The Code

The constitution and government
of the Presbyterian Church in Ireland

Presbyterian
CHURCH IN IRELAND

© 2026

The Presbyterian Church in Ireland
Assembly Buildings
Belfast
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Registered Charity in Northern Ireland (NIC104483) Registered
Charity in the Republic of Ireland (20015695)

Published by the authority of the General Assembly
2026

Reprinted with amendments 2026

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DEFINITIONS

In this Code the following words and phrases shall have the following meanings, and shall appear in bold font on their first occurrence in a paragraph, and otherwise where required to maintain clarity of meaning.

Accredited Preacher means a person who shall have successfully completed the Accredited Preacher Course offered by the Council for Training in Ministry, and who fulfils any subsequent requirements to maintain accreditation.

Adherent means a person who attends, contributes or claims connection with the congregation, but who is not a communicant member.

Assembly means the General Assembly of the Presbyterian Church in Ireland.

Assembly powers means the authority to exercise the powers belonging to the General Assembly to determine any matter finally and without appeal.

Assessable Income means the income of the congregation derived from:

(a) Free Will Offering;
(b) Income for Stipend;
(c) Income for the **Central Ministry Fund**;
(d) Sunday and other collections for general congregational purposes;
(e) Rental income retained for general purposes less related expenditure including financing costs on related loans;
(f) Income on general bequests;
(g) Ministerial Investment Income received except where the minister was called to the charge before 5 June 2020, or it was written into an earlier Call by the Linkage Commission;
(h) Any other general income on which no restriction has been applied by the donor;
(i) Money received by way of repayment of Income Tax attributable to (a) to (h) above.

Assessable Income does not include collections for building and repairs, repayment of debts, and other designated objects approved by the Presbytery with reference, if necessary, to the **General Council**, monies raised in Sunday School or **Church** organisations (other than for general congregational purposes), collections for the **United Appeal**, World Development or other religious and charitable objects, bequests, grants and restricted endowment income.

Associate Minister means a minister of the **Church** who is called to a congregation, in which there is already a serving minister, to support and assist that minister in his or her congregational ministry.

Call, when in bold font, means an invitation to a minister or **licentiate** to serve in a congregation, or to engage in **special work**; or to a deaconess or auxiliary minister to serve in a congregation or in other work; or to an individual to serve as a Global Mission worker.

Central Ministry Fund or **CMF** means the fund set up in accordance with Pars 432–439 and administered by the General Council either by itself or through a committee appointed by the General Council for that purpose.

Charity Legislation means:

(a) in Northern Ireland, the Charities Act (Northern Ireland) 2008 and any other act or legislative instrument of the Northern Ireland Assembly or of the Parliament of the United Kingdom having effect in Northern Ireland and relating to charities; and
(b) in the Republic of Ireland, the Charities Act 2009 and any other act or legislative instrument of the Oireachtas relating to charities.

Charity Trustee has, in respect of congregations in Northern Ireland, the same meaning as set out in Section 180(1) of the Charities Act (Northern Ireland) 2008, and in respect of congregations in the Republic of Ireland, the same meaning as in Section 2(1) of the Charities Act 2009.

Charity Trustee Declaration means, in respect of congregations within Northern Ireland, the declaration prescribed by the Charity Commission for Northern Ireland for signature by charity trustees, and in respect of congregations within the Republic of Ireland, the declaration prescribed by the Charity Regulator in that jurisdiction for signature by charity trustees.

Church, when in bold font, means the Presbyterian Church in Ireland.

College means the Union Theological College of the Presbyterian Church in Ireland.

Communicant Member means a baptised person who has been admitted to Communion on profession of his or her faith by the Kirk Session of a congregation, or who has been received by such Kirk Session on transfer from another congregation or church.

Communion Roll means the roll of the names of communicant members of the congregation maintained by the Kirk Session under Par 52.

Congregational Property means all land and buildings, money, securities for money, investments and all other types of property owned by or acquired for a congregation.

Congregational Trustees means the trustees appointed by the congregation under Par 87 to receive and hold the congregational property.

Contempt means defiance of, or disobedience to, the courts of the **Church**.

Fama Clamosa means a public rumour of immoral or reprehensible conduct concerning any member of the **Church**.

Final Determination means the determination of a matter made by a court of the Church when either no appeal lies against that determination, or the time for appeal has expired.

General Assembly Fund means any such fund as is created from time to time by the General Assembly in respect of which a congregation may be assessed for payment out of its Assessable Income.

Guidance is as defined in Par 344.

Guidelines are as defined in Par 344.

Home Mission congregation means a congregation which has been accepted by the Council for Mission in Ireland, as per Par 108, and which continues to be recognised as such.

Incidental Fund means a fund established by the General Assembly for the payment of general expenses incurred in the work of the Assembly and grants as approved by the **Assembly**, for which no separate provision is made.

Leave to Call means the permission granted by the **Linkage Commission** to a congregation or council to issue a Call.

Licentiate means a probationer who has been licensed by a Presbytery to discharge the duties of a minister, except for the administration of the sacraments and membership of the courts of the **Church**.

Linkage Commission means the Standing Commission of the General Assembly established as such by Pars 374–398.

List, in bold font without any further qualification, means the list of candidates to be heard by a congregation prior to it deciding if it wishes to make a **Call** to a minister, as described in Par 259.

Minister Emeritus means a minister, male or female, designated as such by Presbytery after retirement.

Ministerial Minimum Income means the appropriate minimum income to which ministers are entitled under the scheme referenced in Par 402.7.4.

Overture means a proposal to the General Assembly to add to or alter this Code or to abrogate any part of this Code.

Panel means a group appointed by a commission or council of the General Assembly to undertake such ongoing matters within its remit which, in the opinion of the commission or council is more appropriately undertaken by such group.

Part-time Ministry means a ministry to a congregation under **Regulations** contained in the Part-Time Ministry Scheme authorised by the General Assembly.

Prolonged Disability Fund means the fund set up by the General Assembly to provide for a minister who through illness or infirmity has become permanently unfit to carry out his or her duties, and has been so certified by a medical practitioner.

Qualified Voter is as defined in Par 101.

Regulations are as defined in Par 344.

Remit means any task or area of activity the implementation of which has been assigned by the General Assembly to any commission, council or committee of the General Assembly.

Request for consideration means any request to a court of the **Church** proposing that a matter be debated by that court. [The Code is changed by **Overture**, see definition above].

Retired Ministers' Fund means the fund set up in accordance with Par 431.3 and 441 and administered by the General Council either by itself or through a committee appointed for that purpose.

Retired Ministers' House Fund means the fund set up by the General Assembly to provide financial assistance to ministers, and other qualified persons, who have retired or are about to retire to enable them to purchase a dwelling house.

Reviewable Tenure means a settlement of a minister in a congregation where that settlement is to be reviewed after a specified term.

Ruling Elder is as defined in Par 15.2 and in this Code is sometimes referred to simply as 'elder'.

Special Work means a ministerial appointment under the jurisdiction of the General Assembly, including as:

(a) a theological professor or lecturer; or

(b) a Global Mission worker; or

(c) a chaplain to the Forces; or

(d) a person undertaking such other special work as may from time to time be approved by the General Assembly.

Statement of Accounts means a statement of the finances of the congregation and of all organisations under the control of Kirk Session, for the year ended on the previous 31 December, including full details of the income and expenditure of the congregation and any movements of the capital of the congregation for such year, and independently examined or audited in accordance with the requirements of charity legislation.

Statistical Return means the information supplied annually by congregations to the General Assembly through the General Council and its Support Services Committee, in fulfilment of that committee's remit under Par 402.7.10.

Taking Care means the safeguarding policy and programme of the Presbyterian Church in Ireland.

Task Group means a group appointed by the General Assembly or by a commission or council of the **Assembly** to implement a specific task which can normally be implemented within three years.

Teaching Elder is as defined in Par 15.1, and in this Code is referred to as 'minister'.

Trustees means the Trustees of the Presbyterian Church in Ireland.

United Appeal means the United Appeal for Mission for the amount fixed annually by the General Assembly through the General Council as the amount required from congregations in order to finance the mission and agencies of the **Church**.

Urban Mission congregation means a congregation which has been accepted by the Council for Mission in Ireland, as per Pars 108.3, and which continues to be recognised as such.

Vacant means, in respect of a congregation, not having any installed or inducted minister (notwithstanding that there may be an **associate minister** or ordained assistant to the Moderator of the General Assembly serving in the congregation).

Voters List means a list of **Qualified Voters** as prepared under Pars 100–106.

Widows of Ministers' Fund means the fund set up in accordance with Par 431.4 and 443.

Written and **Writing** are to be taken to refer equally, unless specified otherwise, to information communicated on paper or in an electronic format.

Interpretation

In this code unless the context otherwise permits:

- words in the singular shall include the plural and words in the plural shall include the singular
- where a word is defined, other parts of speech and grammatical variations of that word shall have corresponding meanings
- the word 'shall' shall be construed as imperative and the word 'may' as permissive and empowering
- a reference to any statutory provision is a reference to that provision as it is for the time being in force
- references to chapters are references to chapters of this Code
- references to sections, paragraphs and sub paragraphs are references to sections, paragraphs and sub paragraphs of the respective chapters, sections and paragraphs in which they occur
- the Code consists of the provisions on Definitions and Interpretation, and the contents of the chapters: the Schedules to the Code are not themselves part of the Code but are to assist in the interpretation of the Code and in its implementation.

Any document made before the coming into operation of this Code and referring to the Code of the **Church** or any provision of the Code of the Church shall be construed as referring respectively to this Code or to the provision of this Code which has replaced the provision previously referred to.

Any person holding office or serving under any provision replaced by this Code shall continue in office or service as if he or she had been appointed under this Code and nothing in this Code shall prejudice his or her terms and conditions of service or rights or any allowances accrued or any superannuation in respect thereof.

Subject to the succeeding paragraph, nothing in this Code shall affect any proceedings begun in any court of the **Church** before the coming into operation of this Code and any such proceedings may be continued and determined as if this Code had not come into operation.

Notwithstanding the preceding paragraph, any direction, determination, order or sentence of a court of the **Church** after the coming into operation of this Code may be given effect to as authorised by this Code.

Chapter 1:
GENERAL PRINCIPLES

Section 1 – The Nature of the Church

1. The one catholic or universal Church of Jesus Christ is both invisible and visible.

2. The invisible Church consists of all those who have been, are being or shall be gathered into one under Christ, the Head.

3. The visible Church consists of all those throughout the world who profess to believe in the Lord Jesus Christ for salvation and to live in obedience to God's Word, together with their children.

   3.1 The visible Church was established by the Lord Jesus Christ for the glory of the Father and the advancement of His Kingdom in the world. These great purposes are to be accomplished by the proclamation of the Gospel, by bearing witness to the truth as it is in Jesus Christ and by the promotion of Christian fellowship and mutual edification among all believers.

   3.2 Many particular churches are included in the visible Church. Each of these consists of a congregation of persons who are associated for the administration and observance of ordinances according to the Scriptures or a number of such congregations under a common government.

      3.2.1 The Presbyterian Church in Ireland is thus a particular church of the visible catholic or universal Church of Jesus Christ.

Section 2 – The Membership and Mission of the Church

4. All who profess faith in Jesus Christ as Lord and Saviour are called to be members of the visible Church in the fellowship of a congregation, with all the rights and responsibilities attached.

5. **Church** members are called to make diligent use of the means of grace, to share faithfully in the worship and work of the Church, to give as the Lord may prosper them, to render whole-hearted service to Christ and His Kingdom throughout the world and to continue in the peace and fellowship of the people of God.

6. The children of believers are, through God's covenant and promise, called to be part of the visible Church in the fellowship of a congregation. They are entitled to baptism and to nurture by the **Church** and pastoral care, to the end that they may personally embrace Christ and claim the benefits of the covenant.

7. All baptised persons, claiming connection with a congregation, even though they are adults and have made no personal profession of their faith in Christ, are entitled to the pastoral care and instruction of the **Church** and are subject to its discipline.

8. The whole **Church**, in its ministry and membership, is called to proclaim to all people by word and deed the Christian Gospel of salvation.

   8.1 Mission, both local and global, is to be regarded as an integral part of the life and nature of the Church. The Church may fulfil this purpose by working in association with churches and agencies in Ireland and around the world, as mutually agreed from time to time.

   8.2 The work of mission springs from a personal experience of the love of God, through faith in the Lord Jesus Christ, and in obedience to the Lord's command. Its purpose is to make this love known to others and win them to faith in Christ and to his service.

Section 3 – The Standards of the Church

9. The Word of God as set forth in the Scriptures of the Old and New Testaments is the only infallible rule of faith and practice, and the supreme standard of the **Church**.

10. It is the privilege, right and duty of every person to examine the Scriptures, and each individual is bound to submit to their authority. Having formed a definite conviction as to what the will of God is upon any subject, it is each person's duty to accept and obey it. In exercising this God-given right of private judgment, individual Christians are not to set their reason above the Word of God, or to refuse light from any quarter. Guided by the Holy Spirit, they are to use their reason to ascertain the divine will, as revealed in Scripture, and are to refuse to subject conscience to any authority except that of the Word of God. In the words of the Westminster Confession, 'God alone is Lord of the conscience, and has 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.'

11. The Presbyterian Church in Ireland, as a witness for Christ, has adopted subordinate standards. In these are found what the **Church** understands the Word of God to teach on certain important points of doctrine and worship. These subordinate standards are a testimony for truth and against error, and serve as a bond of union for members of the Church.

12. The Confession of Faith (as approved by the Church of Scotland in her Act of 1647), and the Larger and Shorter Catechisms, prepared by the Westminster Assembly of Divines, are the subordinate standards of the Presbyterian Church in Ireland. Accepting these subordinate standards, the **Church** holds that civil rulers must be obedient to Christ in their own area of authority, yet they ought not to attempt, in any way, to constrain any person's religious beliefs or intrude upon their rights of conscience.

13. The **Church** alone has the right to interpret and explain her standards, under the guidance of the Spirit of God.

Section 4 – The Government of the Church

14. The Lord Jesus Christ is the sole King and Head of the Church, whether invisible, visible or particular; and He has appointed therein a government distinct from civil authority. The Kingdom of Christ is not of this world, its laws are founded on His authority, they are specially directed to the conscience and their sanctions are spiritual.

    14.1 Christ is always present in His Church and governs it by God's Word and Spirit through the ministry of His people. This government is both representative and corporate. Accordingly, voting members have the inalienable right to choose their own officers; and such officers are under obligation to serve together in the courts of the **Church**.

15. The permanent officers in the **Church** are presbyters (that is elders), who in apostolic times were also called bishops or overseers, and deacons. In each apostolic Church there was a plurality of presbyters: all ruled and some also laboured in Word and doctrine, hence the titles **ruling elder** and **teaching elder**.

