Apologetics and Preaching*

If the Presbytery considers that a modified course of study is more appropriate, the Presbytery will inform the Training of the Ministry & Admissions Committee who will, in consultation with the Seminary, arrange a modified course as appropriate.

7. The candidate will be expected as his capabilities admit to complete various discourses and essays associated with the course and have them sustained by the lecturer concerned. He will be expected to attend all the lectures associated with the course, and will be expected to pass the exit exams where possible. However, the lecturer should tailor the course, and the pace at which the candidate progresses through the course, to suit the capabilities of the person involved.
  8. If the Presbytery consider that a candidate could progress to complete the Seminary course within the Program then he should be encouraged to do so. Otherwise, the candidate can complete what he is able to do and be issued with a Certificate to indicate his level of achievement. His continued work as a Resident Lay Agent or Home Mission Worker will not be affected.
  9. Presbyteries are reminded that they have the duty to encourage all candidates, particularly younger men, to seek the full-time educated ministry first rather than the post of Resident Lay Agent or Home Mission Worker. Presbyteries also have the responsibility to ensure that all who are involved in the work of the Gospel within their bounds are suitably qualified for the work undertaken.
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**Act XI — Act anent Disciplinary Powers of Home & Foreign Missions Committee**  
(No 11 of Class II)

*Edinburgh, 21<sup>st</sup> May 2009*

1. The General Assembly recognise the historic role of the Home & Foreign Missions Committee and their predecessors acting *in loco synodi* in dealing with problems which arise furth of Scotland, particularly as it relates to the exercise of discipline. They direct the Committee that in carrying out their remit thereanent the following shall apply:
  - a. Reserving the rights of parties, the Committee are empowered to originate and prosecute before the Courts of the Church processes against any Ministers under their direct jurisdiction for heresy or immorality, and to make enquiries for that purpose;
  - b. The Committee shall have powers of citation in carrying out this task. If a party do not appear after a thrice repeated citation, the Committee shall report this to the relevant Church Court;
  - c. In order to preserve the right of appeal to the General Assembly, the General Assembly appoint that any libel framed by the Home & Foreign Missions Committee against any minister under the jurisdiction of the said Committee be prosecuted before a Special Commission which shall perform the functions of the court of first instance for the specific purposes of hearing and disposing of processes for heresy and immorality brought against any Minister under the direct jurisdiction of the said Committee. The Special Commission shall comprise all the serving Moderators and Clerks of each Scottish Presbytery of the Church;
2. The General Assembly direct the Home & Foreign Missions Committee that in dealing with appeals, complaints or references from inferior Courts, the Committee shall give all needful help in seeking to remedy the situation, and if no remedy can be found, shall ripen the matter for the consideration of the General Assembly itself;
3. The General Assembly direct the Strategy Committee to consider the most suitable arrangements for the pastoral oversight of those Congregations and Ministers furth of Scotland and outwith the bounds of a Presbytery and report to the General Assembly of 2010.

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**Act XII — Act appointing Commission of Assembly**  
(No 12 of Class II)

*Edinburgh, 21<sup>st</sup> May 2009*

The General Assembly did and hereby do nominate and appoint a Commission, consisting of all the members of Assembly, with the addition of the name of Rev. Ronald MacKenzie, named by the Moderator:- TO BE A COMMISSION of this General Assembly, with power to the said Commission, or their quorum, which is hereby declared to be any fifteen or more of their number, whereof eight at the least are always to be Ministers, to meet and convene at Dores, the first Tuesday in October and the first Tuesday in March next to come, and oftener when and where they shall think fit and convenient, and with power to choose their own Moderator: And the General Assembly fully empower the said Commission, or their quorum above mentioned, to cognosce and finally determine, as they shall see cause, in every matter referred to them or which shall be referred to, them, by or in virtue of any Act or order of the Assembly, and to do everything contained in and conform to the instructions given or to be given by the Assembly; and to advert to the interests of the Church on every occasion, that the Church do not suffer or sustain any prejudice which they can prevent, as they will be answerable; provided always that, save as hereafter stated this general clause be not extended to particular affairs or processes before Synods or Presbyteries that are not of universal concern to, or influence upon, the whole Church. And it is hereby appointed that no private processes be determined except at the stated diets and that what shall be determined at one diet of Commission with relation to private causes, shall be unalterable by any other diet thereof and shall stand and continue in force until disapproved by the General Assembly. And further, the said Commission are hereby empowered to receive and fully dispose of applications that may be forwarded to them for raising preaching stations or suppressed charges to fully

sanctioned charges, for consolidating congregations into one charge, for the appointment of Ministers overseas and Foreign Missionaries in the Mission Fields of the Church, and to receive any references and appeals that shall be made to them from Synods in matters of doctrine, and ripen such affairs for next General Assembly and to contribute what they can to the suppression of vice and immorality, and to give all needful advice and assistance to Synods, Presbyteries and Committees of Assembly upon application to them for that end. In view of present circumstances arising out of the division of 2000, the Assembly empower the Commission to take all steps necessary and proper to be taken immediately in the interests of the Church, and such as the Assembly themselves might take, in all the questions that may arise directly therefrom or thereanent: And the Assembly hereby empower the Commission to receive and dispose of all references, complaints, and appeals arising in the Inferior Courts, which may be brought before them in accordance with the law and practice of the Church: And the Inferior Courts are hereby instructed to remit all such cases to the said meetings in due time (in accordance with the Standing Orders of the General Assembly): And in all their actings the said Commission are to proceed according to the Acts and Constitution of this Church, and to do nothing contrary thereto or to the prejudice of the same, declaring that in and for all their actings they shall be accountable to, and censurable by, the next General Assembly, as they shall see cause. And this Commission shall continue and endure until another Commission be appointed, and members are required to attend the diets of the said Commission.

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**Act XIII — Act appointing next General Assembly**  
(No 13 of Class II)

*Edinburgh, 21<sup>st</sup> May 2009*

The General Assembly appoint the next General Assembly of the Free Church of Scotland (Continuing) to meet in Edinburgh on Monday 17<sup>th</sup> May 2010 years at 6 o'clock in the evening.

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**Acts of the Commission of Assembly**

None

# Principal Acts 2010

## List of Acts 2010

### ACTS OF THE GENERAL ASSEMBLY

CLASS I ACTS WHICH HAVE PASSED THE BARRIER ACT — NONE

CLASS II ACTS OF GENERAL INTEREST TO THE CHURCH

ACT I Act anent Loyal and Dutiful address to HM the Queen

ACT II Act anent Appointment of General Treasurer

ACT III Act anent Equal Dividend

ACT IV Act anent Special Arrangements for Shettleston

ACT V Act anent Appointment of General Assessors to Presbytery of Inverness

ACT VI Act anent Consolidation of Congregation of Lochalsh & Glenshiel with Congregation of Glenelg & Arnisdale

ACT VII Act anent Linkage of Congregation of Strath with new Consolidated Congregation of Lochalsh

ACT VIII Act anent Change of Date of Ordinary Meeting of Free Western Synod

ACT IX Act anent Distance Learning

ACT X Act anent Abolition of Age Restriction on Trustees

ACT XI Act anent Circulation of Assembly Findings

ACT XII Act anent Procedures in Translations

ACT XIII Act appointing Commission of Assembly

ACT XIV Act appointing next General Assembly

ACTS OF COMMISSION OF ASSEMBLY — NONE

**Acts of the General Assembly 2010**  
THE PRINCIPAL  
**ACTS**  
OF THE  
**GENERAL ASSEMBLY OF THE FREE CHURCH**  
**OF SCOTLAND (Continuing)**  
MAY MMX

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

None

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

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

*Edinburgh, 18<sup>th</sup> May 2010*

TO THE QUEEN'S MOST EXCELLENT MAJESTY  
The Loyal and Dutiful Address of the General Assembly  
of the Free Church of Scotland (Continuing)

May it please Your Majesty.

We, the Ministers and Elders of the Free Church of Scotland (Continuing) met in General Assembly this 18th day of May in the year of our Lord 2010, humbly desire to express, again, our sincere and unfeigned loyalty to Your Majesty's person and throne.

We give thanks to God that you have been preserved and sustained in body and soul to carry out all your arduous appointments with your accustomed dignity, dedication and charm. May you continue to be upheld by the prayers of your Christian people and by a personal faith in our only Lord and Saviour Jesus Christ.

We follow with admiration, the dedicated service of Your Majesty's forces in their dangerous operations in Afghanistan, to aid that people towards peaceable and just government. We pray their sacrifices are not in vain and extend our condolences to wives and families of those who have lost their lives in defence of Queen and Country. We are very supportive of representatives of the Soldiers' and Airmen's Scripture Readers Association who present the whole Gospel to our fighting men when they need it most. We also commend those organisations seeking to relieve the distresses of those suffering post-combat stress.