    15.1 The teaching elder, who is also called preacher, evangelist, teacher, pastor or minister, in addition to the oversight of the Church which is exercised in conjunction with the ruling elders, is commissioned to preach God's Word, to administer the Sacraments of the Gospel and to instruct the people, and is set for the defence of the Gospel.

    15.2 The ruling elder is appointed to watch for souls and to exercise government and discipline in conjunction with the teaching elder. This shall include the oversight of the care of those in need and the management of the temporal affairs of the congregation, with these two matters delegated to the congregational committee.

    15.3 Members of the congregational committee are appointed to fulfil the biblical role of deacons by discharging the duties delegated to them of caring for those in need and managing the temporal affairs of the congregation.

16. Calling to office in the **Church** is an act of God by the Lord Jesus Christ in the Holy Spirit. This calling is ordinarily made manifest through the inward testimony of a good conscience on the part of the person, the approval of God's people on the part of the Church and the concurring judgment of a court of the Church.

    16.1 In discharging their various duties, the officers of the Church are entitled to receive the assistance of other members of the Church. Scripture directs Christians to respect those who labour among them, to esteem them very highly in love for their work's sake, and to obey those who have been given authority in the Lord.

    16.2 The authority of any officer in the Church is derived from Christ and belongs not to the officer; therefore, any person appointed to office may not assume any spiritual pre-eminence over others, but be only minister, disciple and servant. **Teaching** or **ruling elders** are not warranted on their own authority to publish any doctrine nor to prescribe any ceremony; nor is submission to them obligatory, except in so far as their doctrine and decisions are consistent with the Word of God.

Section 5 – The Courts of the Church

17. The Presbyterian Church in Ireland shall be governed by presbyters in representative assemblies, otherwise known as the courts of the **Church**; these are Kirk Sessions, Presbyteries and the General Assembly.

    17.1 Each congregation and each member of a congregation (except members of Kirk Session) in all matters of doctrine, discipline, worship and order, is under the immediate jurisdiction of the Kirk Session of the congregation; each Kirk Session, in these matters, is under the immediate jurisdiction of the Presbytery; each Presbytery is similarly under the jurisdiction of the General Assembly.

    17.2 The Moderator of each court of the Church shall preside at its meetings as the first among equals.

    17.3 Any member of the Church may be present at proceedings of courts of the Church; but when a court deems it expedient, and no law of the Church interferes, it may transact its business in private, excluding all but members of the court and any others whose attendance the court considers appropriate (but see also Par 17.5).

    17.4 Any person appearing before a court of the Church, or any commission thereof may be accompanied by a member of the Church, with whom he or she may consult, but who shall not be permitted to address the court; but

        17.4.1 any person who at any time qualified as a barrister or solicitor shall not be permitted to represent or appear on behalf of any party in any inquiry or other proceedings conducted by any court of the Church or by any commission thereof.

    17.5 Meetings of Kirk Session shall normally be held in private and all discussions kept in confidence, but the Kirk Session may invite others to sit and deliberate If it considers their attendance appropriate.

18. A superior court may:

    18.1 direct any court subordinate to it to investigate any matter properly falling within the jurisdiction of the inferior court;

    18.2 remove any matter from an inferior court and itself, or by a commission with the powers of the superior court, investigate and adjudicate thereon;

    18.3 call for and examine the records of an inferior court;

    18.4 amend those records or pronounce such judgment on the actions of the inferior court and give that court such directions, conformable with the law and standards of the **Church**, as the superior court deems right;

18.5 exercise all the powers, authority and jurisdiction of an inferior court and, in particular, may:

18.5.1 confirm, reverse or vary any decision, determination or pronouncement of the inferior court; or

18.5.2 remit any appeal to it from an inferior court, or any matter arising thereon, to the inferior court with such declaration or directions as the superior court may think proper;

18.6 appoint one or more of its ministers or of the **ruling elders** within its jurisdiction to be a member or members of an inferior court for the purposes of any matter arising before the inferior court, but an appointment under this paragraph shall not prejudice any right of appeal or reference exercisable in relation to the inferior court.

19. Before pronouncing judgment or making any declaration with respect to any decision, determination or pronouncement of an inferior court or giving any direction to an inferior court, the superior court shall have before it the inferior court or representatives of that court together with the inferior court's records or authenticated copies thereof. The inferior court shall comply with any direction given to it.

20. The General Assembly, or any commission or committee with **Assembly powers**, shall not adjudicate in any matter of discipline except by way of reference or on appeal; and if, before or on the hearing of any such reference or appeal, fresh charges or complaints emerge, they shall be remitted for investigation in the first instance to the appropriate inferior court.

21. An inferior court may refer any matter, or any point of difficulty arising in connection with any matter, coming before it to the next superior court for direction or determination or advice. Such a reference may be without the expression of any opinion on the matter by the inferior court. The inferior court shall comply with any direction given to it.

21.1 In addition, an inferior court may submit a **request for consideration** or submit a complaint to a superior court with respect to the proceedings of any court exercising co-ordinate or lower authority over which the superior court has jurisdiction.

21.1.1 A request for consideration or a complaint shall not be accepted under Par 21.1 unless, at least ten days before the superior court meets, **written** notice of intention to submit such request or complaint, together with particulars of the subject-matter of the submission, shall have been given to the Clerk of the co-ordinate or lower court by the court making the submission.

21.2 No court has a right to review the proceedings of a superior or co-ordinate court.

21.3 An inferior court, or a committee thereof, shall not meet during any sitting of a superior court to which it is subordinate without leave of that court.

22. The acts of a court of the **Church** shall be treated as valid, subject to Par 23, notwithstanding:

22.1 any defect that may afterwards be discovered in the appointment or qualification of a member of the court, unless it shall be shown that the vote of such a member was decisive;

22.2 any accidental omission to give notice of a meeting to a member of the court, or non-receipt by a member of a notice duly sent; or

22.3 the presence at any sitting of a court of a person not entitled to be present.

23. Where, on the ground of irregularity arising by reason of any such defect or failure as is mentioned in Par 22, an appeal is made to set aside the proceedings in which the defect or failure occurred, or any step taken in connection with or in consequence of those proceedings, the court appealed to may either:

23.1 allow amendments to be made; or

23.2 make such other orders, including granting the appeal, or issue such directions with respect to the proceedings generally as the court may, in all circumstances and in keeping with the rules of natural justice, think just and proper;

but an appeal under this paragraph shall not be allowed unless it is made before the party appealing has taken any fresh steps after becoming aware of the irregularity.

24. Any court of the **Church** may appoint a commission or committee, the latter being sometimes called a council, for such purposes as the court may determine, or may resolve itself into a committee of the whole court.

24.1 In every case the commission, committee or council shall report to the court.

24.2 Nothing in Par 24.1 shall operate to prejudice any powers conferred on commissions of the General Assembly under Par 357.

Chapter 2:
THE CONGREGATION

Section 1 – Kirk Session

25. The Kirk Session is the court of the **Church** which is the governing body of a congregation in its Christian calling.

    25.1 The Kirk Session shall consist of the ordained minister or ministers, and the ruling elders of the congregation, of whom there shall be at least two, and:

    25.1.1 if a congregation does not have two ruling elders available for active duty, Presbytery shall, if it sees fit, take steps to have ruling elders elected by the congregation so as to obtain a Kirk Session for the congregation, and

    25.1.2 pending the election and installation of sufficient numbers of ruling elders, Presbytery shall appoint an Interim Session. This will consist of the ordained minister or ministers and any ruling elders of the congregation, along with such other ministers and elders the Presbytery may appoint. It shall have all the powers and responsibilities of a Kirk Session.

26. The **qualified voters** of the congregation shall from time to time elect the persons who are the **ruling elders** of the congregation.

    26.1 Those who may be elected as ruling elders are men and women who are qualified voters of the congregation and who are:

    - regular attenders at the services of the congregation
    - circumspect and exemplary in their conduct both within the congregation and outside of it
    - of acknowledged piety
    - seeking to maintain the worship of God within their families
    - held in esteem by the members of the congregation.

    26.2 Remunerated employees of the congregation, who are otherwise eligible, may be elected as members of the Kirk Session but shall not sit and deliberate with the Kirk Session when matters affecting their employment, or that of other remunerated employees, are under discussion.

Election of Ruling Elders

27. Save where this Code otherwise provides, the Kirk Session shall decide if and when the congregation shall elect **ruling elders**, and the number of ruling elders to be elected; but any **qualified voter** of the congregation may request the Kirk Session to conduct an election of ruling elders and the decision of the Kirk Session upon such request shall be subject to review by the Presbytery.

    27.1 The decision of the Kirk Session for the election of ruling elders, including the number to be elected, shall be reported to the Presbytery for authorisation to proceed, and for the appointment of a commission of the Presbytery to discharge the duties of the Presbytery, in accordance with current **Guidelines** (Schedule 2).

    27.2 If the Presbytery authorises the election of ruling elders the Kirk Session shall, before such election is held, prepare and publish a **voters list** in accordance with Pars 100-105 for such election unless one has been drawn up within the previous twelve months.

27.3 Before an election of ruling elders is conducted the minister of the congregation shall:

- read to the congregation Pars 42 and 26.1
- explain to the congregation, assisted by others if desired, the duties and qualifications of ruling elders
- explain to the congregation which of the two methods as set out in Par 28 is to be followed in selecting the ruling elders.

Selection

28. The selection of those to be presented to the congregation for election as **ruling elders** shall be made by either of the two methods prescribed in Pars 28.1 or 28.2 as the Kirk Session shall determine.

28.1 *Selection by the congregation*

28.1.1 On two successive Sundays the congregation shall be informed of the number of new ruling elders being sought and each **qualified voter** shall be invited to submit to the Kirk Session, in **writing**, giving his or her name, not later than the third Sunday, the names of those persons, not exceeding the number of ruling elders sought to be elected, which such qualified voter proposes for election as ruling elders.

28.1.2 The Kirk Session may, but shall not be obliged to, facilitate the election by circulating to all qualified voters the **voters list** with instructions to mark thereon the names, up to the specified number, of the persons for whom they wish to vote as members of the Kirk Session and to submit the list so marked to the Clerk of Session by the stated date.

28.1.3 The Kirk Session shall examine the names received, and those persons whose names occur most frequently and who:

- are qualified voters
- are approved by the Kirk Session
- have been nominated by at least one-third of those who submitted nominations
- consent to their nomination

shall, up to the number approved by Presbytery, form a list of those to be presented to the congregation for election as ruling elders.

28.2 *Selection by the Kirk Session*

28.2.1 On two successive Sundays the congregation shall be informed that an election of ruling elders is to take place and each qualified voter shall be invited to nominate to the Kirk Session, in writing, giving his or her name, the names of any qualified voters for consideration for election as ruling elders.

28.2.2 The Kirk Session, having considered the nominations received and having obtained the consent of those whom the Kirk Session proposes to include in the list, shall, up to the number approved by Presbytery, prepare a list of those to be presented to the congregation for election as ruling elders.

Election

29. The list prepared in accordance with Par 28, shall be read to the congregation on two successive Sundays.

    29.1 Any **qualified voter** who wishes to object to any person named in such list shall lodge a **written** objection, giving reasons for the objection, with the Moderator of Kirk Session within a week from the second announcement and the Kirk Session shall within one week from the date of the lodging of the objection consider the objection and decide whether or not to sustain it.

    29.1.1 If the Kirk Session shall decide to sustain the objection, the name of the person who was the subject of the objection shall be removed from the list. That person shall be informed of the decision and informed of how to appeal.

    29.1.2 If the Kirk Session shall decide not to sustain the objection, the person who lodged the objection and the person who was the subject of the objection shall be informed of the decision and the former informed of how to appeal.

    29.2 Once any appeals have been finally determined, the Kirk Session shall convene a meeting of the congregation for a date not earlier than three weeks after the first reading of the list, to confirm the election and call of new **ruling elders**.

    29.3 The names of those persons who, at the date of the meeting of the congregation, remain on the list shall be presented to the meeting. A poll of the qualified voters present shall be taken by secret ballot in respect of each individual, who shall be declared elected and called if two-thirds of those who vote do so in favour of that person.

Presbytery Conferral, Training and Ordination

30. The name of every **ruling elder** elect shall be reported to the appointed commission of Presbytery which, in line with **Guidelines** (Schedule 2), shall confer with each ruling elder elect with a view to ascertaining that person's:

    - acquaintance with divine truth
    - personal faith and character
    - sense of the responsibilities and duties of the office (including that of acting as a **charity trustee** of the congregation) and
    - gifts and availability for the exercise of the office of ruling elder.

    30.1 Thereafter, and prior to ordination and installation, or installation, a ruling elder elect shall undergo a course of instruction, of not less than six sessions, in the doctrines of the **Church** as set forth in the Westminster Confession of Faith and in the life and duties of the elder.

31. Following such course of instruction, the commission of Presbytery:

    31.1 if it is within the terms of its appointment to do so, and if it is satisfied that the requirements of Par 30 have been met, shall proceed to ordain and install or install that **ruling elder** elect, provided that the ruling elder elect shall have completed a **Charity Trustee Declaration**;

    31.2 if it is not within the terms of its appointment to ordain and install or install a ruling elder elect but it is satisfied that the requirements of Par 30 have been met, shall refer the matter to Presbytery to make the appropriate arrangements for the ordination and installation or installation of that ruling elder elect, subject to that ruling elder elect completing a Charity Trustee Declaration;

    31.2 if it is not satisfied that the requirements of Par 30 have been met, shall refer the matter to Presbytery which shall determine whether or not that ruling elder elect shall be ordained and installed or installed. If Presbytery shall determine that the ruling elder elect shall be ordained and installed or installed, it shall make the appropriate arrangements, subject to that ruling elder elect completing a Charity Trustee Declaration.

Temporary or Permanent Cessation of a Ruling Elder's Membership of Kirk Session

Temporary release from the duties of the Eldership

32. A **ruling elder** may ask the Kirk Session to be released from the duties of the eldership in a congregation for a specified time, and the Kirk Session may grant that request. A ruling elder thus released may not attend, speak or exercise a vote in the Kirk Session until that elder resumes the duties of the eldership in the congregation.

    32.1 When a Kirk Session releases a ruling elder it shall take immediate steps to remove the name of that elder as a **charity trustee** of the congregation and, should that elder resume the duties of the eldership, take steps to include the name of that elder as a charity trustee.

Suspension or Removal from the Office of the Eldership

33. Any formal complaint made against a **ruling elder** shall be referred to and dealt with by the Presbytery which shall consider the matter and take such steps as to it seem appropriate.

    33.1 A ruling elder, against whom a complaint is being investigated by Presbytery, may be temporarily suspended from the office of the eldership and, if so suspended, shall not act during that investigation.

    33.2 If as a result of an investigation, a ruling elder is permanently removed from the office of the eldership or is excluded from the benefits of **Church** membership, he or she shall cease to be a ruling elder of the Presbyterian Church in Ireland.