We are mindful at this time of the state of our nation as it emerges from the turmoil of a General Election and its aftermath. It is our prayer that God will endow Your Majesty's Government with the wisdom and courage necessary to address the problems of the nation in a manner honouring to Him and for the good of all our people.

We are delighted that you still honour Scotland with your annual residence in Balmoral where you find an honoured place among us Presbyterian worshippers. Your Majesty is rightly seen as the guardian of the freedoms, both civil and religious, which we have long enjoyed under the British constitution. Here in Scotland we especially value the freedoms gained for our country by the Reformation in the sixteenth century. It is a sense of the preciousness of these freedoms that constrains us, with all respect, to convey to your Majesty our regret that an invitation should have been extended to the Pope of Rome to visit the United Kingdom this year and to do so at a time when the 450th anniversary of the Scottish Reformation is being marked in our country. We cannot forget the cost at which our liberties were purchased and we fear that in officially welcoming the Pope to these shores our nation is compromising the noble heritage left in trust to us by our Reformation fathers. We make these comments with genuine sorrow but out of a sense of our loyalty to the British constitution and recalling the connection which has long subsisted between the Monarchy and the Protestant religion. This connection was, we believe, reflected in Your Majesty's Coronation Oath to maintain to the utmost of your power in the United Kingdom the Protestant Reformed Religion established by law.

We are encouraged by your continued role as Head of the Commonwealth. We sent delegates this year to the International Conference of Reformed Churches in Christchurch, New Zealand and another to represent us on the Board of Covenant College Zambia. We also have congregations in Australia and Canada. In all these places we find your loyal subjects prospering under your gracious sovereignty. May it long continue through God's grace and favour under our supreme Sovereign and only Saviour, Jesus Christ, the Son of God.

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

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**Act II — Act anent Appointment of General Treasurer**  
(No 2 of Class II)

*Edinburgh, 18<sup>th</sup> May 2010*

The General Assembly thank the Most High for His provision of a new General Treasurer in the person of Mr Angus Macmillan. The General Assembly appoint Mr Angus Macmillan, 46a Newmarket, Stornoway, Isle of Lewis, HS2 ODU, as General Treasurer from the rising of the General Assembly.

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**Act III — Act anent Equal Dividend**  
(No 3 of Class II)

*Edinburgh, 18<sup>th</sup> May 2010*

The General Assembly declare an Equal Dividend of £18,000 from 1<sup>st</sup> July 2010.

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**Act IV — Act anent Special Arrangements for Shettleston**  
(No 4 of Class II)

*Edinburgh, 18<sup>th</sup> May 2010*

The General Assembly approve that the Congregation of Shettleston be placed on the Equal Dividend Platform under Special Arrangements for a further period of five years.

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**Act V — Act anent Appointment of General Assessors to the  
Free Presbytery of Inverness**  
(No 5 of Class II)

*Edinburgh, 18<sup>th</sup> May 2010*

The General Assembly receive the Petition of the Free Presbytery of Inverness and grant its crave and appoint Rev. John Angus Gillies and Rev. Allan I.M. Maciver, Assessors to the Free Presbytery of Inverness for the ecclesiastical year ending with the meeting of the General Assembly in May 2011.

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**Act VI — Act anent Consolidation of Congregation of Lochalsh & Glenshiel  
with Congregation of Glenelg & Arnisdale**  
(No 6 of Class II)

*Edinburgh, 18<sup>th</sup> May 2010*

The General Assembly receive the Petition of the Free Presbytery of Skye & Lochcarron and grant its crave and consolidate the Congregations of Lochalsh & Glenshiel and Glenelg & Arnisdale with one Kirk Session and one Finance Committee, the Congregation to be known henceforth as Lochalsh.

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**Act VII — Act anent Act anent Linkage of Congregation of Strath with  
New Consolidated Congregation of Lochalsh**  
(No 7 of Class II)

*Edinburgh, 18<sup>th</sup> May 2010*

The General Assembly receive the Petition of the Free Presbytery of Skye & Lochcarron and grant its crave and link the Congregation of Strath with the consolidated Congregation of Lochalsh with two Kirk Sessions and two Deacons' Courts, the linked charge to be known henceforth as Lochalsh & Strath.

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**Act VIII — Act anent Change of Date of Ordinary Meeting of Free Western Synod**  
(No 8 of Class II)

*Edinburgh, 18<sup>th</sup> May 2010*

The General Assembly receive the Petition of the Free Western Synod and grant its crave and ordain that the statutory date of the ordinary meeting of the Free Western Synod be changed from the third Tuesday in March to the fourth Tuesday in March.

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**Act IX — Act anent Distance Learning**  
(No 9 of Class II)

*Edinburgh, 20<sup>th</sup> May 2010*

The General Assembly permit Candidates for the Ministry of the Church resident in the USA to



prosecute their studies by means of distance learning, and instruct the Committee, the Presbytery and the Seminary to make all necessary arrangements thereanent.

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**Act X — Act anent Abolition of Age Restriction on Trustees**  
(No 10 of Class II)

*Edinburgh, 20<sup>th</sup> May 2010*

The General Assembly enact that there shall be no restriction on individuals over the age of 70 serving as a Trustee. They amend Act II, 1979 by removing from paragraph 5 the words “provided always that Trustees appointed after the close of 1979 General Assembly be required to retire on attaining the age of 70 years.”

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**Act XI — Act anent Circulation of Assembly Findings**  
(No 11 of Class II)

*Edinburgh, 20<sup>th</sup> May 2010*

1. The Assembly direct that in place of Assembly Extracts of a general nature being sent out to all congregations, a brief digest of the findings of Assembly, insofar as they bear upon local congregations, be produced for general distribution soon after the Assembly, such digest to be generally brief enough to be contained on one side of an A4 sheet, expressed in straightforward non-technical language and presented in a form in which it will be physically easy to read.
2. The Assembly also direct that an electronic copy of the Acts and Proceedings of Assembly be made available soon after the Assembly for download by all Courts and Committees.

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**Act XII — Act appointing Procedures in Translations**  
(No 12 of Class II)

*Edinburgh, 20<sup>th</sup> May 2010*

1. The General Assembly bring to the attention of all Presbyteries the terms of Act VI (Class 1) 1849 which states inter alia, “II. Immediately after the parties in a case of translation have been heard at the bar of any Presbytery, the Minister whom it is proposed to translate shall be asked if he has any statement to make. III. When parties have been heard, and an opportunity given to the Minister of declaring his views.....”;
2. The General Assembly strongly advise all Presbyteries to proceed with caution when questioning Ministers under Call, remembering that the final decision arrived at in respect of the Call may be adverse to the translation. It is particularly advised that a simple opportunity be given to the Minister concerned to make a statement of his views if he so desires;
3. The General Assembly advise Ministers under Call to exercise caution when given opportunity to make a statement regarding their views on the Call so as to avoid any difficulties should the decision reached be adverse to the translation. It must be understood that the Minister is under no obligation to definitively state his mind on it in such a way as to compromise his position in his present charge;
4. The General Assembly advise Presbyteries that, as a general rule, it would not seem appropriate for a minister under Call to be present while the Call is being deliberated upon by the Presbytery.

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**Act XIII — Act appointing Commission of Assembly**  
(No 13 of Class II)

*Edinburgh, 20<sup>th</sup> May 2010*

The General Assembly did and hereby do nominate and appoint a Commission, consisting of all the members of Assembly, with the addition of the name of Mr Ewan Wilson, named by the Moderator:- TO

BE A COMMISSION of this General Assembly, with power to the said Commission, or their quorum, which is hereby declared to be any fifteen or more of their number, whereof eight at the least are always to be Ministers, to meet and convene at Dores, the first Tuesday in October and the first Tuesday in March next to come, and oftener when and where they shall think fit and convenient, and with power to choose their own Moderator: And the General Assembly fully empower the said Commission, or their quorum above mentioned, to cognosce and finally determine, as they shall see cause, in every matter referred to them or which shall be referred to, them, by or in virtue of any Act or order of the Assembly, and to do everything contained in and conform to the instructions given or to be given by the Assembly; and to advert to the interests of the Church on every occasion, that the Church do not suffer or sustain any prejudice which they can prevent, as they will be answerable; provided always that, save as hereafter stated this general clause be not extended to particular affairs or processes before Synods or Presbyteries that are not of universal concern to, or influence upon, the whole Church. And it is hereby appointed that no private processes be determined except at the stated diets and that what shall be determined at one diet of Commission with relation to private causes, shall be unalterable by any other diet thereof and shall stand and continue in force until disapproved by the General Assembly. And further, the said Commission are hereby empowered to receive and fully dispose of applications that may be forwarded to them for raising preaching stations or suppressed charges to fully sanctioned charges, for consolidating congregations into one charge, for the appointment of Ministers overseas and Foreign Missionaries in the Mission Fields of the Church, and to receive any references and appeals that shall be made to them from Synods in matters of doctrine, and ripen such affairs for next General Assembly and to contribute what they can to the suppression of vice and immorality, and to give all needful advice and assistance to Synods, Presbyteries and Committees of Assembly upon application to them for that end. In view of present circumstances arising out of the division of 2000, the Assembly empower the Commission to take all steps necessary and proper to be taken immediately in the interests of the Church, and such as the Assembly themselves might take, in all the questions that may arise directly therefrom or thereanent: And the Assembly hereby empower the Commission to receive and dispose of all references, complaints, and appeals arising in the Inferior Courts, which may be brought before them in accordance with the law and practice of the Church: And the Inferior Courts are hereby instructed to remit all such cases to the said meetings in due time (in accordance with the Standing Orders of the General Assembly): And in all their actings the said Commission are to proceed according to the Acts and Constitution of this Church, and to do nothing contrary thereto or to the prejudice of the same, declaring that in and for all their actings they shall be accountable to, and censurable by, the next General Assembly, as they shall see cause. And this Commission shall continue and endure until another Commission be appointed, and members are required to attend the diets of the said Commission.

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**Act XIV — Act appointing next General Assembly**  
(No 14 of Class II)

*Edinburgh, 20<sup>th</sup> May 2010*

The General Assembly appoint the next General Assembly of the Free Church of Scotland (Continuing) to meet in Edinburgh on Monday 23<sup>rd</sup> May 2011 years at 6 o'clock in the evening.

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**Acts of the Commission of Assembly**

None

# Principal Acts 2011

## List of Acts 2011

### ACTS OF THE GENERAL ASSEMBLY

CLASS I ACTS WHICH HAVE PASSED THE BARRIER ACT — NONE

CLASS II ACTS OF GENERAL INTEREST TO THE CHURCH

ACT I	Act anent Loyal and Dutiful Address to HM the Queen
ACT II	Act anent Appointment of Auditors
ACT III	Act anent Equal Dividend
ACT IV	Act anent Special Arrangements for Ayr
ACT V	Act anent Special Arrangements for Lochalsh & Strath'
ACT VI	Act anent Supply Fees and Expenses
ACT VII	Act anent Cessation of Salary Abatement
ACT VIII	Act anent appointment of Assessors to Presbytery of Inverness
ACT IX	Act anent Purity of Worship
ACT X	Act anent Student Loans
ACT XI	Act anent Admission of Rev. Ian R. Budgen
ACT XII	Act anent Missionary Endeavour in Sri Lanka
ACT XIII	Act anent Conference Calls
ACT XIV	Act anent Deposition of Rev. James Frew
ACT XV	Act appointing Commission of Assembly
ACT XVI	Act appointing next General Assembly

### ACTS OF COMMISSION OF ASSEMBLY

ACT I Act anent Legal Fund

# Acts of the General Assembly 2011

## THE PRINCIPAL ACTS OF THE GENERAL ASSEMBLY OF THE FREE CHURCH OF SCOTLAND (Continuing) MAY MMXI

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### CLASS I — ACTS WHICH HAVE PASSED THE BARRIER ACT

None

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### CLASS II — ACTS WHICH ARE OF GENERAL INTEREST TO THE CHURCH

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

*Edinburgh, 24<sup>th</sup> May 2011*

TO THE QUEEN'S MOST EXCELLENT MAJESTY  
The Loyal and Dutiful Address of the General Assembly  
of the Free Church of Scotland (Continuing)

May it please Your Majesty.

We, the Ministers and Elders of the Free Church of Scotland (Continuing) met in General Assembly this 24<sup>th</sup> day of May 2011, humbly desire to express to your Majesty our continuing loyalty to your Majesty's person and throne.

We rejoice that, in the providence of God, your Majesty continues to enjoy the health and strength required to undertake the duties which fall to your lot as Head of State and Head of the Commonwealth. Your visits to other countries, and the presence here of visiting Heads of State have, we know, done much to promote our nation's interests internationally and to propagate those values which have been fundamental to the British way of life. We pray particularly that your Majesty's recent visit to the Republic of Ireland may be a means not only of normalising relations with that country but of creating a society on both sides of the border which is free from the shadow of violence and where the will of the majority in the North to remain part of the United Kingdom is recognised.

At a time of unrest and turmoil in many parts of the world we continue to value the stability of the British constitution, firmly grounded as it is in our Christian heritage. We give thanks that, over the centuries, there has been a strong recognition by the Monarchy of the importance of the Christian faith in our national life. It was one of your Majesty's predecessors, King James the Sixth of Scotland and First

of England, who commissioned the Authorised or King James Version of the Bible, which was published four hundred years ago this year. We were glad to hear your Majesty acknowledge, in Your annual broadcast to the nation and Commonwealth, the debt which we owe to this version of the Word of God. We recall that it was this Bible which was used in former times, here in Scotland, by many noble martyrs for their faith and which was taken overseas by missionaries to many far-flung parts of the British dominions. It has been held dear by generations of our own people and continues to be used in our churches.

As citizens of a nation which has been built upon Christian principles we value our freedom to proclaim the Christian message and for Christians to express their beliefs in public without fear of the consequences. These freedoms were dearly bought, and while we disavow anything which savours of hatred or extremism, we nevertheless expect that in setting forth Christian values the Church can look to the protection of the state. The mutual inter-dependence of church and state was a basic principle of the Scottish Reformation, the 450<sup>th</sup> anniversary of which we celebrated last year. We remain mindful of your Majesty's Coronation Oath to maintain, to the utmost of Your power in the United Kingdom, the Protestant Reformed Religion established by law.

We continue to remember the dangers faced by your Majesty's forces in places of conflict throughout the world and the vital part they play in helping to defeat international terrorism and to bring peace to troubled lands. We greatly admire their bravery and devotion to duty and we pray that in God's Providence they may be preserved from harm and may come to know for themselves the God of peace. We pray their sacrifices are not in vain and extend our condolences to spouses and families of those who have lost their lives in defence of Queen and Country. We appreciate your Majesty's continuing patronage of the excellent work of the Soldiers' and Airmen's Scripture Readers Association.

In these uncertain times we believe that the Monarchy continues to be a unifying and stabilising force in the life of the nation. While we are thankful for the continued good health granted to your Majesty we are pleased to see the rising generation of Your family taking an increasing share of the duties of State. With all your Majesty's faithful subjects we rejoiced in the recent marriage of His Royal Highness Prince William, Earl of Strathearn, and we pray that he and his bride may know the blessing of God in their life together. May that blessing also rest upon your Majesty, his Royal Highness the Duke of Edinburgh, and all other members of the Royal Household.

So pray your Majesty's most loyal subjects, the Ministers and Elders of the Free Church of Scotland (Continuing) in General Assembly convened.

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**Act II — Act anent Appointment of Auditors**  
(No 2 of Class II)

*Edinburgh, 24<sup>th</sup> May 2011*

The General Assembly appoint C.I.B. Audit, 63 Kenneth Street, Stornoway, Isle of Lewis, HS1 2DS, as the Church's auditors for the forthcoming year.

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**Act III — Act anent Equal Dividend**  
(No 3 of Class II)

*Edinburgh, 24<sup>th</sup> May 2011*

The General Assembly declare an Equal Dividend of £18,000 from 1<sup>st</sup> July 2011.

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**Act IV — Act anent Special Arrangements for Ayr**  
(No 4 of Class II)

*Edinburgh, 24<sup>th</sup> May 2011*

The General Assembly approve that the Congregation of Ayr be placed on the Equal Dividend Platform under Special Arrangements for a further period of five years.

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**Act V — Act anent Special Arrangements for Lochalsh & Strath**  
(No 5 of Class II)

*Edinburgh, 24<sup>th</sup> May 2011*

The General Assembly approve that the Congregation of Lochalsh & Strath be placed on the Equal Dividend Platform under Special Arrangements for a period of five years from the time of a settlement.