    33.3 Where an elder is permanently removed or suspended from the office of the eldership, the Kirk Session shall take immediate steps to remove the name of that elder as a **charity trustee** of the congregation; but if an elder who is suspended resumes the office of the eldership, the Kirk Session shall take steps to include the name of that elder as a charity trustee, including the completion of a **Charity Trustee Declaration**.

Retirement

34. A **ruling elder** may request to retire from the eldership on attaining the age of 65, or due to special circumstance. In such event Presbytery may, in consultation with the Kirk Session of the congregation, grant the request, whereupon the elder shall be deemed to have retired from the duties of the eldership; but if the elder so wishes, the Presbytery may grant the honorary title of 'elder emeritus' of the congregation.

    34.1 A ruling elder who wishes to retire shall request to do so in **writing** to the Clerk of Kirk Session who shall transmit such request to the Clerk of Presbytery for decision.

    34.2 An elder emeritus of a congregation that merges into another congregation shall be elder emeritus of the succeeding congregation or, if the congregation is merged into the Presbytery or General Assembly, shall be elder emeritus of the former congregation with suffix (old).

    34.3 When any elder has been permitted to retire, the Kirk Session shall take immediate steps to remove that person's name as a **charity trustee** of the congregation.

Resignation

35. A **ruling elder** may, with the consent of the Presbytery, resign as an elder in the Presbyterian Church in Ireland.

    35.1 A ruling elder who wishes to resign shall request to do so in **writing** to the Clerk of Kirk Session who shall transmit such request to the Clerk of Presbytery for decision.

    35.2 Where a ruling elder has received a disjunction certificate, the Clerk of Session of the issuing congregation shall report this to the Clerk of Presbytery and that elder shall be deemed to have resigned.

    35.3 The Kirk Session shall take immediate steps to remove as a **charity trustee** of the congregation an elder who has resigned, or who has been deemed to have resigned.

Meetings of Kirk Session

Moderator

36. Each meeting of the Kirk Session shall be presided over by the Moderator of Kirk Session. The Moderator shall be the minister of the congregation; in the absence of the minister, or if it is otherwise expedient to do so, the minister may request any other minister of the **Church** to act as the Moderator for the time being.

    36.1 Upon the congregation being declared **vacant**, or if its minister is incapacitated or suspended from ministerial duties, the Presbytery shall appoint one of its ministerial members to be the Interim Moderator of Kirk Session. An Interim Moderator of Kirk Session shall have the same rights and duties as the Moderator of Kirk Session, and be registered as a **charity trustee** of the congregation.

    36.2 A meeting of Kirk Session cannot be held without a minister to act as Moderator.

    36.3 At a meeting of Kirk Session, the Moderator shall not have a deliberative vote, but in the event of an equality of votes, the Moderator may exercise a casting vote.

Clerk of Session

37. The Kirk Session shall appoint one of its members to be the Clerk of Session who shall continue in office for as long as the Kirk Session shall desire.

    37.1 The Clerk of Session shall be responsible for the recording of minutes of the meetings of Kirk Session in a minute book kept by the Kirk Session for that purpose and for the safe custody of the minute books of the Kirk Session and its other records.

Holding of Meetings

38. The Kirk Session shall meet on at least two stated occasions annually, but may meet on such other occasions as it may decide. In addition, a meeting of Kirk Session:

    38.1 may be convened on the authority of the Moderator at any time;

    38.2 shall be convened by the Moderator if requested so to do in **writing** by any two members of the Kirk Session, giving not less than two days' notice;

    38.3 shall be held if so directed either by Presbytery or by the General Assembly.

39. Notice of a meeting of Kirk Session may be given at a public service in the congregation, or given to every member of the Kirk Session, on the authority of the Moderator.

40. The Kirk Session shall adopt such standing orders as it thinks fit to regulate:
    - the method by which items of business may be brought before a meeting of Kirk Session
    - the manner in which business shall be conducted at a meeting of Kirk Session
    - the rules of debate to be observed in a meeting of Kirk Session.

Quorum

41. The quorum for a meeting of Kirk Session shall be the Moderator and such other number, being not less than two, of members of the Kirk Session as Kirk Session may from time-to-time resolve.

Role of Kirk Session

42. The duty of **ruling elders** as members of Kirk Session is to work together with the minister, and the duty of the minister is to work together with the ruling elders, in the oversight and government of the congregation, for the upbuilding of God's people in spiritual fruitfulness and holy concord, and for the extension of Christ's kingdom among all people. In exercising this leadership, the Kirk Session shall oversee and work along with other members who have leadership roles in the congregation.

    42.1 ruling elders, by their calling, share equally with ministers in responsibility for practical witness both within the congregation and in the wider world.

43. The Kirk Session shall:

43.1 watch over and promote the spiritual interest of the congregation, and of persons not connected with any other congregation who are within its bounds;

43.2 conduct any election of **ruling elders** for the congregation in accordance with this Code;

43.3 seek to ensure that all ruling elders are equipped to fulfil their duties;

43.4 assign each ruling elder pastoral responsibilities and/or other leadership roles in the congregation;

43.5 report to Presbytery if, without a cause considered by the Kirk Session to be sufficient, a ruling elder ceases to:

43.5.1 regularly attend services in the congregation; or

43.5.2 participate in the celebration by the congregation of the Sacraments; or

43.5.3 contribute to the funds of the congregation; or

43.5.4 discharge the functions of the office.

43.6 fix the time and place for the holding of services, including those at which the Sacraments of Baptism and the Lord's Supper are to be observed in the congregation, but in the conduct of services and in respect of any invitation issued to any person to take services in the congregation, the minister of the congregation is responsible to Presbytery, and not to the Kirk Session;

43.7 appoint those who are responsible, under the direction of the minister, for oversight of the provision of music to be used at services in the congregation;

43.8 oversee all organisations and activities of the congregation and have the right to remove any leader in an organisation where it considers it necessary;

43.9 specifically, oversee the Sunday Schools, and the children's and youth organisations of the congregation, approving the teachers, leaders and materials used as appropriate;

43.10 ensure a scheme for pastoral care is in place in the congregation;

43.11 promote by example and exhortation the ideal of Christian giving in every department of life;

43.12 seek to further the contribution of the congregation to Christian witness and service in the local community;

43.13 authorise such measures of practical co-operation with other churches as may involve the life and work of the congregation;

43.14 act as the **charity trustees** of the congregation and be responsible for the congregation's compliance with the requirements of **charity legislation** in Northern Ireland and/or the Republic of Ireland as appropriate; refer to Presbytery the consideration of removal from office in the congregation of a ruling elder who, within the terms of such legislation, could be disqualified from being a charity trustee on the basis of the grounds for disqualification for being a charity trustee under charities legislation as appropriate; [See **Regulations** (Schedule 1)]

43.15 appoint annually independent examiners or auditors to examine or audit the **Statement of Accounts** in accordance with the requirements of charity legislation, or ensure that the congregational committee does so;

43.16 submit to the Presbytery by such date as may from time to time be prescribed by the General Assembly the Statement of Accounts, list of contributors to the funds of the congregation, the annual **Statistical Return** and such other documents as may be prescribed by the General Assembly (see Par 438);

43.17 in Northern Ireland, execute the vesting declaration required by the Charities Act (Northern Ireland) 2006 to carry into effect a resolution of the General Assembly for the merger of the congregation with another congregation or charity;

43.18 act as the employing body concerning all remunerated employees in the congregation, delegating authority to the congregational committee for those employed in connection with activities which are the responsibility of the congregational committee as set out in Par 71;

43.19 select candidates for hearing, in accordance with this Code, when the congregation is **vacant**, or if the congregation has been given **Leave to Call** an **associate minister**;

43.20 call an ordained assistant to the Moderator of the General Assembly and auxiliary ministers for service in the congregation;

43.21 call meetings of the congregation, decide what matters shall be brought before such meetings and record their proceedings and decisions taken;

43.22 transmit **requests for consideration** and other documents from the congregation to Presbytery;

43.23 make necessary arrangements for the appointment of a congregational committee and **congregational trustees**;

43.24 ensure that the congregational committee:

- is aware of relevant policies and decisions of the Kirk Session and complies with them
- submits minutes of each congregational committee meeting to the Kirk Session
- reports to the Kirk Session annually;

43.25 control what meetings and activities may be held in the church buildings, in accordance with **Regulations** (Schedule 1);

43.26 ensure that the congregation follows the General Assembly's Safeguarding policy.

Discipline within the Congregation

44. The Kirk Session shall:

44.1 exercise authority in the Lord over all persons connected with the congregation both with regard to their doctrinal beliefs and conduct;

44.2 inquire into and judge the truth of allegations or charges brought against members of the congregation in respect of their doctrinal beliefs and conduct;

44.3 admonish, suspend or exclude from the benefits of the membership of the congregation a **communicant member** adjudged by the Kirk Session as holding doctrinal beliefs not compatible with the doctrine of the Presbyterian Church in Ireland, or as having conducted themselves in such a way as to be inconsistent with their membership, and to readmit that person to the benefits of membership of the congregation on satisfactory evidence of repentance;

44.4 receive the **request for consideration** from any member or **adherent** of a congregation seeking redress of a grievance, except as set out in Par 44.6;

44.5 transmit to Presbytery any appeals against decisions taken and, through its Moderator, shall advise an appellant, if so requested, on the procedure to be followed;

44.6 not receive a request for consideration from any member or adherent of a congregation who is or has been employed by the congregation under a contract of employment in respect of any grievance relating to such contract of employment where such grievance has been dealt with either under any grievance or disciplinary policy of that congregation relating to its employees, or following any reference of such grievance to a civil authority.

Baptism

45. Baptism shall be administered to those who make a profession of faith in the Lord Jesus Christ, and to the infant children of parents, one or both of whom shall make such a profession. (See also Par 131)

    45.1 Admission to baptism is a decision of the Kirk Session which may delegate responsibility to the minister, except in cases of doubt or difficulty. In such cases the matter shall be brought to the Kirk Session for decision.

    45.2 Baptism shall be administered in all cases by a minister and, as far as possible, it shall be administered during public worship.

    45.3 The Kirk Session shall keep a register of all baptisms in the congregation.

    45.4 The Kirk Session shall nurture and pastor all baptised persons in the congregation, not yet in full communion; and shall in due time seek to lead them to full confession of their faith and communicant membership.

Admission to Communicant Membership of the Congregation

46. The Kirk Session shall only admit to communicant membership of the congregation those who have been baptised, who make a profession of faith in the Lord Jesus, and whose character is consistent with such a profession.

Admission on Profession of Faith

47. Anyone seeking for the first time to become a **communicant member** shall be carefully instructed by the minister. When the Kirk Session has satisfied itself as to the knowledge, soundness in the faith and Christian experience of that person, he or she shall, on profession of faith, be received into communicant membership of the Church of Jesus Christ, and his or her name shall be entered on the Roll of Communicant Members of the congregation. The new communicant should be welcomed into the fellowship of the Church in the presence of the congregation.

Admission by Transfer

48. In addition to admission to communicant membership as provided in Pars 46 and 47, the Kirk Session may admit to membership of the congregation:

    - a member of the Presbyterian Church in Ireland in full communion on receiving a disjunction certificate from the congregation in which that person had last been a member
    - a member of another denomination, on receiving a disjunction certificate or other similar document from the congregation in which that person had last been a member
    - a member of a denomination or fellowship which does not provide a disjunction certificate or similar document, on reaffirmation of his or her faith.

49. If a person seeking to join the congregation on presentation of a disjunction certificate or similar document delays unduly in presenting a disjunction certificate, the Kirk Session shall not admit that person to membership until it is satisfied as to:

    49.1 the reasons for delay; and

    49.2 the character of the person during the period of such delay.

50. No member to whom a disjunction certificate has been refused shall be received without the authority of a superior court.

Administration of the Lord's Supper

51. The Lord's Supper shall be administered in all cases by a minister. It shall be observed at public worship on such days and at such times as the Kirk Session shall from time to time decide. It is no requirement of the communion service that there be an elder to distribute the elements.

    51.1 In addition to the public observance of the Lord's Supper, the Kirk Session should encourage opportunities by which means **communicant members** who are housebound may partake of the sacrament from time to time. In such services it is desirable that one or more persons representing the main congregational fellowship should be present to share with the minister and individual communicant.

51.2 The Kirk Session shall record the attendance of communicant members at the Lord's Supper and may do so by the use of communion tokens or by such other method as shall be approved by Presbytery.

Maintenance of the Communion Roll

52. The Kirk Session shall keep a roll of the names of those persons who are **communicant members** of the congregation, and shall revise it to ensure its accuracy at least once every three years. The Kirk Session shall report that the revision has been completed to the Presbytery. The Kirk Session shall also keep a list of **adherents** of the congregation and revise it regularly.

Revision of the Communion Roll

53. In revising the **communion roll**, the Kirk Session shall not remove the name of a **communicant member** from the communion roll unless that member:

53.1 has died; or

53.2 has been granted and received a disjunction certificate; or

53.3 has been continuously absent from the Lord's Table for two years and has failed when approached, in person, or if that should prove impractical, by personal letter on behalf of the Kirk Session, to give reasonable grounds for absence; or

53.4 has been censured by a court of the **Church** which has ruled that his or her name shall be removed from the communion roll of the congregation; or

53.5 in the judgement of the Kirk Session has left the congregation to avoid Church censure.

54. In the application of Par 53.3 a person's advanced age or infirmity shall be accepted by the Kirk Session as reasonable grounds for absence from the Lord's Table.

Removal from Communion Roll on Request

55. The Kirk Session shall remove from the **communion roll** the name of any member who requests that they no longer be a **communicant member** of the congregation.

Disjunction Certificates

56. The Kirk Session shall, on application within a reasonable time, authorise the granting of a disjunction certificate to a **communicant member** of the congregation who is leaving the congregation who is free from scandal and is not subject to any official investigation or censure of the **Church**.

56.1 A communicant member should, when leaving a congregation, obtain a disjunction certificate and present it at the earliest opportunity to the Kirk Session of another congregation.

Representative Elders to Presbytery and the General Assembly

57. The Kirk Session shall commission a **ruling elder** to represent it in:

- Presbytery
- the General Assembly.

57.1 Such commission shall continue in force for the period specified in the commission, unless in the meantime the commission has been withdrawn and its withdrawal certified to the Presbytery or the General Assembly, as the case may be, or unless in the meantime another commission has been issued.

58. The Kirk Session shall seek to represent the interests and concerns of the congregation in the superior courts of the **Church**, and also the interests and concerns of the superior courts within the congregation.

Section 2 – Congregational Committee

Membership

59. The congregational committee shall consist of:
    - members of the Kirk Session
    - such other persons elected to the congregational committee by the congregation.

    59.1 Only **qualified voters** of the congregation who are regular attenders at the services of the congregation may be elected as members of the congregational committee, save that a person shall not be disqualified from election on the ground of irregular attendance unless that person has failed, when approached on behalf of the Kirk Session, to provide grounds for such irregular attendance which the Kirk Session considers to be reasonable.