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**Act VI — Act anent Supply Fees and Expenses**  
(No 6 of Class II)

*Edinburgh, 24<sup>th</sup> May 2011*

The General Assembly approve the following Supply Fees and Expenses:

1. The following scale of preaching fees will be effective from 1st July 2011:
    - Resident supply by Students and Probationers:
      - Single men at the rate of £120 per week
      - Married men without children at the rate of £140 per week
      - Married men with children at the rate of £140 per week plus £28 for each child, up to an overall total of £250 per family, including amounts for children.
    - Resident supply by Retired Ministers:
      - Single men at the rate of £60 per week
      - Married men at the rate of £90 per week
    - Other preaching supply:
      - At the rate of £28 per service, up to a maximum of £55 per Lord's day.
      - This is not applicable to ministers in charges and in receipt of full stipends.
  2. Additional Expenses may be claimed in the performance of the duties involved as follows:
    - Motor car mileage at 32p per mile without distance restriction
    - Costs of public transport, including ferry costs, trains or buses
    - Bridge tolls and any other out-of-pocket expenses (supported by relevant receipts where possible)
    - Resident supply fees and expenses, when arranged by the Sustentation and Supply Committee, will be calculated and paid for by the Committee and charged to the congregation requesting the resident supply arrangement, unless that congregation is not a fully sanctioned charge.
  3. Supply preachers should use the most economical mode of transport readily available to and from the congregation supplied.
  4. Supply preachers supplying on the Lord's day should avoid travel by public transport on the Lord's day. In cases where public transport is used to fulfil an engagement in a congregation accommodation should be arranged in the local congregation from the Saturday to the Monday.
  5. The General Assembly repeal Act VI (Class II) 2008 anent Supply Fees and Expenses.
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**Act VII — Act anent Cessation of Salary Abatement**  
(No 7 of Class II)

*Edinburgh, 24<sup>th</sup> May 2011*

The General Assembly repeal Act VII (Class II) 1994 Paragraph 1 and direct that all salary abatement for ministers in receipt of a pension from the Free Church Pension Fund shall cease as from 1<sup>st</sup> June 2011.

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**Act VIII — Act anent Appointment of General Assessors to the  
Free Presbytery of Inverness**

(No 8 of Class II)

*Edinburgh, 24<sup>th</sup> May 2011*

The General Assembly receive the Petition of the Free Presbytery of Inverness and grant its crave and appoint Rev. John Angus Gillies and Rev Allan I.M. Maciver, Assessors to the Free Presbytery of Inverness until the meeting of the next General Assembly.

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**Act IX — Act anent Purity of Worship**  
(No 9 of Class II)

*Edinburgh, 24<sup>th</sup> May 2011*

The General Assembly re-affirm the commitment of this Church to purity of worship as set forth in Act V 1905 and Act I 1910 (Acts anent Public Worship) and Act V 1932 (Act anent Requirements at Ordinations and Inductions). In particular the General Assembly affirm that the present practice of this Church in the exclusive use of inspired materials of praise and avoidance of instrumental music in the public worship of God is consistent with Scripture and the Standards of this Church, as well as being authentically ecumenical and providing historical continuity with the Church in all ages; and they pray that in a day of increasing will-worship many will return to the simplicity of God-ordained worship and praise. .

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**Act X — Act anent Student Loans**  
(No 10 of Class II)

*Edinburgh, 25<sup>th</sup> May 2011*

The General Assembly approve the recommendations of the Committee regarding all future student loans approved by the Committee in the following terms:-

1. All Candidates for the Ministry of the Free Church of Scotland (Continuing) will be eligible to apply for a church loan;
2. Church loans will be awarded by the Training of the Ministry & Admissions Committee upon application by a qualifying student, and will be confirmed in writing by the Clerk of the Committee;
3. Church loans will continue to be in line with the amounts set out annually by the Student Awards Agency for Scotland;
4. The Candidate will be required to pay back 9% of any stipend in excess of £15,000 each year, or whatever % and income limit as may be set from time to time by the Student Awards Agency for Scotland;
5. Repayments will take account of any previous loans to be repaid to the Student Awards Agency for Scotland so as not to exceed the 9% upper limit;
6. Oversight of the repayment of any loan will be the responsibility of the Finance & Sustentation Committee who will arrange for the sum to be deducted from the monthly Stipend;

7. Repayments will begin in the April immediately following issue of a Completion Certificate by the Training of the Ministry Committee;
8. Loans still outstanding will be written-off at age 65;
9. Notwithstanding all the above, all loans will be given according to the criteria set out from time to time by the Student Awards Agency for Scotland;
10. All qualifying Candidates will still be able to apply for a non-repayable "Dependants Grant".

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**Act XI — Act anent Admission of Rev. Ian R. Budgen**  
(No 11 of Class II)

*Edinburgh, 25<sup>th</sup> May 2011*

The General Assembly receive the application from Rev. Ian Robert Budgen and admit him an ordained Minister of the Free Church of Scotland (Continuing) with effect from his signing the Formula, to be arranged by the Free Southern Presbytery, and his name to be placed on the Roll of Ministers not eligible for a Call; Mr Budgen to complete a two year course of study at the Free Church Seminary in accordance with the directions of the Training of the Ministry & Admissions Committee, and on the issue of a Completion Certificate his name to be transferred to the Register of Ministers without Charge.

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**Act XII — Act anent Missionary Endeavour in Sri Lanka**  
(No 12 of Class II)

*Edinburgh, 25<sup>th</sup> May 2011*

The General Assembly give thanks for the contacts that have developed in Sri Lanka which have enabled both students from Sri Lanka to receive training and Ministers from within the Church to assist in that land; they encourage the Committee to continue to monitor developments thereanent and should an opening arise for the beginning of missionary endeavour in Sri Lanka, they hereby authorise the Committee to take such steps, not excluding the possibility of induction of a suitable minister or probationer to the work. If such a man is inducted to the work they instruct the Home & Foreign Missions Committee, in consultation with other Committees, to consider the possibility of allocating £6000 per annum for his support for a period of three years on the understanding that the situation will be reviewed at the end of the three years.

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**Act XIII — Act anent Conference Calls**  
(No 13 of Class II)

*Edinburgh, 26<sup>th</sup> May 2011*

The General Assembly enact that henceforth

1. It shall be permissible for Courts and Committees to meet by Conference Call where distance or circumstances preclude the physical presence of all members in the same geographical location;
2. Presbytery being an open court cannot competently hold regular meetings in private or be inaccessible to the public;
3. Conference Call should not be the normal method of meeting for regular meetings of Presbytery, other than in the U.S.A.;
4. Conference Call shall not be used as a substitute for the quarterly meetings of Standing Committees of Assembly and shall not be used in circumstances in which it is practicable for the Court or Committee to assemble in the one physical location;
5. In circumstances in which a Presbytery is permitted to meet by Conference Call, in order to preserve



the open nature of the court prior public intimation from the pulpits of the congregations of the bounds is to be made two Sabbaths before each Ordinary and *in hunc effectum* meeting or shall be published on the internet in the draft minutes of the previous meeting of Presbytery which shall be made available not less than two weeks prior to the forthcoming meeting of Presbytery. Whilst it is desirable that intimation be given also for *pro re nata* meetings, it is recognised that this may not always be practicable;

6. No member of the public shall be prevented from being enabled to listen in real time to the meeting of Presbytery and, should the nature of the business require that the Presbytery go into closed court, it shall be the duty of the Clerk to ascertain the telephone contact number of all members of the public present and telephone them immediately the Presbytery come out of closed session and before any further business be transacted;
7. Ordinarily no case should be dealt with at any level by Conference Call, nor should it be permissible for conference calls to be used in any instance when parties are to be heard at the bar or when Calls are being dealt with. However when dealing with Calls furth of Scotland, it should be permissible for Calls to be dealt with by Conference Call subject to the proviso that any meeting to sign or close with a Call is constituted in the physical location of the congregation concerned and at least one member of the relevant judicatory is present;
8. In dealing with cases of discipline, it shall be competent for the relevant Church Court or judicatory, when citing a party to appear, to demand from those cited prior intimation of intention to appear at the meeting to which the party has been cited. Should a party so cited fail to provide the requisite notice of their intention to attend, then it shall be competent for the said judicatory to meet by Conference Call so long as at least one member of the judicatory (together with a competent witness) is present at the place of compearance specified in the citation in order that any party appearing in response to the citation may be personally cited *apud acta* in the name of the judicatory presently meeting by Conference Call to a further meeting of the said judicatory at which meeting all members of the said judicatory participating in the meeting shall be present in person and not by Conference Call;
9. No conference call facility will be deemed appropriate if there be not a continuous monitor provided with regard to who is present at any given time. The Clerk shall be responsible for monitoring those who join and those who leave the call and for recording in the minutes when those arrivals and departures take place;
10. It is especially important in conference call meetings that the practice of the Church regarding the conduct of meetings be followed at all points, including *inter alia*, the lodging of dissents and complaints, the provision of extracts, notice of motion, etc.
11. The General Assembly repeal Act VI, Class II, 1986.