    59.2 Remunerated employees of the congregation may be members of the congregational committee but shall not sit and deliberate with the congregational committee when matters affecting their employment, or that of other remunerated employees, are under consideration.

Election of Members

60. The Kirk Session shall arrange for an election of persons to the congregational committee once every three years, save that an election may either be postponed or brought forward if either the Kirk Session or Presbytery consider that there are circumstances in the congregation which make it expedient to do so.

    60.1 Only **qualified voters** may vote at the election of members of the congregational committee.

    60.2 The Kirk Session shall prepare and publish a **voters list** in accordance with Pars 100–105 for such election unless one has been drawn up within the previous twelve months.

61. The Kirk Session shall specify the number of persons to be elected to the congregational committee and shall determine which of Method 1, or Method 2 (as set out below) it intends to use for an election:

    61.1 *Method 1*

    61.1.1 The Kirk Session shall request **qualified voters** to submit to the Clerk of Session by a stated date a list containing, up to the number so specified, the names of persons qualified to be members of the congregational committee.

    61.1.2 The Kirk Session may, but shall not be obliged to, facilitate the election by circulating to all qualified voters the **voters list** with instructions to mark thereon the names, up to the specified number, of the persons for whom they wish to vote as members of the congregational committee and to submit the list so marked to the Clerk of Session by the stated date.

    61.1.3 The date stated for the submission of such list shall be announced to the congregation on the two successive Sundays immediately preceding that date.

    61.1.4 The Kirk Session shall declare elected to the congregational committee those persons having the highest number of votes up to the number so specified, who are both qualified to be members of the congregational committee under Par 59 and have consented to act as such.

61.2 *Method 2*

61.2.1 On two successive Sundays the congregation shall be informed that an election for the congregational committee is to take place of persons qualified to be members of the congregational committee up to the number so specified. Qualified voters shall be invited to propose, in **writing**, the names of those qualified voters for consideration of the Kirk Session as members of the congregational committee.

61.2.2 The Kirk Session shall prepare a list, up to the number so specified, from those so proposed who are both qualified to be members of the congregational committee under Par 59 and have consented to act as such, and such list shall be read to the congregation on two successive Sundays.

61.2.3 Thereafter, the Kirk Session shall convene a congregational meeting to confirm the appointment of the new members of the congregational committee. A poll of the qualified voters attending the meeting shall be taken by secret ballot in respect of each person so selected, who shall be elected if two-thirds of those who vote are in favour of that person.

Co-option to Membership

62. The Kirk Session shall have power to co-opt a person qualified to be a member of the congregational committee:

62.1 to fill a vacancy in the congregational committee occurring between one election and the next; or

62.2 if the congregational committee considers it desirable to do so for the better discharge of its duties.

Meetings of Congregational Committee

Officers

63. The officers of the congregational committee, who shall be appointed by the congregational committee from among its members, shall include:

63.1 a chairperson to preside over the meetings of the congregational committee, who:

63.1.1 shall be the Moderator of the Kirk Session, who has the right to chair meetings of the congregational committee, but at the request, or in the absence, of the Moderator, the committee may appoint another of Its members;

63.1.2 shall not have a deliberative vote, but in the event of an equality of votes, the chairperson may exercise a casting vote;

63.1.3 shall conduct proceedings of the meetings of the congregational committee in accordance with the general provisions for the conduct of business in courts of the **Church**. (See Chapter Seven)

63.2 a secretary to record its proceedings and to produce minutes of its meetings;

63.3 a treasurer or treasurers to take charge of the funds of the congregation.

64. The officers of the congregational committee, appointed by the committee, hold their appointments at the pleasure of the committee.

65. The officers of the congregational committee shall be responsible to the committee for the safe-keeping of the books of record, statements of account, other documents, electronic data, and funds of the congregation which they hold or which come into their possession, and with which they may be entrusted. They shall deliver up such books of record, statements of account, other documents, electronic data, and funds of the congregation as may be directed by the congregational committee or Kirk Session.

Holding of Meetings

66. Meetings of the congregational committee shall be held:

    66.1 on such periodic basis as the congregational committee shall from time to time determine as necessary to discharge its duties;

    66.2 when called by the Moderator of Kirk Session either:

        66.2.1 on his or her own authority; or

        66.2.2 on the authority of the Kirk Session; or

        66.2.3 when three or more members of the congregational committee make a written request to the Moderator of the Kirk Session that a meeting of the congregational committee be held; or

        66.2.4 when a superior court of the **Church** directs, in which event the business to be conducted at such meeting shall be limited to any matter mentioned in such direction.

67. All meetings of the congregational committee shall be called either by announcement at a public service of the congregation, or by notice given to every member of the committee.

Disclosure of Interest

68. A member of the congregational committee who has, or may have, a pecuniary interest (whether solely, or by, or with, or through another), or any other benefit or advantage in any matter being considered by the congregational committee, shall disclose the same to the congregational committee, and shall withdraw from any meeting of the committee while such matter is discussed and voted upon by the congregational committee.

Quorum

69. The quorum for a meeting of the congregational committee shall be one quarter of the elected membership of the congregational committee, or such higher figure as determined by the Kirk Session.

Duties

70. The duties of the congregational committee are delegated to it by the Kirk Session to which it is accountable. These are to care for those in need and to manage the temporal affairs of the congregation in accordance with this Code and the decisions of the courts of the **Church**.

71. The duties of the congregational committee shall include:

    71.1 administering all funds belonging to the congregation, or held by trustees for its use, and applying such funds for the purposes for which they were created or for which they were given insofar as it is reasonably possible or practicable so to do;

    71.2 encouraging contributions by members of the congregation for the work of the **Church**, both within the congregation and through the General Assembly, in a spirit of generous and responsible stewardship;

    71.3 paying in full out of the **Assessable Income**, in accordance with instructions given to the Treasurer of the congregation:

    - the annual congregational assessment for the **General Assembly Funds**
    - any other assessment ordered by the General Assembly
    - the fees payable by the congregation to the Presbytery, and any assessment made by the Presbytery for general purposes within its bounds
    - by quarterly instalments the amount payable in each year to the **Central Ministry Fund** in respect of the stipend or stipends which the congregation has determined to pay to its minister or ministers;

71.4 paying to any person who supplies the pulpit of the congregation during a vacancy or when the minister is on holiday:

- supply fees at the standard rate which may from time to time be prescribed by the **Linkage Commission**
- travelling expenses based on the rates for travel for attendance at **Assembly** councils;

71.5 provided the congregation has made payment of the stipend which it has agreed to pay, paying, to its minister or **associate minister**:

- additional allowances as from time to time authorised by and agreed with the Linkage Commission
- such other payments or increases as may be authorised from time to time by the committee and which are vouched for and approved by Presbytery;

71.6 promoting the work of the Church locally and globally, including informing the congregation about that work for which its contributions are sought;

71.7 ensuring that every effort is made to raise the congregation's share of the **United Appeal**, as set by Presbytery, and to transmit all contributions received as soon as practicable, so that the congregation's share is met in full before the end of each financial year;

71.8 obtaining annually from the organisations in the congregation under the control of the Kirk Session financial accounts showing all monies received and spent within the financial year and the balance held at the end of the financial year;

71.9 preparing annually the **Statement of Accounts** and submitting it and the accounts referred to in Par 71.8 to the Kirk Session for approval and thereafter for independent examination or audit as may be applicable to the congregation;

71.10 appointing independent examiners or auditors to audit the Statement of Accounts in accordance with the requirements of **charity legislation**, when not so appointed by the Kirk Session under Par 43.16;

71.11 preparing a list of all contributions, identified by number only, to freewill offering, stipend and Central Ministry Fund (See also Par 98);

71.12 ensuring that the treasurer of the congregation maintains a list of the names of contributors, and ensuring that such list may be disclosed only to any members of the committee who act as FWO and Gift Aid secretary of the congregation, and to the Clerk of Session;

71.13 providing to the Kirk Session such information as is required to enable it to make a submission to the Presbytery in terms of Par 43.17;

71.14 taking charge of all property of the congregation, ensuring, where appropriate, that it is properly repaired and maintained and that it is kept insured against fire and other foreseeable risks to the full reinstatement value thereof;

71.15 having regard to Pars 43.26 and 43.27, regulating the conditions (including the charging of any licence fee) under which the congregation's premises are used by such persons and for such events as have been previously approved by the Kirk Session;

71.16 acting as the employing body for those employees of the congregation for whom the Kirk Session is not the employing body;

71.17 managing, adopting rules for, and being responsible for the upkeep of, any graveyard which may belong to the congregation; giving answers to such questions as may from time to time be addressed to it by any superior court of the Church or by a committee or commission thereof;

71.18 carrying out such other functions as may be allocated to the congregational committee by the Kirk Session.

Borrowing by the Congregation

72. The congregational committee shall have power to borrow for the purposes of the congregation and to authorise up to six members of the congregational committee to sign any associated lending agreements required by the lender. The members of the congregational committee and those of its members who sign the associated lending agreement are by this paragraph indemnified by the congregation against any personal liability which they may have for such lending under those lending agreements but subject to the proviso that any borrowing in excess of the previous year's **Assessable Income** of the congregation shall first have been approved by a meeting of the congregation called for that purpose.

    72.1 If a lender requires security over any of the assets of the congregation for borrowing by the congregation, such security may only be given by the congregation if the giving of such security is authorised by:

    - the congregation at a meeting called for that purpose
    - the Presbytery
    - the **Linkage Commission** in any case where security is sought over the manse.

    72.2 Any security authorised in accordance with Par 72.1 shall be given by the **congregational trustees** on the instruction of the congregational committee.

Transmission of Minutes to Kirk Session

73. When the minutes of a meeting of the congregational committee have been adopted as a true record by the congregational committee, and duly signed, the Secretary shall within seven days of their adoption send a copy of such minutes to the Clerk of Session for retention by the Kirk Session.

Review of decisions of Congregational Committee

74. Any member of the congregational committee, or any member of the congregation, who is dissatisfied with any decision of the congregational committee may request the Kirk Session to review that decision. Such request shall be made in **writing** to the Clerk of Session, with a copy being sent to the Secretary of the congregational committee.

    74.1 Any member of the congregational committee, or any member of the congregation, dissatisfied with the decision of the Kirk Session following such review may request the Presbytery to further review the decision. Such request shall be made in writing to the Clerk of Presbytery, with a copy being sent to the Clerk of Session.

Section 3 – Congregational Meetings

Annual General Meeting

75. At the discretion of the Kirk Session, or if requested by 10% of contributors to freewill offering, an Annual General Meeting of the congregation may be held each year to transact any or all of the following business:

    75.1 to receive from the Kirk Session the annual report of the **charity trustees** of the congregation, to be made:

        75.1.1 in the case of congregations in Northern Ireland, to the Charity Commission for Northern Ireland;

        75.1.2 in the case of congregations in the Republic of Ireland, to the Charities Regulatory Authority;

    75.2 to receive the **Statement of Accounts**;

    75.3 to receive a report from the Kirk Session on such other matters as the Kirk Session considers appropriate.

Other Congregational Meetings

76. Meetings of the congregation, other than the Annual General Meeting, shall be called:

    76.1 by the Kirk Session, for such purposes as the Kirk Session may determine; or

    76.2 by the Kirk Session when it is directed so to do by a superior court to consider any matter mentioned in the direction, in which case it shall call such meeting to be held not later than 28 days after such direction.

77. Where a meeting of a congregation is called under Par 76, the notice calling it shall specify the purpose of the meeting. No matter except that specified shall be brought before the meeting. The notice calling the meeting shall be given to the congregation at public worship on the two Sundays preceding the meeting.

78. Normally both **communicant members** and **adherents** have the right to attend and speak at meetings of the congregation but only **qualified voters** may propose or second any resolution and vote thereon.

79. Meetings of the congregation may also be called for the following purposes:

    79.1 to consider the ministry and the mission of the **Church**, including the needs of the community;

    79.2 to promote the cause of missions, Christian training and co-operation, or otherwise advance the Lord's work;

    79.3 to foster fellowship in the life and work of the congregation;

    79.4 to choose a minister, ruling elders or members of the congregational committee;

    79.5 to authorise transactions affecting the congregational organisations or agents;

    79.6 to authorise transactions affecting the congregational ownership of, interest in, or plans for, any lands or buildings;

    79.7 to appoint, remove or accept the resignation of trustees of the **congregational property**;

    79.8 to contribute to, or authorise the raising of, special funds for congregational or other religious or charitable objects.

Section 4 – Congregational Property

80. All **congregational property** shall be vested in **congregational trustees** to hold in trust for the congregation save that:

    80.1 this paragraph shall not prevent any congregational property being brought into a common investment scheme made under section 43 of the Charities Act (Northern Ireland) 2008 or any amendment or re-enactment thereof, or under any corresponding enactment of the Republic of Ireland;

    80.2 congregational property may be transferred to trustees for a separate body set up by, under the jurisdiction of, and accountable to the Kirk Session, so long as such transfer is in accordance with **Regulations** (Schedule 1) and the consents of the Presbytery and the **General Assembly Advisory Committee** have first been obtained. The trustees for such separate body shall be not less than three **qualified voters**.

81. Where the **congregational trustee** of any property of the congregation is The Presbyterian Church in Ireland Holding Trustee Company, the congregational committee must arrange for the title deeds of such property of the congregation to be kept in safe custody in Assembly Buildings.

    81.1 In all other cases the congregational committee must arrange for the deeds of properties held in trust for the congregation to be kept in safe custody in:

        81.1.1 the Strong Room in Assembly Buildings; or

        81.1.2 the Strong Room of a Solicitor; or

        81.1.3 a fire-proof safe within the congregation's church buildings.

    In all cases the congregational committee and Presbytery should be informed of the location.

82. The **congregational trustees** shall carry out the lawful directions given to them on behalf of the congregation by the congregational committee, and for that purpose and subject to the following paragraphs shall have power to sell, mortgage, or otherwise dispose of **congregational property**. In giving any directions and in administering the property of the congregation, the congregational committee shall ensure that:

    82.1 all transactions creating, transferring or affecting any estate or interest in congregational property shall not be entered into without the authorisation of the congregation, given in a general meeting of the congregation, and the approval of the Presbytery being first obtained;

    82.2 all leases, declarations of trust or other assurances relating to the acquisition, disposal or use of congregational property shall before being executed be submitted to the Presbytery and shall not be executed without the prior approval of the Presbytery, it being the responsibility of the minister of the congregation and the representative elder to ensure that such submission is made;

    82.3 no manse shall be let, sold or provided as security, nor its proceeds used for any purpose, without the consent of Presbytery and of the **Linkage Commission** having been first obtained;

    82.4 no capital funds created by a sale of a manse, glebe or manse farm prior to 31 December 2005 shall be used for any purpose other than as previously agreed with the former Union Commission without permission of the Presbytery and the Linkage Commission;

    82.5 a minister shall not enter into any arrangements with the congregation or its representatives, as to remuneration or in relation to the income from the congregation's land or other investments either before or after settlement among them, without the consent of both the Presbytery and the Linkage Commission.