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**Act XIV — Act anent Deposition of Rev. James Frew**  
(No 14 of Class II)

*Edinburgh, 26<sup>th</sup> May 2011*

After Rev. William B. Scott had engaged in prayer at the call of the Moderator, the Moderator did then, in accordance with the resolution of the General Assembly, proceed to declare the deposition of Mr James Frew, in the following terms:

In the name of the Lord Jesus Christ, the alone King and Head of his Church, and by virtue of the power and authority committed by him to it, I do now solemnly pronounce the deposition of Mr James Frew, sometime Minister at the Free Church of Scotland (Continuing) congregation of Adelaide, from the office of the holy ministry: prohibiting and discharging him from exercising the same, or any part thereof, in all time coming, under pain of the highest censure of the Church.

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**Act XV — Act appointing Commission of Assembly**  
(No 15 of Class II)

*Edinburgh, 26<sup>th</sup> May 2011*

The General Assembly did and hereby do nominate and appoint a Commission, consisting of all the members of Assembly, with the addition of the name of Rev. John Morrison, named by the Moderator:- TO BE A COMMISSION of this General Assembly, with power to the said Commission, or their quorum, which is hereby declared to be any fifteen or more of their number, whereof eight at the least are always to be Ministers, to meet and convene at Inverness, the first Tuesday in October and the first Tuesday in March next to come, and oftener when and where they shall think fit and convenient, and with power to choose their own Moderator: And the General Assembly fully empower the said Commission, or their quorum above mentioned, to cognosce and finally determine, as they shall see cause, in every matter referred to them or which shall be referred to them, by or in virtue of any Act or order of the Assembly, and to do everything contained in and conform to the instructions given or to be given by the Assembly; and to advert to the interests of the Church on every occasion, that the Church do not suffer or sustain any prejudice which they can prevent, as they will be answerable; provided always that, save as hereafter stated this general clause be not extended to particular affairs or processes before Synods or Presbyteries that are not of universal concern to, or influence upon, the whole Church. And it is hereby appointed that no private processes be determined except at the stated diets and that what shall be determined at one diet of the Commission with relation to private causes, shall be unalterable by any other diet thereof and shall stand and continue in force until disapproved by the General Assembly. And further, the said Commission are hereby empowered to receive and fully dispose of applications that may be forwarded to them for raising preaching stations or suppressed charges to fully sanctioned charges, for consolidating congregations into one charge, for the appointment of Ministers overseas and Foreign Missionaries in the Mission Fields of the Church, and to receive any references and appeals that shall be made to them from Synods in matters of doctrine, and ripen such affairs for next General Assembly and to contribute what they can to the suppression of vice and immorality, and to give all needful advice and assistance to Synods, Presbyteries and Committees of Assembly upon application to them for that end. In view of present circumstances arising out of the division of 2000, the Assembly empower the Commission to take all steps necessary and proper to be taken immediately in the interests of the Church, and such as the Assembly themselves might take, in all the questions that may arise directly therefrom or thereanent: And the Assembly hereby empower the Commission to receive and dispose of all references, complaints, and appeals arising in the Inferior Courts, which may be brought before them in accordance with the law and practice of the Church: And the Inferior Courts are hereby instructed to remit all such cases to the said meetings in due time (in accordance with the Standing Orders of the General Assembly): And in all their actings the said Commission are to proceed according to the Acts and Constitution of this Church, and to do nothing contrary thereto or to the prejudice of the same, declaring that in and for all their actings they shall be accountable to, and censurable by, the next General Assembly, as they shall see cause. And this Commission shall continue and endure until another Commission be appointed, and members are required to attend the diets of the said Commission.

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**Act XVI — Act appointing next General Assembly**  
(No 16 of Class II)

*Edinburgh, 26<sup>th</sup> May 2011*

The General Assembly appoint the next General Assembly of the Free Church of Scotland (Continuing) to meet in Edinburgh on Monday 21<sup>st</sup> May 2012 years at 6 o'clock in the evening.

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## **Acts of the Commission of Assembly**

### **Act I — Act anent Legal Fund**

*Inverness, 13<sup>th</sup> September 2010*

The Commission of Assembly resolve to establish a fund to which money may be given or pledges received for specific legal purposes, the fund to be administered by the Finance & Sustentation Committee.

# Principal Acts 2012

## List of Acts 2012

### ACTS OF THE GENERAL ASSEMBLY

CLASS I — ACTS WHICH HAVE PASSED THE BARRIER ACT — NONE

CLASS II — ACTS OF GENERAL INTEREST TO THE CHURCH

ACT I	Act anent Loyal and Dutiful Address to HM the Queen
ACT II	Act anent Appointment of Auditors
ACT III	Act anent Equal Dividend
ACT IV	Act amending Act IV 1994 (Act anent Leave of Absence)
ACT V	Act anent Special Arrangements for Aberdeen
ACT VI	Act anent Special Arrangements for Harris
ACT VII	Act anent Special Arrangements for Knock & Point
ACT VIII	Act anent Special Arrangements for North Uist & Grimsay
ACT IX	Act anent Special Arrangements for Poolewe & Aultbea
ACT X	Act amending Standing Orders of Assembly
ACT XI	Act anent Appointment of General Assessors to Presbytery of Inverness
ACT XII	Act anent Church Planter / Evangelist within bounds of Presbytery of USA
ACT XIII	Act anent Use of the Word Censure
ACT XIV	Act anent Appointment of Lecturer in Greek & New Testament
ACT XV	Act amending Finding of Commission of Assembly of 22nd November 2011 anent Vacating Disputed Properties and Releasing Disputed Frozen Funds
ACT XVI	Act appointing Commission of Assembly
ACT XVII	Act appointing next General Assembly

### ACTS OF THE COMMISSION OF ASSEMBLY

ACT I	Act anent Vacating Disputed Properties and Releasing Disputed Frozen Funds
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# Acts of the General Assembly 2012

## THE PRINCIPAL ACTS OF THE GENERAL ASSEMBLY OF THE FREE CHURCH OF SCOTLAND (Continuing) MAY MMXII

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### CLASS I — ACTS WHICH HAVE PASSED THE BARRIER ACT

None

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### CLASS II — ACTS WHICH ARE OF GENERAL INTEREST TO THE CHURCH

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

*Edinburgh, 22<sup>nd</sup> May 2012*

TO THE QUEEN'S MOST EXCELLENT MAJESTY  
The Loyal and Dutiful Address of the General Assembly  
of the Free Church of Scotland (Continuing)

May it please Your Majesty.

We, the Ministers and Elders of the Free Church of Scotland (Continuing) met in General Assembly this 22nd day of May 2012, humbly desire to express to your Majesty our continuing loyalty to your Majesty's person and throne.

In this, your Majesty's Diamond Jubilee year, we join with others throughout the nation and commonwealth in giving thanks to God for your Majesty's reign and for your dedication and devotion to duty in the manifold responsibilities to which your Majesty has been called. It gives us much satisfaction to recall that your Majesty publicly committed your way to God at the beginning of your reign and that your Majesty has not hesitated to express your continuing sense of your accountability to him. May the God who has upheld your Majesty to this moment continue to be your strength in the days ahead.

We congratulate His Royal Highness Prince Philip on attaining his ninetieth birthday and we wish him continuing good health. We are mindful that later this year, in the Providence of God, your Majesty and His Royal Highness will complete sixty-five years of married life. We firmly believe that marriage is a gift from God and finds its only true Biblical expression in a life-long commitment between one man and one woman.

As a branch of the Christian Church we continue to value the stability of the British constitution, based as it is upon those Christian principles which form the bedrock of our national life. We value in particular the liberties we have long enjoyed for the propagation of the Gospel. These were dearly bought and we cherish the hope that they will be carefully safeguarded. In particular, we hope that in seeking to redress perceived inequalities in our modern society the Christian heritage of our land will find due recognition and respect.

We recall with gratitude the blessings secured for our land by the Reformation which delivered our people from the bondage of ignorance and superstition. We rejoice that your Majesty's throne is firmly founded on Reformation principles and we pray that by God's grace your Majesty may continue mindful of your Coronation Oath to maintain to the utmost of your power in the United Kingdom the Protestant Reformed religion established by law.

We deplore the continuing level of violence and lawlessness throughout the world and from which our own land has not been free. We admire the heroism of your Majesty's troops in Afghanistan as they seek to confront the forces of terrorism and oppression. We are particularly thankful to note that the Black Watch, for which our denomination has a special interest, returned from 6 month duty without loss of life. We pray that in God's Providence all our forces may be preserved from harm. We also remember the families who have been bereaved and those wounded in action. We commend them to him who is the Father of mercies and the God of all comfort.