New buildings, additions and alterations to Congregational Property, and Memorials

83. The site and plans of all:
    - new buildings proposed to be erected on **congregational property**
    - proposed structural additions and alterations to, or demolitions of, existing buildings
    - new or modified windows, artificial lighting, audio-visual equipment, seating and furnishings required for public worship
    - proposals and designs for memorials

    shall be authorised, successively, by the congregation, the Presbytery and the **Linkage Commission**, and without such authorisations no such erection or alteration shall be undertaken or made.

84. In all situations where a contribution to the stipend of the minister is being paid from central funds, the Presbytery shall consult with the **Linkage Commission** and obtain the commission's consent before authorising any proposal under Par 83. (See also Pars 397–398).

Bequests

85. Every donation or bequest made to a Kirk Session and/or congregational committee of a congregation without specific directions for its application shall be applied for the benefit of that congregation by the body to which the donation or bequest was made.

Trusts upon which Congregational Property shall be held

86. **Congregational property** shall be held on trust as follows:

    86.1 if any trusts have been or are declared in any deed, instrument of gift, or bequest by a person who has given or who gives any property to the congregation, that property shall be held by the **congregational trustees** upon the trusts so declared;

    86.2 if the congregation buys property, that property shall be bought in the name of the congregational trustees. The congregational trustees shall hold the property in trust for the congregation on the following terms:

    86.2.1 the congregational trustees shall only hold it on trust for the congregation on condition ('the Condition') that the congregation shall remain under the jurisdiction of the General Assembly of the **Church** and acknowledges their authority and professes and maintains the standards of the Church as contained in the Code of the Church from time to time in force;

    86.2.2 if the congregation ceases to observe the Condition, but there are some members of the congregation who continue to observe the Condition the congregational trustees shall then hold it on trust for those members of the congregation who observe the Condition

    86.2.3 if there are no persons coming within the terms of Par 86.2.2 the congregational trustees shall then hold the property for such purposes as the Presbytery, with the approval of the General Assembly, shall decide.

    The trusts referred to in this clause shall be set out in a formal deed which shall be duly executed by the congregational trustees.

    86.3 if no trusts have been formally declared in respect of any congregational property, that congregational property shall nevertheless be held upon the trusts set out in Par 86.2.

Appointment, Retirement and Removal of Trustees

87. The congregation shall ensure that **congregational trustees** are or have been appointed to receive and hold **congregational property** upon trust for the congregation in accordance with Par 86 and subject to the directions of the congregation insofar as those directions comply with the terms of the trust and of this Code.

    87.1 Congregational trustees shall be either:

        87.1.1 The Presbyterian Church in Ireland Holding Trustee Company; or

        87.1.2 three or more **qualified voters**;

    and shall be appointed by the congregation from time to time.

88. Save where any declaration of trust under which **congregational property** is held otherwise provides, the power to remove a **congregational trustee** or appoint new congregational trustees rests with the congregation at a meeting called by the Kirk Session in accordance with Par 79.7.

    88.1 A congregation seeking to remove a congregational trustee and/or appoint new congregational trustees should seek legal advice, and after such removal or appointment has been made by the congregation, ensure that the congregational property is placed in the names of the continuing trustees and the new trustees so appointed.

    88.2 Where the congregational trustees are individuals and their number falls below three, the Kirk Session shall forthwith call a meeting of the congregation to appoint an additional trustee or trustees in accordance with the terms of this Code.

89. The congregation shall remove a **congregational trustee** from trusteeship where that trustee:

    89.1 in the case of a congregation within Northern Ireland, remains outside Northern Ireland for more than twelve months, or in the case of a congregation within the Republic of Ireland remains outside the Republic of Ireland for more than twelve months; or

    89.2 ceases to be a **qualified voter** of the congregation; or

    89.3 desires to be discharged from all or any of the trusts or powers vested in that trustee; or

    89.4 refuses, or is unfit, to act as a congregational trustee, or is incapable of acting as such, in which case the consent of the Presbytery shall first be obtained.

Congregation ceasing to acknowledge the authority of General Assembly

90. If a congregation shall cease to acknowledge the authority of the General Assembly, or cease to profess and maintain the Rule of Faith and the Standards of the **Church** as contained in the Code of the Church for the time being in force, the Presbytery shall have power, but only if the exercise of such power is expressly permitted by any declaration of trust under which **congregational property** is held and only to the extent to which it is lawful to exercise such power:

    90.1 to remove immediately the **congregational trustees**;

    90.2 to appoint new trustees of the congregational property in their place;

    90.3 to declare new trusts in respect of the congregational property.

Joint holding of Property

91. A special arrangement or scheme may be made, with the approval of the General Assembly, in consultation with the Presbytery, for the holding, application and use of property of a congregation or cause where:

    91.1 a congregation or new cause is organised jointly or in co-operation with another church or organisation; or

    91.2 the establishment of a new cause takes place jointly or in co-operation with another church or organisation.

92. A special arrangement or scheme under Par 91 may provide for:

92.1 the vesting of property in trustees representative of the participating churches or organisations;

92.2 the creation of special trusts in respect of property so vested;

92.3 property to be held jointly with all or any of the participating churches or organisations; or

92.4 assistance to be given by an appropriate agency of the **Church**.

93. Provisions in a special arrangement or scheme under Par 91 shall prevail over any provisions of Pars 86 to 90 or of any rule which is inconsistent therewith.

Section 5 – Congregational Records, Reports and Returns

Official Records

94. The Official Records of a congregation comprise:

- its current and previous baptismal and marriage registers
- its current and previous **communion rolls**
- all the minute books of the Kirk Session
- all the minute books of the congregational committee and
- all legal documents evidencing the title of the **congregational trustees** to the **congregational property**.

95. The Kirk Session shall ensure that there shall be kept in the current minute book of Kirk Session an up-to-date inventory of:

95.1 the Official Records, specifying who has custody of them;

95.2 the bequests and endowments of the congregation, stating whether or not the use of each is unrestricted or restricted, and, if restricted, the purposes to which such may be applied;

95.3 any **congregational property** of historic interest, specifying who has custody of such items.

96. The minute book containing the inventory referred to in Par 95 shall be produced to Presbytery at each consultation of the congregation, or on request by the Presbytery. The Kirk Session shall give to the Presbytery an assurance of the due preservation of the items listed, and, if requested by the Presbytery, produce the same for inspection by the Presbytery.

97. Upon merger or dissolution of a congregation, the **Linkage Commission** shall ensure that adequate steps are taken to safeguard all the property referred to in the inventory kept in accordance with Par 95.

Reports

98. The **Statement of Accounts** together with a list of all contributors to freewill offering and stipend shall be circulated to the congregation in such form as the Presbytery shall decide and individual contributors shall be notified of their contributions either by publication in the report or individually. Where the amount of each individual contribution is to be published, it shall be by number only.

Returns

99. The Presbytery shall not certify the **Statistical Return** from a congregation as having been satisfactorily completed (see Par 43.17) unless:

    99.1 the congregation has taken up and forwarded to the General Assembly all the collections and assessments, including the **United Appeal**, directed to be taken up by the General Assembly or, if not, it has given to the Presbytery a satisfactory explanation for such default;

    99.2 the congregation has made payment of the fees and assessments payable by it to the Presbytery.

Section 6 – Preparation of a Voters List

100. Whenever a congregation is required to hold an election under any provision of this Code, the Kirk Session shall publish a **voters list** of the **qualified voters** entitled to vote at such election and for that purpose shall:

    100.1 decide how a draft voters list is to be published to the congregation, whether by:

        100.1.1 displaying it on two successive Sundays in such prominent position within the congregation's premises as the Kirk Session considers will provide adequate notice to the **communicant members** of the congregation of the contents of the voters list; or

        100.1.2 circulating it in printed form to each communicant member of the congregation;

    100.2 give notice to the congregation at public worship on a Sunday not less than six days before the publication of the draft voters list that the Kirk Session intends to prepare and publish a draft voters list and how the Kirk Session proposes to publish it to the congregation; and explain to the congregation:

    - who can be regarded as a qualified voter by reading Par 101
    - the procedure as set out in Par 102 for lodging objections to, or claims in respect of, the voters list; and

    100.3 thereafter publish a draft voters list.

101. **Qualified voters** are **communicant members** who are listed, whether by name or number, as having contributed to the stipend or freewill offering of the congregation in the last financial year, but:

    101.1 a spouse who is a communicant member shall be a qualified voter by virtue of the contribution made by the other spouse;

    101.2 a child of the family, being the oldest child who is a communicant member residing at the same address as a contributing parent, shall be a qualified voter by virtue of the contribution made by a parent of that child where neither of that child's parents are communicant members;

    101.3 a person being a communicant member, who resides with a member of the family, and the latter is not a communicant member but nevertheless subscribes to the stipend or freewill offering of the congregation, shall be a qualified voter:

        101.3.1 if more than one such person so resides with a member of such family, then only the eldest such person so residing shall be a qualified voter;

    101.4 a person who shall have become a communicant member after the close of the previous financial year, shall be a qualified voter if the treasurer of the congregation confirms that such person has so contributed during the current year.

102. If a member of the congregation claiming to be a **qualified voter** wishes to object to the inclusion of any name on, or the omission of any name from, the draft **voters list**, such member shall lodge an objection, supported by written reasons, with the minister of the congregation (or, if the congregation is **vacant**, with the Interim Moderator of the Kirk Session) within one week from the date on which the draft voters list was first published to the congregation; and

102.1 the Kirk Session shall either itself rule on the objection or refer it to the Presbytery for a ruling.

102.2 If the Kirk Session itself rules on the objection,

102.2.1 the member objecting, or

102.2.2 the member concerning whom the objection has been made, or

102.2.3 a member of the Kirk Session, or

102.2.4 (in the case of the election of a minister to fill a vacancy or an **associate minister**) any member of the Presbytery commission overseeing the vacancy of such election,

may appeal to the Presbytery by lodging an appeal within ten days from the announcement of the Kirk Session's decision.

103. The **voters list** to be used for the election for which it is required shall be finalised:

103.1 if after the publication of the draft to the congregation no objection is made to it; or

103.2 if any objections have been made, those objections shall have been finally determined.

104. When finalised, the **voters list** shall be dated, signed and certified as correct by the Moderator (or in the case of a **vacant** congregation the Interim Moderator) of the Kirk Session and lodged with the Clerk of Presbytery. The Moderator (or as the case may be Interim Moderator) of Kirk Session shall retain a certified copy of the voters list.

105. If a surviving spouse, who has not remarried, shall die between the date of the publication of the draft **voters list** and the date of voting on the basis of that list, the oldest child who is a **communicant member** residing at the same address as that surviving spouse, and not otherwise qualified to vote, shall be entitled to vote.

106. A **voters list** prepared for the election of a minister of a **vacant** congregation lodged with the Clerk of Presbytery shall not be altered during the vacancy in the congregation unless the vacancy lasts for more than twelve months from the first publication of a voters list. In that event the Presbytery shall require the Kirk Session to prepare a new list on each anniversary of the first publication of a voters list, such new list to be prepared in accordance with the foregoing rules.

Section 7 – Congregations within the Home Mission

Home Mission

107. To secure a more flexible organisation in special areas of the life and interest of the Church, and within its general structure, the Home Mission shall make provision for:

107.1 ordained and supplementary ministries;

107.2 grants in aid to congregations, causes or agencies giving service to the Church or to its members;

107.3 such other fields of service as the General Assembly or its Council for Mission in Ireland may from time to time determine.

Congregations within the Home Mission

108. Congregations within the Home Mission are those which have been accepted as such by the Council for Mission in Ireland, with the following being generally eligible:

    108.1 congregations situated wholly or mainly in the Republic of Ireland which, in the opinion of the Council for Mission in Ireland, by reason of their geographical situation or financial condition, require grants from Home Mission funds (and which may be designated as **Home Mission congregations**);

    108.2 congregations situated mainly or wholly within Northern Ireland, the membership of which is dispersed in areas where, in the opinion of the Council for Mission in Ireland, Presbyterians are a small minority and require grants from Home Mission funds (and which may be designated as Home Mission congregations);

    108.3 congregations in urban situations which, in the opinion of the Council for Mission in Ireland, by reason of their locality and/or membership require grants or loans from Home Mission funds (and which may be designated as **Urban Mission congregations**);

    108.4 new congregations which, in the opinion of the Council for Mission in Ireland, require grants or loans from Home Mission funds towards the establishment of the cause.

109. A congregation seeking designation as a **Home Mission** or **Urban Mission congregation** shall:

    109.1 seek first the approval of Presbytery and of the **Linkage Commission**, and;

    109.2 if such approvals are given, apply for such designation to the Council for Mission in Ireland.

110. If it is proposed to commence a new cause within the bounds of a Presbytery:

    110.1 the approval of such Presbytery shall be sought;

    110.2 if such approval is given, the Presbytery may apply to the Council for Mission in Ireland for designation as a **Home Mission congregation** or **Urban Mission congregation** as appropriate.

Property

111. Following the completion of a sale or other disposal of congregational property held in connection with the Home Mission, the net proceeds of such sale or disposal, together with any income accrued thereon shall be applied in accordance with any trusts affecting it; if there are no such trusts, such proceeds shall be applied for the credit of the Council for Mission in Ireland.

112. A **Home Mission congregation** or an **Urban Mission congregation** may not:

    112.1 engage in any programmes of refurbishment or development, where the total expenditure exceeds the then basic **Ministerial Minimum Income**;

    112.2 make any purchase of anything at a price which exceeds the then basic Ministerial Minimum Income; or

    112.3 employ any additional personnel;

    without the prior consent of the Council for Mission in Ireland.

113. Where a manse or other residence is provided for a minister in a Home Mission charge, the minister shall reside in the manse or residence on the same terms as if he or she had received the **Call** of a congregation.

Termination

114. A **Home Mission congregation** or **Urban Mission congregation** may, with the approval of Presbytery, terminate its connection with the Home Mission so long as systems of governance for that congregation are in place which conform to the Presbyterian form of church government as defined in the Code. In that event the Council for Mission in Ireland may require that such proportion of grants paid to the congregation from Home Mission funds over the previous five years, as that council deems appropriate, shall be repaid.

Chapter 3:
THE MINISTER

Section 1 – The Calling of the Minister

115. The special calling of the minister is the ministry of the Word, in public and in private, the conduct of public worship, the administration of the Sacraments, the instruction of the young and the pastoral care of souls. For the performance of these duties the minister shall be ordained by Presbytery as a minister in the catholic or universal Church and shall be responsible to the Presbytery having oversight of his or her ministry.

    115.1 The minister should be a person of faith, dedication and good judgment, well trained and equipped for his or her work, whose manner of life should be a demonstration of the Christian Gospel, both within and outside the **Church**.

    115.2 The minister's calling is exercised in the service of others. This should be done in partnership with the whole company of believers, each having particular gifts and making their particular contribution, in a spirit of mutual support and co- operation and never as lord over another's faith.

    115.3 The minister should seek to ensure that members of the Kirk Session and the congregational committee are aware of the duties of their office.

Section 2 – Training for Ministry

[See also Pars 404 and 405]

Applicants

116. A person applying for nomination as a student for the ministry of the **Church** shall:

    116.1 be a **communicant member** of the **Church**;

    116.2 be of such age so that at the projected date on which the applicant will be eligible for call, he or she will be less than 55 years of age;

    116.3 through his or her minister, inform the Presbytery of his or her wish to be accepted as a student for the ministry of the **Church** and be interviewed by the Presbytery;

    116.4 complete a **written** application in the form prescribed by the Council for Training in Ministry and return it to the Professor of Ministry at Union Theological College, together with such other documents as the Council for Training in Ministry may prescribe, not later than such date as may be set by that council;

    116.5 when so requested, attend for interview by the Council for Training in Ministry.

Role of Presbytery in the Application Process

117. A Presbytery, when informed under Par 116.3 of an applicant's wish to be accepted as a student for the ministry, shall:

    117.1 require confirmation from the Kirk Session of the congregation to which the applicant belongs that:

    - the applicant is a **communicant member** of the congregation
    - the applicant has shown evidence of Christian character and of gifts for the office of the ministry;

    117.2 interview the applicant as to his or her:

    - sense of call
    - character and gifts
    - agreement with the fundamental doctrines and practices of the Presbyterian Church in Ireland

    so as to satisfy itself that the applicant is a suitable person for nomination as a student for the ministry;

    117.3 nominate for the approval of the General Assembly those applicants whom it considers to be suitable;

    117.4 co-operate, through its representatives, with the Council for Training in Ministry, in recommending the acceptance or otherwise of those applicants;

    117.5 on receiving from the Clerk of **Assembly** notification that a nomination has been approved by the Assembly, receive the candidate as a student for the ministry under its care at its next meeting;

    117.6 in due course, on their successful completion of their training, have the right to license the students under its care to preach the Gospel.

118. Where a Presbytery decides not to nominate an applicant as a student for the ministry, he or she may lodge an appeal within ten days against that decision with the Clerk of the General Assembly, to be referred to the Commission on Applications in accordance with Par 373.

119. A Presbytery may, within 28 days of its Clerk being informed of a decision by the Council for Training in Ministry not to accept an applicant whom it has nominated as a student for the ministry, request that council to review its decision.

120. When a student under the care of the Presbytery applies to be transferred to another Presbytery, the Presbytery with which the student is connected shall, on sufficient cause being shown, give him or her credentials to that other Presbytery and shall notify the Council for Training in Ministry accordingly.

121. The Presbytery shall co-operate with the Council for Training in Ministry in supervising the life, conduct and work of the students under its care. Each Presbytery shall satisfy itself annually as to the continuing fitness of each student under its supervision to continue as a candidate for the ministry.

Role of the Council for Training in Ministry in the Application Process

122. Upon receiving from Presbyteries nominations of eligible candidates for the ministry on or before such date as the Council for Training in Ministry shall from time to time specify, and receiving from such candidates the appropriate application form and documents in accordance with Par 116.4, the Council for Training in Ministry shall, as soon as practicable, individually interview each candidate to ascertain, among other things, his or her motives and sense of call in seeking the office of the ministry and shall put to each candidate the following questions:

- *'So far as you know your own heart, have you felt your need of a personal Saviour, and have you been persuaded and enabled by God's Spirit to embrace Jesus Christ freely offered to you in the Gospel?'*
- *'So far as you know your own heart, have you been induced to seek the office of the ministry from love of God and a desire to promote His glory in the salvation of sinners?'*

122.1 The Council shall request the Kirk Session of the applicant's congregation to complete an appropriate questionnaire, which it shall share with the Presbytery.

123. When the interviews referred to in Par 122 have been concluded, the Council for Training in Ministry shall:

123.1 recommend to the General Assembly those candidates it considers to be suitable;

123.2 inform a Presbytery of the names of any candidates nominated by that Presbytery whom the Council for Training in Ministry has not recommended for acceptance, with sufficient information of the reasons for the decision to facilitate pastoral care and counselling.

124. The Council for Training in Ministry, in response to a request from a Presbytery to review a decision not to recommend for acceptance a candidate nominated by that Presbytery, shall review its decision and inform the Presbytery of the result of its review.

Accepted Students for the Ministry

125. The Council for Training in Ministry shall:

125.1 co-operate with Presbyteries in supervising the life, conduct and work of all candidates accepted for training for the ministry;

125.2 report to the relevant Presbytery, under whose care a student has been placed, if an accusation is made, or a **fama clamosa** arises, concerning that student;

125.3 where a Presbytery is dealing with a matter in accordance with Par 225.1.1, provide four assessors to sit with it in the case, who shall for this purpose have the full powers of members of the court;

125.4 certify to the relevant Presbyteries, for the purpose of licensing, those candidates who have passed their final examinations and fulfilled all the requirements of the council.

126. When an applicant is accepted by the General Assembly as a student for the ministry, he or she shall:

126.1 undertake in **writing** to observe faithfully the laws and rules of the **Church** including, in particular, all relevant **Regulations** (Schedule 1) as from time to time laid down by the General Assembly, and the requirements of the Council for Training in Ministry and the **college** in which he or she is studying;

126.2 notify the Clerk of Presbytery of his or her progress before 1 September each year;

126.3 if studying theology at a college other than Union Theological College, submit in **writing** to the Professor of Ministry:

- details of courses passed at the end of each academic year
- notification of graduation.

127. Students for the ministry shall receive payments under such arrangements as the General Assembly or the Council for Training in Ministry shall from time-to-time resolve.

Licentiates

128. A **licentiate** may be assigned to serve an assistantship in a congregation. Such an assignment shall be made by the Council for Training in Ministry, with the approval of the minister and Kirk Session of the congregation.

    128.1 A licentiate assistant shall be subject in all matters relating to any work in the congregation to the direction of the minister of the congregation.

129. An appointment as a **licentiate** assistant may be terminated:

    129.1 by agreement; or

    129.2 by the Council for Training in Ministry; or

    129.3 by two months' **written** notice given by the licentiate assistant, with the consent of the Council for Training in Ministry, to the minister of the congregation; or

    129.4 by two months' written notice given by the minister, or by the Kirk Session to the licentiate assistant.

130. Where an appointment as a **licentiate** assistant has been terminated, the Council for Training in Ministry shall either make a new appointment or request that the Presbytery having care of the licentiate bring a recommendation to the General Assembly for the withdrawal of licence.

Section 3 – Congregational Ministry

[For the calling of a minister see Pars 248-275]

Baptism

131. A minister shall encourage baptism of the children of all who may make a credible profession of faith. More shall not be required, nor less accepted, by way of profession than that authorised by the **Church** in **Regulations** (Schedule 1).

    131.1 A minister shall not decide on the admission or refusal of a person to baptism without the authority of the Kirk Session (see also Par 45.1).

    131.2 Baptism shall be administered in all cases by a minister and, as far as possible, it shall be administered during public worship.

    131.3 The Sacrament of Baptism is only to be administered once to any person.

    131.4 A minister shall not baptise the child of a member of another congregation, without authorisation from the minister of that congregation or its Interim Moderator, or Presbytery.

Admission to the Lord's Supper

132. A minister shall encourage those who have been baptised as children in due time, and those who have not previously been baptised, to make a personal profession of faith; shall instruct them in preparation for admission to the Lord's Supper and in the benefits and responsibilities of communicant membership; and shall present them to the Kirk Session to be received, normally in the presence of the congregation, into communicant membership of the Church of Jesus Christ**.** More shall not be required, nor less accepted, by way of profession than that authorised by the **Church** in **Regulations** (Schedule 1).

    132.1 A minister shall not decide on the admission or exclusion of a person from the Lord's Supper, which authority belongs to the Kirk Session. Nevertheless, the minister presiding at any celebration of the Lord's Supper may invite all **communicant members** of other congregations and of other Christian Churches who are present to partake of the sacrament; but such an invitation shall not be taken as authorising participation of any person who has been excluded from the Lord's Supper by a Kirk Session or other competent Church authority.

Right to Engage Temporary Assistants

133. A minister of a congregation has the right to seek assistance in the discharge of his or her duties from:

    133.1 any minister, **licentiate**, or accepted student of the Presbyterian Church in Ireland; or

    133.2 a minister from another denomination, but only for a period not exceeding 12 months, unless the prior approval of the Reception of Ministers and Licentiates Committee has been obtained for any extension.

Right to take services

134. No one may take a service in connection with a congregation or be invited to address a meeting within the church premises without the permission of the minister of the congregation, or by the direction of the Presbytery or the General Assembly.

    134.1 A minister may only participate in a service within the parish bounds of a congregation of which he or she is not the minister if any of the following apply:

    - it is a marriage or funeral service
    - it is in the context of a conference, convention or evangelistic service which promotes the cause of Christian unity and fellowship
    - the minister of the other congregation gives permission
    - the Interim Moderator or the Presbytery gives permission if the other congregation is **vacant** or its minister is absent.

    134.2 The **minister emeritus** or minister emeritus (released) of a congregation shall not exercise any pastoral role or conduct any services in connection with that congregation without the specific prior permission of the minister of the congregation, or the Interim Moderator.

Marriage

135. The Church recognises that every ordained minister on the roll of a Presbytery or officially under its care as a minister without charge, **minister emeritus** (released) or **licentiate** is legally qualified to celebrate marriage.

    135.1 Marriage under the form and discipline of the Presbyterian Church in Ireland shall include the following statement:

    > *'Since the beginning of creation God, in his gracious purpose, provided marriage as the accepted way in which a man and a woman may come together as husband and wife. This is the only basis on which marriage can take place within the Presbyterian Church in Ireland.'*

    135.2 A minister should not celebrate marriage on a Sunday.

    135.3 A minister shall endeavour to ascertain that there is no lawful impediment to a marriage.

    135.4 Where difficulty arises as to whether a marriage by the **Church** is advisable, the minister may consult with his or her Kirk Session or avail of the support offered by the Marriage Panel of the Council for Congregational Life and Witness before agreeing to celebrate the marriage.

    135.5 A minister should not join in marriage a member of the Church with one holding beliefs or having a church membership incompatible with the Christian witness of the Protestant Reformation, until careful instruction has been given in the doctrines and obligations of our evangelical faith, and potential pastoral and practical considerations have been explored, for which support shall be available from the Marriage Panel on request.

    135.6 While this Church does not prohibit the marriage of a divorced person or persons, it is strongly recommended that a minister does not join in marriage a person who has been divorced without having sought to explore potential pastoral and practical considerations, for which support shall be available from the Marriage Panel on request.

135.7 Where a legal marriage has already taken place between a man and a woman, it is lawful to add a religious service of blessing of the marriage on production of the certificate of marriage; but the religious ceremony shall not be held to supersede or invalidate that marriage.

135.8 A second religious ceremony of marriage shall not be held for any couple.

Entitlement to use Church Buildings

136. The minister of a congregation shall be entitled to the use of all the church property belonging to the congregation for the purpose of his or her ministry, subject to any direction of Presbytery.

136.1 The minister of a congregation has no right to use, nor grant the use, of the church property belonging to the congregation for any purpose other than of his or her ministry without the authority of the Kirk Session.

Absence

137. A minister of a congregation shall not leave the pastoral charge of the congregation for more than two successive months without previous notice to the Kirk Session and congregation, nor without the consent of Presbytery.

137.1 A minister of a congregation is responsible for making arrangements to provide for essential ministerial services in the congregation during any absence, and shall tell the Kirk Session what arrangements have been made. If a minister is unable to make such arrangements, through illness or other impediment, the Presbytery shall be obliged to make them.

Vacancy

138. A vacancy occurs in a congregation:

138.1 on the death of the minister in active duty; or

138.2 on the retirement of the minister with the leave of the General Assembly; or

138.3 on the resignation of the minister from his or her congregation; or

138.4 on the removal of the minister from his or her congregation in circumstances where no appeal lies to a superior court or, if an appeal does lie, when such removal has been confirmed on appeal; or

138.5 on the declaration that the minister is no longer a minister of the **Church** in circumstances where, under this Code, no appeal lies to a superior court or, if an appeal does lie, when such removal has been confirmed on appeal.

139. When a vacancy occurs in a congregation, the Presbytery having jurisdiction shall ensure that the provisions of Pars 240-247 are satisfied.

Section 4 – Home Mission

Ministers serving in Home Mission Charges

140. Ministers or others who offer themselves for service with the Home Mission, whether in congregations or in **special work**, shall accept an obligation to serve as and where called by the Council for Mission in Ireland, which shall endeavour to see that the various fields of service entrusted to the Home Mission are adequately staffed.

140.1 No individual appointment shall be made to a congregation without the consent of the congregation.

140.2 A minister or **licentiate** who is called by the Council for Mission in Ireland to the work of the Home Mission shall:

- as appropriate, be ordained, installed to the Home Mission, and inducted to his or her work by Presbytery
- have the rights, privileges and responsibilities in Kirk Session, Presbytery and General Assembly as ministers called in the usual way

- if serving in a congregation, be eligible for payments from the **Central Ministry Fund**.

141. Presbytery shall exercise normal supervision over a Home Mission charge and its minister in his or her life and work; and the Council for Mission in Ireland shall be associated with it in such supervision.

Section 5 – Special Work

Calls

142. Any minister or licentiate eligible for a **Call** to a congregation may be called to **special work**.

142.1 A Call to special work, whether as an appointment under the jurisdiction of the General Assembly, or by a council of the **Assembly** charged with the responsibility for that special work, may be made:

142.1.1 directly by the Assembly itself; or

142.1.2 remitted to the **General Council** to act on the same basis on behalf of the General Assembly; or

142.1.3 by the council of the Assembly charged with responsibility for the special work concerned and as authorised by the Assembly.

143. Such **Call** shall be certified to the Presbytery of which the minister or **licentiate** who has been called will, if the Call is accepted, be or become a member, and such Presbytery shall, if appropriate, sustain that Call and:

143.1 if the minister-elect is a member of, or under the care of, the Presbytery sustaining the Call, that Presbytery shall:

143.1.1 satisfy itself that the minister-elect's congregation has been informed of

- the making of the Call
- the date of the meeting of the Presbytery at which, the Call, if sustained, will be presented to the minister-elect
- its right to have representatives present to make relevant observations at that meeting;

143.1.2 give any representatives of the council issuing the Call, and of the minister-elect's congregation attending the meeting the opportunity to make any relevant observations;

and, having done so, shall resolve whether to present the Call to the minister- elect and, if so resolved, shall present the Call to the minister-elect;

143.2 if the minister-elect is not a member, or under the care of the Presbytery sustaining the Call, that Presbytery, having sustained the Call, shall certify it and forward it to the other Presbytery. The receiving Presbytery shall then adopt the procedure set out in Par 143.1.