We pray that your Majesty may be upheld in the extra duties which fall to your lot in this Jubilee year. As your Majesty visits towns and cities up and down the land we pray that the bond of affection which unites your Majesty to your people may be very evident and that this may continue to be a source of strength to your Majesty in the days ahead. We are glad that in carrying out the duties of state your Majesty is increasingly supported by the younger members of the Royal household and we pray that as they represent your Majesty overseas in the course of this year they may gain a sense of the respect and affection in which your Majesty is held throughout the commonwealth and beyond.

May the blessing of Almighty God rest upon your Majesty, His Royal Highness Prince Philip, and all the members of the Royal Household.

So pray your Majesty's most loyal subjects, the Ministers and Elders of the Free Church of Scotland (Continuing) in General Assembly convened.

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**Act II — Act anent Appointment of Auditors**  
(No 2 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2012*

The General Assembly thank C.I.B. Audit, 63 Kenneth Street, Stornoway, Isle of Lewis, HS1 2DS for their work on behalf of the Church and re-appoint them as auditors for the forthcoming year.

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**Act III — Act anent Equal Dividend**  
(No 3 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2012*

The General Assembly declare an Equal Dividend of £18,000 from 1<sup>st</sup> July 2012.

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**Act IV — Act amending Act IV 1994 (Act anent Leave of Absence)**  
(No 4 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2012*

The General Assembly enact that Act IV 1994 be amended by the insertion of the following words as a new clause 1.6 ‘In instances of ministerial sickness the Deacons’ Court of the charge shall be deemed to be responsible for meeting the costs of pulpit supply for the first four weeks and the expenses of an interim moderator if appointed by Presbytery: thereafter the Deacons’ Court may apply to the General Treasurer to have Pulpit Supply costs met from Central Funds.’ The clauses following in Act IV 1994 to be re-numbered accordingly.

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**Act V — Act anent Special Arrangements for Aberdeen**  
(No 5 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2012*

The General Assembly direct that the Congregation of Aberdeen be placed on the Equal Dividend Platform under Special Arrangements in accordance with Act XVIII 1998 for a further period of five years from the rising of this Assembly, subject to the Congregation promising to remit to central funds at least £16,000 annually.

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**Act VI — Act anent Special Arrangements for Harris**  
(No 6 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2012*

The General Assembly direct that the Congregation of Harris (Leverburgh) be placed on the Equal Dividend Platform under Special Arrangements in accordance with Act XVIII 1998 for a further period of five years from the rising of this Assembly, subject to the congregation promising to remit to central funds the sum of £17,600 annually.

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**Act VII — Act anent Special Arrangements for Knock & Point**  
(No 7 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2012*

The General Assembly direct that the Congregation of Knock & Point be placed on the Equal Dividend Platform under Special Arrangements in accordance with Act XVIII 1998 for a further period of five years from the rising of this Assembly, subject to the Congregation promising a) to remit to central funds 80% of ordinary annual income and b) to discharge the capital loan granted by the Committee at the rate of £4,170 per annum over a period of six calendar years; these conditions to be reviewed annually by the Committee at their March meeting and adjusted as may be necessary in consultation with the Deacons’ Court.

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**Act VIII — Act anent Special Arrangements for North Uist & Grimsay**  
(No 8 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2012*

The General Assembly direct that the Congregation of North Uist & Grimsay be placed on the Equal Dividend Platform under Special Arrangements in accordance with Act XVIII 1998 for a further period of five years from the rising of this Assembly subject to the Congregation undertaking to strive to remit to central funds 75% annually of total ordinary income subject to their circumstances anent buildings.

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**Act IX — Act anent Special Arrangements for Poolewe & Aultbea**  
(No 9 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2012*

The General Assembly direct that the Congregation of Poolewe & Aultbea be placed on the Equal Dividend Platform under Special Arrangements in accordance with Act XVIII 1998 for a further period of five years from the rising of this Assembly, subject to the Congregation undertaking to strive to remit to central funds 75% annually of total ordinary income.

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**Act X — Act Amending Standing Orders of Assembly**  
(No 10 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2012*

The General Assembly resolve to amend the Standing Orders of Assembly by the addition of the following as paragraph V.6.9:

Any motion seeking the approval of the General Assembly for the commitment of additional expenditure in excess of £500, over and above that already budgeted for by any relevant Committee and accepted by the Finance & Sustentation Committee, shall be deemed incompetent unless (a) an attempt shall have been made to ensure that the Finance & Sustentation Committee have had due time to give the matter consideration at their regular meetings and (b) advice thereanent from the Finance & Sustentation Committee is available to the Assembly.

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**Act XI — Act anent Appointment of General Assessors to the  
Free Presbytery of Inverness**  
(No 11 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2012*

The General Assembly receive the Petition of the Free Presbytery of Inverness and grant its crave and appoint Rev. John Angus Gillies and Rev. John W. Keddie Assessors to the Free Presbytery of Inverness until the meeting of the next General Assembly.

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**Act XII — Act anent Church Planter / Evangelist  
within bounds of the Presbytery of USA**  
(No 12 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2012*

The General Assembly receive the Petition of the Free Presbytery of the United States of America and grant its crave. They authorise the reappointment of the position of Church Planter & Evangelist to work within the bounds of the Presbytery of the United States of America and that he be enabled to take a seat on that Presbytery.

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**Act XIII — Act anent Use of the Word Censure**  
(No 13 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2012*

1. The General Assembly direct courts of the Church to exercise due care in the use of the term “censure;”



2. the General Assembly direct courts of the church to use the term “censure” only in the sense in which it is used in the Laws of the Church and in the Practice of the Free Church of Scotland;
3. the General Assembly direct courts of the church to ensure that the precision used in the Form of Process and in The Practice of the Free Church of Scotland be employed by them in the formulations of sentences;
4. The General Assembly direct Church Courts to review any recent findings where the word “censure” may not have been used appropriately.

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**Act XIV — Act anent Appointment of Lecturer in Greek & New Testament**  
(No 14 of Class II)

*Edinburgh, 23<sup>rd</sup> May 2012*

The General Assembly appoint Rev. James Clark Lecturer in Greek & New Testament.

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**Act XV — Act amending Finding of Commission of Assembly of 22<sup>nd</sup> November 2011 anent Vacating Disputed Properties and Releasing Disputed Frozen Funds**  
(No 15 of Class II)

*Edinburgh, 24<sup>th</sup> May 2012*

The General Assembly amend Paragraph 10 of the Finding of the Commission of Assembly on 22<sup>nd</sup> November 2011, as follows:

- (a) after the words “paragraph 4 above” insert, “or where satisfactory negotiations, with no sacrifice of principle can be completed for a fair division of the properties or the funds realised by their sale”
- (b) at the end insert, “unless a fair division can be agreed without compromise of the principles of the Church or the Declaration of Reconstitution”

The Paragraph to read:

The Commission of Assembly advise all Courts of the Church that should the denomination fall from defending itself in the Partick action, arrangements should be put in place to vacate all disputed properties, except those named in paragraph 4 above, or where satisfactory negotiations, with no sacrifice of principle can be completed for a fair division of the properties or the funds realised by their sale, and excluding those where legal defences can yet be raised; such arrangements should be in an orderly manner, allowing time to ensure that each congregation is suitably provided for prior to such transfer; further that all disputed frozen funds relating to those Congregations as at October 2000 should be released to the Residual Body immediately upon falling from the Court Action, unless a fair division can be agreed without compromise of the principles of the church or the “Declaration of Reconstitution”.