144. If the minister-elect accepts the **Call**, the Presbytery of which he or she will be or become a member, shall arrange, as appropriate, for his or her ordination, installation and induction.

145. If a **Call** to **special work** is to be made to a minister of another denomination, accredited by that denomination for a term of service with the Presbyterian Church in Ireland, such Call may be made by the appropriate council of the General Assembly without prejudice to the minister's continuing relationship to the denomination of which that minister is a member, but on the condition that satisfactory ministerial credentials are received from that other denomination and the arrangement is approved by the **Assembly**'s Reception of Ministers and Licentiates Committee.

Calls of Licentiates to Special Work

146. In addition to Pars 142-143, the following shall apply to **Calls** to **licentiates** to **special work**.

147. **Licentiates** may be called to **special work** as follows:

147.1 at any time after licensing:

147.1.1 as an ordained Global Mission worker; or

147.1.2 as an ordained assistant to the Moderator of the General Assembly; or,

147.2 after he or she has served the **Church** for at least two years after licence, to any other form of special work under Pars 142-143; except that,

147.2.1 the Presbytery may waive the time stipulated in Par 147.2 if the licentiate satisfies the Presbytery having care of him or her that such service was not available.

148. Every **licentiate** so ordained shall be under the jurisdiction of the Presbytery which ordained, installed, or inducted him or her.

149. Every **licentiate** ordained to **special work** shall become eligible for a **Call** to any congregation when he or she has completed two years' ordained service.

Section 6 – Associate Ministers

Associate Minister in the Congregation

150. Any minister or licentiate eligible for a **Call** to a congregation may be called as an **associate minister**, irrespective of the number of families in the congregation.

150.1 Subject to Par 151, an **associate minister** has a status equal to that of the serving minister, but his or her role is to support the serving minister in his or her ministry to the congregation.

150.2 An associate minister is ordained (if appropriate) and inducted to his or her charge by the Presbytery to which the congregation belongs.

150.3. The law of the **Church** as stipulated in Section 3 of this chapter shall apply where relevant to associate ministers as well as ministers of congregations, save that the associate minister shall have no entitlement to use the manse belonging to the congregation.

Termination of appointment of Associate Minister

151. The appointment of an **associate minister** may be terminated after twelve months service by:

151.1 mutual agreement; or

151.2 a minimum of two months' **written** notice given:

151.2.1 by the Presbytery to the minister of the congregation and to the associate minister; or

151.2.2 by the minister of the congregation to the associate minister, with the Presbytery being informed; or

151.2.3 by the Kirk Session of the congregation to the associate minister, with the Presbytery being informed; or

151.3 the retirement of the associate minister in accordance with Par 157; or

151.4 resignation of the associate minister following his or her acceptance of a **Call** to another charge or to **special work**.

152. If, following a vacancy in a congregation in which the **associate minister** is serving, a new minister is installed or inducted, the associate minister shall immediately offer one month's notice of resignation from the appointment as associate minister, save that upon the request of the new minister and Kirk Session, and with the consent of the associate minister, such notice may be withdrawn and the appointment continued.

152.1 After termination of the appointment under Par 152, the associate minister shall be eligible for salary and pension contributions at the rate of the appropriate **Ministerial Minimum Income** as a charge upon the **Central Ministry Fund** until the earlier of:

- the date on which the associate minister is installed in another charge
- the date which is six months after the date on which notice of resignation is given under Par 152.

Section 7 – Ordained Assistant to the Moderator of the General Assembly

Eligibility and Call

153. A minister or **licentiate** may be called as ordained assistant to the Moderator of the General Assembly, irrespective of the number of families in the congregation.

153.1 An ordained assistant to the Moderator of the General Assembly shall:

153.1.1 be called by the Kirk Session, on the recommendation of the minister of the congregation;

153.1.2 be ordained and/or inducted by the Presbytery having jurisdiction over that congregation, subject to the following provisions:

- normally ordination and/or induction shall be carried out in May, with the appointment being for fifteen months
- in the case of a licentiate who is so appointed, and who remains eligible to continue an assistantship supported by central funds, the arrangements shall be made for this to happen in consultation with the Council for Training in Ministry.

Rights and Responsibilities

154. An ordained assistant to the Moderator of the General Assembly shall:

154.1 be subject to the direction of the minister in all matters relating to his or her work in the congregation;

154.2 be an ex-officio member of the Kirk Session; but shall not have the right to take the place of the minister as Moderator at a meeting of Session in the latter's absence, unless expressly invited to do so by the minister or, in special circumstances, so appointed to act by the Presbytery;

154.3 be a member of Presbytery and General Assembly; the Presbytery shall from time to time appoint an additional elder as a corresponding member as appropriate;

154.4 receive remuneration on an incremental scale based on the **Ministerial Minimum Income** and shall be paid monthly (the sharing of payment of remuneration as between the congregation's own resources and the central funds of the **Church**, and how it is proportioned, shall be fixed by the **Linkage Commission**);

154.5 be entitled to ministerial allowances as fixed by the Linkage Commission;

154.6 be subject to the same rules as other ministers regarding work undertaken outside congregational duties and to the financial arrangements applying to such ministers whose stipends are augmented from central funds.

Termination

155. In addition to the provisions of Section 9 (retirements etc.) of this chapter, an appointment as ordained assistant to the Moderator of the General Assembly may, after twelve months' service, and with the approval of Presbytery, also come to an end in the following circumstances:

155.1 it is terminated by mutual agreement; or

155.2 not less than two months' **written** notice to terminate the appointment is given to all the other parties by the minister of the congregation, the Kirk Session or the assistant minister.

Section 8 – Divorce and Re-marriage of a Minister

156. In the case of a divorced minister wishing to remain in office after re-marriage, the approval of Presbytery shall be obtained.

Section 9 – Retirement, Resignation and Incapacity of Ministers

Retirement

157. A minister who wishes to retire from active duty in any appointment shall apply to Presbytery to be released from his or her charge.

157.1 A Presbytery shall have power to grant leave to retire to a minister who has reached the normal retirement age as set by the **General Council**, but shall not grant leave to retire to a minister who has not reached that age.

157.2 A Presbytery, when it has received a request from a minister of a congregation to retire before the normal retirement age, shall transmit the request to the General Council. Such request may be granted by the General Assembly, taking account of any recommendation by the General Council.

157.3 A minister retiring from **special work** shall do so in accordance with the terms of his or her appointment, and with the consent of the Presbytery of which he or she is a member, and the appropriate **Assembly** council.

157.4 In any event a minister shall retire not later than five years beyond the **Church's** normal retirement age, as fixed from time to time by the General Assembly.

157.5 A minister who retires shall:

- cease to be a member of the Kirk Session of the congregation of which he or she was the minister
- cease to receive the benefit of any endowments held on trust for the minister of the congregation unless the terms of the trusts of such endowments state otherwise
- cease to be 'the minister for the time being' of the congregation and cease to be entitled to use the manse from the day upon which he or she retires
- be designated as **minister emeritus** by Presbytery.

Resignation

158. A minister who accepts a **Call** to another charge, or to an appointment under the jurisdiction of the General Assembly, shall be deemed to have resigned his or her charge on the day before the installation and/or induction to the other charge, or the day before taking up the appointment, as appropriate.

158.1 In these circumstances, unless the Call is to another charge or appointment within the same Presbytery, credentials shall be issued to the Presbytery which will perform the installation and/or induction.

159. In circumstances other than those indicated in Par 158, a minister wishing to resign from active duty in any appointment shall apply to Presbytery to be released from his or her charge. A Presbytery shall not, unless with good reason, refuse such application.

159.1 When, under this paragraph, a minister's resignation from a congregation, or from an appointment to **special work**, is accepted by the Presbytery, the minister's name shall be removed from the roll of the Presbytery, and

159.2 if the minister requests, and the Presbytery approves, the minister shall either:

159.2.1 become a minister without charge under the care of the Presbytery; or

159.2.2 receive credentials to another Presbytery of that person's ministerial standing as a minister without charge. Such credentials shall be ordered only at a stated meeting of the Presbytery, or at a special meeting of the Presbytery expressly convened for that purpose.

160. If a minister, within five years of the normal retirement age, instead of retiring in the usual way either:

160.1 voluntarily resigns his or her pastoral charge on account of old age, infirmity, sickness or other cause recognised as adequate by the Presbytery, and the resignation has been accepted by Presbytery; or

160.2 is released under the terms of Par 391; that minister:

- may, if the Presbytery so propose and the General Assembly decide, be enrolled as **minister emeritus** of the congregation
- shall in virtue of such enrolment be a member of the superior courts of the **Church**.

161. A minister to whom Par 160 applies shall continue under the jurisdiction of Presbytery and shall be subject to the provisions of this Code in Pars 222.3, 306.4 and 396 regarding the acceptance of paid appointments applying to ministers in active duty or ministers without charge.

162. In cases of:

162.1 voluntary resignation under Par 160; or

162.2 release under Par 391;

the minister shall not be entitled to any allowance for a temporary period, unless a special arrangement is made for the payment of such allowance by the **Linkage Commission** after consultation with the Judicial Commission.

Illness, Infirmity or Incapacity of the Minister of a Congregation

163. If as a result of illness, infirmity, or incapacity the minister of a congregation becomes unfit to discharge the duties of his or her appointment, the Presbytery shall:

163.1 confer with the Kirk Session to ensure provision of ministerial services to the congregation including supplying the pulpit during the period of such illness, infirmity, or incapacity;

163.2 where the minister has not resumed those duties within two months, appoint an Interim Moderator of the Kirk Session;

163.3 where the minister has not resumed those duties within six months, inquire into the matter and confer with the minister and take such further action as it sees fit in the interests of the minister and of the congregation.

164. If the minister of the congregation has become permanently unfit to discharge the duties of his or her appointment, and is medically so certified, the minister may apply through the Support Services Committee to receive benefit from the **Prolonged Disability Fund** according to its rules as set out in **Guidelines** (Schedule 2).

Section 10 – Disclosure by Ministers

165. Ministers, **licentiates** and accepted students for the ministry shall disclose promptly to the Clerk of the General Assembly any police investigation, summons, or conviction for offences against children, offences involving dishonesty, sexual misconduct, indecency, violence, alcohol or drugs, or any other serious offence.

Chapter 4:
OFFICE-HOLDERS OTHER THAN MINISTERS AND ELDERS

Section 1 – General

166. In addition to its ministers and elders, the **Church** recognises as 'office-holders' within the **Church** the following:
   - Global Mission workers
   - Irish Mission workers
   - Deaconesses
   - Auxiliary ministers.

167. Candidates for appointment as Global Mission workers, deaconesses, and auxiliary ministers shall:

   167.1 be **communicant members** of the **Church**;

   167.2 have a sense of vocation, under the call of God, to the special service of Jesus Christ and His Church;

   167.3 be approved in respect of character, ability, health and education by the supervising council or agency of the General Assembly.

168. Persons qualified as candidates under Par 167, if and when received by the appropriate body:

   168.1 shall be duly trained for such service in conformity with the doctrine and the discipline of the Presbyterian Church in Ireland;

   168.2 following successful completion of their training, may receive a **Call**, in the case of:

      168.2.1 a Global Mission worker from the Council for Global Mission;

      168.2.2 a deaconess from the Council for Mission in Ireland;

      168.2.3 an auxiliary minister from a Kirk Session or from the Council for Mission in Ireland; and

   when any such Call shall be accepted, the appropriate Presbytery shall be requested to arrange for a public service of commissioning or induction to the work to which they have been called, in accordance with Par 301.

Section 2 – Global Mission Workers

169. A candidate seeking to be accepted for appointment as a Global Mission worker shall make application to the Council for Global Mission, and such application shall be accompanied by a recommendation from the candidate's Presbytery.

   169.1 A candidate, when accepted by the Council for Global Mission, shall normally be required to have an appropriate period of training and preparation as determined by the Council for Global Mission before taking up an appointment.

   169.2 After approval by the Council for Global Mission and completion of any necessary training and preparation, the candidate shall be eligible for **Call** by the council and for appointment by the candidate's Presbytery as a Global Mission worker of the **Church**.

   169.3 An appointment as a Global Mission worker shall normally only be made in response to the request of a Global Mission partner church or society, and, in the first instance, such appointment shall only be for a single term but may subsequently be extended after consultation with the Council for Global Mission and the partner church or agency. The Council for Global Mission may also make short term appointments.

169.4 A service of ordination, induction or commissioning, as appropriate, shall then be held by the Presbytery with which the candidate is connected, and the appointment shall commence at the date of such service.

169.5 Where the candidate is married, and the spouse, while not having received a Call, nevertheless desires to be recognised as participating in the work of mission, the Presbytery shall arrange that, at the service of ordination, induction, or commissioning, there shall be an act of recognition for the contribution of the spouse.

170. While Global Mission workers are outside Ireland, their location and work shall be the responsibility of the Council for Global Mission, and in determining the same the Council for Global Mission shall consult with the partner church or society with which they are serving, and with the Global Mission workers concerned. The Council for Global Mission shall normally give effect to the wishes of the partner church or society unless the Council for Global Mission sees good reason not to do so.

171. Global Mission workers normally shall serve as members of the local church in the overseas context, and under its direction, discipline and control.

171.1 Such service is without prejudice to:

- their relationship with the Council for Global Mission
- their continuing membership in a congregation or Presbytery of the **Church**;

171.2 No decision of such local church affecting their status in the Church shall take effect in the Church unless and until confirmed by the General Assembly.

172. The ordination, induction, commissioning, resignation or retirement and any investigation of a complaint or action affecting the status of Global Mission workers in the **Church** shall rest with the Presbytery in whose membership or under whose care they have been placed after full consultation with the Council for Global Mission.

173. Conditions of service for Global Mission workers, including length of service, home assignments, remuneration and allowances, retirement and pension arrangements and similar matters shall be determined by the Council for Global Mission from time to time and, as appropriate, reported to the General Assembly.

174. In exceptional circumstances, the Council for Global Mission shall have the power in any matter to take emergency action outside these rules; but every such action shall be reported to the following meeting of the General Assembly.

Section 3 – Irish Mission Workers

175. Irish Mission workers, under the call of God, exercise a church-based or church planting ministry in the sphere of evangelistic outreach, Bible teaching, Christian education and visitation under the direction of the Council for Mission in Ireland.

175.1 While the Council for Mission in Ireland shall have general responsibility for all Irish Mission workers, the secretary of that council shall direct and supervise their work. Irish Mission workers shall report annually on their work.

176. The placing of an Irish Mission worker shall be decided by the Council for Mission in Ireland after consultation with any Presbytery involved, the worker and any other appropriate body.

177. Irish Mission workers shall be invited to sit and deliberate at meetings of the General Assembly and of the Presbytery in which they are serving, and may be invited to sit and deliberate at **Assembly** councils and committees as appropriate.