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**Act XVI — Act appointing Commission of Assembly**  
(No 16 of Class II)

*Edinburgh, 24<sup>th</sup> May 2012*

The General Assembly did and hereby do nominate and appoint a Commission, consisting of all the members of Assembly, with the addition of the name of Mr Alister MacDonald (Sconser) named by the Moderator:- TO BE A COMMISSION of this General Assembly, with power to the said Commission, or their quorum, which is hereby declared to be any fifteen or more of their number, whereof eight at the

least are always to be Ministers, to meet and convene at Inverness, the first Tuesday in October and the first Tuesday in March next to come, and oftener when and where they shall think fit and convenient, and with power to choose their own Moderator: And the General Assembly fully empower the said Commission, or their quorum above mentioned, to cognosce and finally determine, as they shall see cause, in every matter referred to them or which shall be referred to them, by or in virtue of any Act or order of the Assembly, and to do everything contained in and conform to the instructions given or to be given by the Assembly; and to advert to the interests of the Church on every occasion, that the Church do not suffer or sustain any prejudice which they can prevent, as they will be answerable; provided always that, save as hereafter stated this general clause be not extended to particular affairs or processes before Synods or Presbyteries that are not of universal concern to, or influence upon, the whole Church. And it is hereby appointed that no private processes be determined except at the stated diets and that what shall be determined at one diet of the Commission with relation to private causes, shall be unalterable by any other diet thereof and shall stand and continue in force until disapproved by the General Assembly. And further, the said Commission are hereby empowered to receive and fully dispose of applications that may be forwarded to them for raising preaching stations or suppressed charges to fully sanctioned charges, for consolidating congregations into one charge, for the appointment of Ministers overseas and Foreign Missionaries in the Mission Fields of the Church, and to receive any references and appeals that shall be made to them from Synods in matters of doctrine, and ripen such affairs for next General Assembly and to contribute what they can to the suppression of vice and immorality, and to give all needful advice and assistance to Synods, Presbyteries and Committees of Assembly upon application to them for that end. In view of present circumstances arising out of the division of 2000, the Assembly empower the Commission to take all steps necessary and proper to be taken immediately in the interests of the Church, and such as the Assembly themselves might take, in all the questions that may arise directly therefrom or thereanent: And the Assembly hereby empower the Commission to receive and dispose of all references, complaints, and appeals arising in the Inferior Courts, which may be brought before them in accordance with the law and practice of the Church: And the Inferior Courts are hereby instructed to remit all such cases to the said meetings in due time (in accordance with the Standing Orders of the General Assembly): And in all their actings the said Commission are to proceed according to the Acts and Constitution of this Church, and to do nothing contrary thereto or to the prejudice of the same, declaring that in and for all their actings they shall be accountable to, and censurable by, the next General Assembly, as they shall see cause. And this Commission shall continue and endure until another Commission be appointed, and members are required to attend the diets of the said Commission.

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**Act XVII — Act appointing next General Assembly**  
(No 17 of Class II)

*Edinburgh, 24<sup>th</sup> May 2012*

The General Assembly appoint the next General Assembly of the Free Church of Scotland (Continuing) to meet in Edinburgh on Monday 20<sup>th</sup> May 2013 years at 6 o'clock in the evening.

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## **Acts of the Commission of Assembly**

### **Act I — Act anent Vacating Disputed Properties and Releasing Disputed Frozen Funds**

*Inverness, 22<sup>nd</sup> November 2011*

The Commission of Assembly advise all Courts of the Church that should the denomination fall from defending itself in the Partick action, arrangements should be put in place to vacate all disputed properties, except those named within the main deliverance [in paragraph 4 above], and excluding those where legal defences can yet be raised; such arrangements should be in an orderly manner, allowing time to ensure that each congregation is suitably provided for prior to such transfer; further that all disputed frozen funds relating to those Congregations as at October 2000 should be released to the Residual Body immediately upon falling from the Court Action.

# Principal Acts 2013

## List of Acts 2013

### ACTS OF THE GENERAL ASSEMBLY

CLASS I ACTS WHICH HAVE PASSED THE BARRIER ACT — NONE

CLASS II ACTS OF GENERAL INTEREST TO THE CHURCH

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ACT II Act anent Loyal and Dutiful Address to Her Majesty the Queen  
ACT III Act anent Equal Dividend  
ACT IV Act anent Grants for Funeral Costs of Retired Ministers  
ACT V Act anent Special Arrangements for Knock & Point  
ACT VI Act anent Appointment of General Assessor to Presbytery of Inverness  
ACT VII Act anent Appointment of General Assessors to Northern Presbytery  
ACT VIII Act anent Appointment of General Assessors to Presbytery of the United States  
ACT IX Act anent Appointment of Rev. Murdo A.N. MacLeod as Editor of the Explorer  
ACT X Act anent Appointment of Mr Donald Martin as General Trustee  
ACT XI Act amending Act XI (Class II) 2009  
ACT XII Act Appointing Commission of Assembly  
ACT XIII Act Appointing next General Assembly

### ACTS OF THE COMMISSION OF ASSEMBLY

ACT I Act anent linkage of Bracadale & Duirinish  
ACT II Act anent Appointment of Assessors to Presbytery of United States  
ACT III Act anent Appointment of Mr John MacKenzie as Chairman of General Trustees

THE PRINCIPAL  
**ACTS**  
OF THE  
**GENERAL ASSEMBLY OF THE FREE CHURCH**  
**OF SCOTLAND (Continuing)**  
MAY MMXIII

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

None

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

**Act I — Act amending Standing Order VI.4.**  
(No 1 of Class II)

*Edinburgh, 20<sup>th</sup> May 2013*

The General Assembly amend Standing Order VI.4 as follows:

VI.4.1. Replace “two years” with “one year”

VI.4.2. Replace “two years” with “one year”

VI.4.4. Delete “the fulfilment of the remainder of the term of office of the member whose term of office had been prematurely terminated.” and insert “the filling of the vacancy as set out in paragraph VI.4.9. below. In such circumstances, the individual appointed as a temporary replacement by the Presbytery shall be eligible to be nominated to serve for a full four year period.”

VI.4.8. Change “March” to “February”

VI.4.9. Change “May” to “April”

VI.4.10. Add “(5) In the specific case where no suitable eligible individual from a particular Presbytery or Synod is available to be nominated to fill a particular vacancy on a Standing or Special Committee, it shall be competent for the Assembly Arrangements & Nominations Committee to nominate an individual from another Presbytery or Synod, so as to ensure that a full complement of members is maintained on each Committee.”

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

*Edinburgh, 21<sup>st</sup> May 2013*

TO THE QUEEN'S MOST EXCELLENT MAJESTY  
The Loyal and Dutiful Address of the General Assembly  
of the Free Church of Scotland (Continuing)

May it please Your Majesty.

We, the Ministers and Elders of the Free Church of Scotland (Continuing) met in General Assembly this 21st day of May 2013, humbly desire to express to Your Majesty our continuing loyalty to Your Majesty's person and throne.

We thank God that Your Majesty continues to be upheld in health and strength to undertake the manifold duties of Your high office. We pray that God will continue His good providence toward Your Majesty and that His preserving care may surround Your Majesty in all the responsibilities of State.

As we approach the sixtieth anniversary of Your Majesty's Coronation, we look back with gratitude on the years of devoted service which Your Majesty has rendered to the nation and commonwealth. We recall that in prospect of the solemnities of the Coronation ceremony, Your Majesty asked all Your people to pray that God would bestow wisdom and strength to carry out the promises that Your Majesty would then be making. We are glad that at the close of that memorable day, Your Majesty acknowledged Your sense of having been uplifted and sustained by the knowledge of these prayers. It is our own prayer at this time that Your Majesty may continue to experience the truth of the Scripture promise, "In all thy ways acknowledge him, and he shall direct thy paths."

The past sixty years have seen great changes in our national life and in the structure of our society. Amid these changes Your Majesty's throne has continued to represent those unchanging values which lie at the heart of the British constitution. In particular we believe that the stability of Your Majesty's throne owes much to the Christian principles which were given clear expression in the Oath which Your Majesty took at Your Coronation. We recall with satisfaction that one of the solemn promises made by Your Majesty on that day was to maintain, to the utmost of Your power in the United Kingdom, the Protestant Reformed religion established by law.

As heirs to that Reformation heritage we prize the liberties, civil and religious, which it secured for the people of these islands and which they, in turn, carried to the far corners of the globe. Among the most precious of these liberties is the freedom to preach the Christian Gospel without restriction. Valuing this liberty as we do, we pray that it may be zealously guarded from infringement and that it may be preserved inviolate for future generations.

We are mindful too that it was the Reformation which restored the authority of Scripture as a basis for human relationships, including the closest of all such relationships, the marriage bond. We believe it to be the clear teaching of Scripture that marriage is a Divine ordinance involving a lifelong commitment between one man and one woman. Faithfulness to our duty compels us to represent to Your Majesty that current plans to redefine marriage in our land run contrary to the authority of the Word of God and threaten to undermine the basis of Christian morality on which the social fabric of our nation depends. We respectfully bring these concerns before Your Majesty in the knowledge that Your Majesty has not infrequently referred to the strength and support which Your Majesty personally has drawn from a stable marriage and family life.

In the international sphere we continue to value the efforts being made to bring peace to troubled areas of the world. We particularly remember Your Majesty's forces in Afghanistan as they fight to combat terrorism and we grieve with the families of those who have fallen in action recently. We value the humanitarian aid which is being provided to Syria and other areas of civil strife. It is our prayer that, under God, these efforts will be blessed and that peace and stability will be restored to these troubled lands.

We continue to admire the increasing participation in state engagements of younger members of the Royal Family. It rejoices us to see that, led by Your Majesty's example, they are displaying a standard of dedication and service which is worthy of the best traditions of Your Royal House.

May the blessing of Almighty God rest upon Your Majesty, His Royal Highness Prince Philip, and all the members of the Royal Family. We remember particularly the Countess of Strathearn at this time.

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

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**Act III — Act anent Equal Dividend**  
(No 3 of Class II)

*Edinburgh, 21<sup>st</sup> May 2013*

The General Assembly increase the Equal Dividend to £19,000 with effect from 1<sup>st</sup> July 2013 and direct that salaries for other employed staff be increased *pro rata*.

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**Act IV — Act anent Grants for Funeral Costs of Retired Ministers**  
(No 4 of Class II)

*Edinburgh, 21<sup>st</sup> May 2013*

The General Assembly approve the scheme for the payment of £1,000 on the death of a retired Free Church of Scotland (Continuing) minister with the following caveats:

- a. The minister must have been a member of a Scottish Free Church of Scotland (Continuing) Presbytery at date of decease.
- b. The grant be payable on formal written notification of decease by the relevant Presbytery to the General Treasurer.
- c. The Presbytery to provide the name and contact details of the executors of the estate of the deceased.
- d. The General Treasurer to arrange for payment via the relevant Presbytery or executors of the estate of the deceased.
- e. The funeral grant to be reviewed triennially in conjunction with Supply Expenses.

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**Act V — Act anent Special Arrangements for Knock & Point**  
(No 5 of Class II)

*Edinburgh, 21<sup>st</sup> May 2013*

The General Assembly place the Congregation of Knock & Point on the Equal Dividend Platform under Special Arrangements for a period of five years under the present arrangements for the loan repayment.

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**Act VI — Act anent Appointment of General Assessor to the Free Presbytery of Inverness**  
(No 6 of Class II)

*Edinburgh, 21<sup>st</sup> May 2013*

The General Assembly receive the Petition of the Free Presbytery of Inverness and grant its crave and appoint Rev. John W. Keddie a General Assessor to the Free Presbytery of Inverness.

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**Act VII — Act anent Appointment of General Assessors to the Free Northern Presbytery**  
(No 7 of Class II)

*Edinburgh, 21<sup>st</sup> May 2013*

The General Assembly receive the Petition of the Free Northern Presbytery and grant its crave and appoint Rev. H.J.T. Woods and Rev. J. Clark General Assessors to the Free Northern Presbytery until the next General Assembly.

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**Act VIII — Act anent Appointment of General Assessors to the Free Presbytery of the United States of America**  
(No 8 of Class II)

*Edinburgh, 21<sup>st</sup> May 2013*

The General Assembly receive the Petition of the Free Presbytery of the United States of America and grant its crave and appoint James I. Gracie, Murdo A.N. MacLeod, Henry J.T. Woods, Gavin Beers and Maurice Grant General Assessors to the Free Presbytery of the United States of America.

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**Act IX — Act anent Appointment of Rev. Murdo A.N. Macleod as Editor of *The Explorer***  
(No 9 of Class II)

*Edinburgh, 22<sup>nd</sup> May 2013*

The General Assembly appoint Rev. Murdo A.N. Macleod as editor of *The Explorer* for a period of three years.

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**Act X — Act anent Appointment of Mr Donald Martin as General Trustee**  
(No 10 of Class II)

*Edinburgh, 23<sup>rd</sup> May 2013*

The General Assembly approve the appointment of Mr Donald Martin as a General Trustee.

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**Act XI — Act amending Act XI (Class II) 2009**  
(No 11 of Class II)



*Edinburgh, 23<sup>rd</sup> May 2013*

The General Assembly amend Act XI (Class II) 2009 (Act anent Disciplinary Powers of Home & Foreign Missions Committee) as follows:

Paragraph 1.c final sentence be amended to read

“The Special Commission shall comprise all the serving Moderators and Clerks of each Scottish Presbytery of the Church at the time of its calling for a particular process, with power to appoint their own chairman; any member of the Commission who may have an interest, a close personal involvement with a party or parties involved in the particular case or prior judicial involvement in the particular case is hereby explicitly debarred from further involvement in hearing or adjudicating on the particular case brought before the Special Commission.”

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**Act XII — Act appointing Commission of Assembly**  
(No 12 of Class II)

*Edinburgh, 23<sup>rd</sup> May 2013*

The General Assembly did and hereby do nominate and appoint a Commission, consisting of all the members of Assembly, with the addition of the name of Rev. John Morrison named by the Moderator:- TO BE A COMMISSION of this General Assembly, with power to the said Commission, or their quorum, which is hereby declared to be any fifteen or more of their number, whereof eight at the least are always to be Ministers, to meet and convene at Inverness, the first Tuesday in October and the first Tuesday in March next to come, and oftener when and where they shall think fit and convenient, and with power to choose their own Moderator: And the General Assembly fully empower the said Commission, or their quorum above mentioned, to cognosce and finally determine, as they shall see cause, in every matter referred to them or which shall be referred to them, by or in virtue of any Act or order of the Assembly, and to do everything contained in and conform to the instructions given or to be given by the Assembly; and to advert to the interests of the Church on every occasion, that the Church do not suffer or sustain any prejudice which they can prevent, as they will be answerable; provided always that, save as hereafter stated this general clause be not extended to particular affairs or processes before Synods or Presbyteries that are not of universal concern to, or influence upon, the whole Church. And it is hereby appointed that no private processes be determined except at the stated diets and that what shall be determined at one diet of the Commission with relation to private causes, shall be unalterable by any other diet thereof and shall stand and continue in force until disapproved by the General Assembly. And further, the said Commission are hereby empowered to receive and fully dispose of applications that may be forwarded to them for raising preaching stations or suppressed charges to fully sanctioned charges, for consolidating congregations into one charge, for the appointment of Ministers overseas and Foreign Missionaries in the Mission Fields of the Church, and to receive any references and appeals that shall be made to them from Synods in matters of doctrine, and ripen such affairs for next General Assembly and to contribute what they can to the suppression of vice and immorality, and to give all needful advice and assistance to Synods, Presbyteries and Committees of Assembly upon application to them for that end. In view of present circumstances arising out of the division of 2000, the Assembly empower the Commission to take all steps necessary and proper to be taken immediately in the interests of the Church, and such as the Assembly themselves might take, in all the questions that may arise directly therefrom or thereanent: And the Assembly hereby empower the Commission to receive and dispose of all references, complaints, and appeals arising in the Inferior Courts, which may be brought before them in accordance with the law and practice of the Church: And the Inferior Courts are hereby instructed to remit all such cases to the said meetings in due time (in

accordance with the Standing Orders of the General Assembly): And in all their actings the said Commission are to proceed according to the Acts and Constitution of this Church, and to do nothing contrary thereto or to the prejudice of the same, declaring that in and for all their actings they shall be accountable to, and censurable by, the next General Assembly, as they shall see cause. And this Commission shall continue and endure until another Commission be appointed, and members are required to attend the diets of the said Commission.

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**Act XIII — Act appointing next General Assembly**  
(No 13 of Class II)

*23<sup>rd</sup> May 2013*

The General Assembly appoint the next General Assembly of the Free Church of Scotland (Continuing) to meet in Edinburgh on Monday 19<sup>th</sup> May 2014 years at 6 o'clock in the evening.

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## **Acts of the Commission of Assembly**

### **Act I — Act anent Linkage of the Congregations of Bracadale & Duirinish**

*Inverness, 2<sup>nd</sup> October 2012*

The Commission of Assembly receive the Petition of the Free Presbytery of Skye & Lochcarron and grant its crave and link the Congregation of Bracadale with the Congregation of Duirinish with two Kirk Sessions and two Deacons' Courts, the linked charge to be known henceforth as Bracadale & Duirinish.

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### **Act II — Act anent Appointment of General Assessors to the Free Presbytery of the United States of America**

*Inverness, 2<sup>nd</sup> October 2012*

The General Assembly receive the Petition of the Free Presbytery of U.S.A and grant its crave and appoint James I. Gracie, Murdo A.N. Macleod, Henry J.T. Woods, Gavin Beers and Maurice Grant General Assessors to the Free Presbytery of the U.S.A.

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### **Act III — Act anent Appointment of Mr John MacKenzie as Chairman of General Trustees**

*Inverness, 2<sup>nd</sup> October 2012*

The Commission of Assembly appoint Mr John MacKenzie (Assynt) Chairman of General Trustees.

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