178. Conditions of service for Irish Mission workers, including deputation arrangements, remuneration and allowances, holiday entitlement, retirement and pension arrangements and similar matters shall be determined by the Council for Mission in Ireland from time to time and, as appropriate, reported to the General Assembly.

178.1 An Irish Mission worker shall be regarded as an ‘office-holder’ and not as an employee.

Section 4 – Deaconesses

179. Deaconesses, under the call of God, exercise a ministry, complementary to the Ministry of Word and Sacraments, in the spheres of pastoral care, evangelistic outreach, and Bible-based activities, and in other areas where the services of a deaconess would be of benefit. A deaconess may also have some share in the leadership of worship.

179.1. A deaconess may be called to serve in a congregation, in other work under the Council for Mission in Ireland, or may be seconded to some institution or area of outreach approved by a court of the **Church**.

180. The qualifications required to become a deaconess are:

- communicant membership in a congregation of the **Church**
- sense of calling to the office
- standard of education and medical fitness to the satisfaction of the Council for Training in Ministry
- acceptance by the Council for Training in Ministry as a candidate for the office of deaconess under the care of Presbytery
- satisfactory completion of a course of training, and probationary period, as approved by the Council for Training in Ministry.

181. The Council for Mission in Ireland shall determine the number of deaconesses required to be trained in any given period.

182. The procedures for enquiry and application to be considered as a candidate for the office of deaconess shall be as determined by the Council for Mission in Ireland, and the Council for Training in Ministry, in consultation with Presbyterian Women and, following recommendation by the Kirk Session and Presbytery with which the applicant is connected, the Council for Training in Ministry may, after interview, accept an applicant as a candidate for the office.

183. The Council for Mission in Ireland together with Presbyterian Women shall be responsible for the training fees and allowances for candidates, upon such scale and conditions as the Council for Mission in Ireland shall determine.

184. The appointment of deaconesses shall be as decided by the Council for Mission in Ireland, after consultation with the parties interested in the appointment, and the provisions in the following sub-paragraphs shall apply:

184.1 Any congregation or council of the **Church** which wishes to have the services of a deaconess shall make application to the Council for Mission in Ireland.

184.2 A deaconess shall be called by the Council for Mission in Ireland which shall forward the **Call** to be sustained by the Presbytery under whose jurisdiction it is proposed that she shall work. When sustained, the Call shall be presented, either by that Presbytery, if the deaconess is already under its care, or, if not, the Call shall be certified as having been sustained and forwarded to the Presbytery then having jurisdiction for the issue of credentials. A Call may be retained for consideration for fourteen days after presentation, but if not then accepted shall be deemed to have been declined.

184.3 The Presbytery under whose jurisdiction the deaconess is to work shall conduct a service of commissioning and/or induction to her appointment, in accordance with Par 301. Commissioning shall be regarded as an authoritative appointment to the office of deaconess in the Church, to be administered once only; but there shall be a formal induction to each particular appointment.

184.4 Where a deaconess has been appointed to a congregation, the minister thereof shall be responsible for the direction and supervision of her work. In all other cases, such responsibility shall rest with the council having charge of her work.

184.5 A deaconess is appointed on the condition that only after the expiry of three years, or other term as agreed with the Council for Mission in Ireland, from the date of the inception of her appointment, may she apply for, or be offered, a transfer to another appointment.

184.5.1 A deaconess can only change her appointment by a Call from the Council for Mission in Ireland.

184.6 Upon the installation of a new minister to a **vacant** congregation in which a deaconess is serving, the deaconess shall give one month's notice of her resignation. In such event either:

184.6.1 The Council for Mission in Ireland may renew the appointment on the request of the minister and the Kirk Session, and with the consent of the deaconess; or

184.6.2 if the appointment is not renewed, the deaconess shall be retained on the records of the Presbytery and her income continued from central funds, for a period not longer than one year or, if sooner, until she becomes eligible for retirement, receives another Call, or is placed in other work by the Council for Mission in Ireland.

184.7 Special leave of absence may be granted to a deaconess by the Council for Mission in Ireland for further studies, or in the case of illness or other emergency, and appropriate financial arrangements may be made by the council. In such cases the deaconess remains under the care and jurisdiction of the Presbytery.

184.8 A deaconess, on voluntarily resigning from her appointment for further studies or because of illness or other emergency, may apply to be retained on the records of the Presbytery for a period not longer than two years and, if approved, she shall report to Presbytery, at least annually, on her circumstances.

184.9 An appointment as a deaconess may, after twelve months' service, be terminated by mutual agreement, or, subject to the approval of Presbytery, by two months' notice given by:

184.9.1 the deaconess; or

184.9.2 the minister or the Kirk Session of the congregation, where the deaconess has been appointed to a congregation; or

184.9.3 the Council for Mission in Ireland, where the deaconess has been appointed to other work.

In such cases, the deaconess may apply to be retained on the records of Presbytery for a period of not more than one year. While she shall have no entitlement to special support from central funds, the Council for Mission in Ireland shall have power to make a special arrangement.

184.10 If a deaconess places herself in a position where it is inappropriate for her to remain in her appointment, and does not voluntarily resign, the Presbytery under whose jurisdiction she is shall conduct an inquiry in consultation with the Home Mission, Irish Mission and Deaconess Committee of the Council for Mission in Ireland, and thereafter may release her from her appointment, without obligation on any part to make any payment to her; and if so,

184.10.1 decide whether or not she is to be retained on the records of the Presbytery. If the Presbytery decides to retain the deaconess, she may only be retained for a period of not more than one year;

184.10.2 notwithstanding the terms of Par 184.10.1, the Presbytery may request the Council for Mission in Ireland, after consultation with the Judicial Commission, to grant an allowance for a temporary period.

185. A former deaconess, whose name has been removed from the records of Presbytery for any reason, and who wishes to be restored to the office of deaconess, shall make application to her former Presbytery which, if satisfied with all the circumstances concerning her character, health and reasons for wishing to be restored, may, having consulted with the Council for Mission in Ireland, restore her to office.

186. A deaconess is responsible to Presbytery for her life and doctrine; and at consultations with congregations, Presbytery should enquire about her work.

187. Deaconesses shall be invited to sit and deliberate at meetings of the General Assembly and of Presbytery.

187.1 It is recommended that a deaconess working in a congregation be invited to sit and deliberate with the Kirk Session when matters involving her work are under discussion.

188. Conditions of service for deaconesses, including remuneration and allowances, holiday entitlement, retirement and pension arrangements and similar matters shall be determined by the Council for Mission in Ireland from time to time and, as appropriate, reported to the General Assembly.

188.1 A deaconess shall be regarded as an 'office-holder' and not as an employee.

Section 5 – Auxiliary Ministers

189. Auxiliary ministers shall exercise a Ministry of the Word on a part-time basis, normally no more than 20 hours per week, either in:

189.1 Congregational Auxiliary Ministry; or

189.2 Missional Auxiliary Ministry.

190. Anyone seeking to be trained as an auxiliary minister shall:

- be an **accredited preacher**
- be nominated by the Kirk Session of his or her congregation, with such nomination being forwarded to the Presbytery having jurisdiction over that congregation
- receive the endorsement of the Presbytery
- having received the endorsement of the Presbytery, be interviewed by the Council for Training in Ministry.

191. A candidate who, following the interview referred to in Par 190, is accepted as suitable for appointment as an **auxiliary minister** shall be required to undertake, and complete satisfactorily, a course of training and a probationary period of six months, as approved and directed by the Council for Training in Ministry.

191.1 A candidate who successfully completes such course of training and probationary period shall be eligible to apply for an auxiliary ministry post.

191.2 The **Linkage Commission** shall ensure that all eligible to be called as an auxiliary minister are informed of each new auxiliary ministry post created.

191.3 An auxiliary minister shall be commissioned and/or inducted by the Presbytery to which he or she will be accountable, in accordance with Par 301.

191.4 An auxiliary minister shall be regarded as an 'office-holder' and not as an employee.

Congregational Auxiliary Ministry

192. Congregational Auxiliary Ministry occurs when an auxiliary minister works alongside an ordained Minister of Word and Sacrament.

192.1 Congregational Auxiliary Ministry may be exercised in:

- a single congregation
- linked congregations
- a group of congregations

in accordance with **Guidelines** (Schedule 2) as approved from time to time by the General Assembly.

192.2 If the Congregational Auxiliary Ministry post is created, and a person is accepted as suitable for appointment in accordance with Guidelines (Schedule 2), the Kirk Session(s) of the congregation(s) may issue a **Call** to that person.

193. A Congregational Auxiliary Ministry post may be terminated by mutual agreement, or

193.1 by a minimum of two months' written notice given by the Presbytery, or, with the approval of Presbytery, by:

193.1.1 any individual minister involved; or

193.1.2 any individual Kirk Session involved; or

193.1.3 the auxiliary minister (but if the appointment was made on an 'expenses only' basis, the auxiliary minister need only give one week's prior written notice).

Missional Auxiliary Ministry

194. Missional Auxiliary Ministry occurs when an auxiliary minister works under the auspices of either a Presbytery or the Council for Mission in Ireland in assisting with church planting and similar outreach work.

194.1 Missional Auxiliary Ministry may be exercised under:

194.1.1 a Presbytery

194.1.2 the Council for Mission in Ireland

in accordance with **Guidelines** (Schedule 2).

194.2 The Council for Mission in Ireland shall issue a **Call** to the person appointed to the post, and that Call shall be sustained by the relevant Presbytery.

195. A Missional Auxiliary Ministry post may be terminated by mutual agreement, or

195.1 by not less than two months' written notice given by:

195.1.1 the Council for Mission in Ireland acting by its own decision; or

195.1.2 the Council for Mission in Ireland, if the Presbytery withdraws its consent for the post; or

195.1.3 the auxiliary minister.

Section 6 – Disclosure by Remunerated Office- Holders other than Ministers

196. Global Mission workers, Irish Mission workers, deaconesses, auxiliary ministers, senior lecturers and all appointed to, or training for similar posts of ministry or mission shall disclose promptly to the Clerk of the General Assembly any police investigation, summons, or conviction for offences against children, offences involving dishonesty, sexual misconduct, indecency, violence, alcohol or drugs, or any other serious offence.

Chapter 5:
THE PRESBYTERY

Section 1 – Purpose of Presbytery

197. The Presbytery is primarily responsible for corporate oversight of the congregations and causes assigned to it by the General Assembly, and of the ministers and elders connected with it, and the advancement of Christ's kingdom generally within the geographical area for which it is responsible.

197.1 The Presbytery shall observe the laws and directions of the **Assembly** and, so far as lies within its powers, ensure that those subject to its jurisdiction and within its fellowship do likewise.

Section 2 – Membership of Presbytery

Membership of Presbytery

198. The Presbytery shall consist of:

198.1 the minister of each of its congregations;

198.2 **associate ministers** and any ordained assistant to the Moderator in any of its congregations;

198.3 ministers serving in **special work** inside Ireland who have been installed or inducted to their charge by the Presbytery;

198.4 ministers serving in special work outside Ireland who have been installed or inducted to their charge by the Presbytery;

198.5 ministers emeritus who have retired from any of the ministries referred to in Pars 198.1–4, but not anyone who has been designated **minister emeritus** (released);

198.6 one **ruling elder** appointed by the Kirk Session of each fully constituted congregation in the Presbytery who, if not a member of the appointing Kirk Session, may be a member of any Kirk Session in the Presbytery;

198.7 ruling elders appointed under Par 294 and so ordained and/or inducted by a Presbytery;

198.8 ministers or ruling elders associated with congregations in the Presbytery who are ex-officio members of the General Assembly;

198.9 ruling elders in its congregations appointed annually by Presbytery to correspond in numbers to ministers qualified under Pars 198.2, 198.3 and 198.8;

198.10 any ruling elder holding office as Clerk of the Presbytery;

198.11 such other ministers or ruling elders as the **Assembly** may from time to time determine.

199. A Presbytery shall invite the following to sit and deliberate with the Presbytery, giving liberty to attend and debate, but not to vote:

199.1 those under their care who are designated either **minister emeritus** (released) or minister without charge;

199.2 serving deaconesses commissioned by the Presbytery;

199.3 serving Irish Mission workers commissioned by the Presbytery;

199.4 serving Global Mission workers commissioned by the Presbytery.

200. A Presbytery may invite the following to sit and deliberate with the Presbytery, giving liberty to attend and debate, but not to vote:

200.1 ministers or elders of other Presbyteries;

200.2 other elders and members of its congregations;

200.3 such other persons as it considers appropriate.

201. None of the persons referred to in Pars 199 and 200 may attend when an inquiry under Chapter Eight is being considered by the Presbytery nor when the Presbytery sits in private, except where the Presbytery considers that such attendance is desirable for the proper disposal of the business before the Presbytery.

Officers of Presbytery

202. The officers of a Presbytery shall be the Moderator and the Clerk.

202.1 The Moderator shall be a minister who is a member of Presbytery appointed by the Presbytery and shall enter upon office at the stated meeting of Presbytery in March. The Moderator shall continue in office for one year, unless in the course of the year it is otherwise determined by the Presbytery.

202.2 At the first meeting of a new Presbytery the senior minister present shall act as Moderator in constituting it, unless the General Assembly has appointed otherwise.

203. If in the course of the year of office, a Moderator ceases to be a member of the court, dies, becomes incapacitated or is otherwise prevented from discharging the duties of the office, the member of Presbytery last occupying the role shall assume the office of Moderator with authority to discharge all its functions for the remainder of such year or until it is otherwise determined by the court.

204. The Clerk shall from time to time be appointed by the Presbytery from among the ministers or ruling elders under its jurisdiction and shall hold office until:

204.1 the Presbytery resolves otherwise; or

204.2 the Clerk ceases to be under the jurisdiction of Presbytery.

205. A Presbytery may also appoint other special officers or agents with particular responsibilities as may be required, who shall report to Presbytery on their work at least once each year.

Section 3 – Meetings of Presbytery

Occasions for Meetings

206. A Presbytery shall hold:

206.1 not less than four stated meetings in each year;

206.2 a special meeting when convened:

206.2.1 by its own decision; or

206.2.2 at the request of the Moderator; or

206.2.3 on the written request of any seven members given to the Clerk;

206.3 a meeting when and where it is directed to do so by the General Assembly.

207. The Clerk of Presbytery shall notify the Clerk of the General Assembly, not later than 31 March each year, of the dates and times of the stated meetings for the incoming year.

Notice of Meetings

208. At least three clear days' notice of every meeting or adjourned meeting of Presbytery shall be given to each member by or with the authority of the Clerk by one of the following methods:

208.1 by post, in which event it shall be deemed to have been received at the address to which it was delivered three working days after the date upon which it was posted;

208.2 by hand delivery, in which event it shall be deemed to have been received at the

address to which it was sent on the date on which it was delivered;

208.3 by electronic transmission, in which event it shall be deemed to have been received on the date of such transmission.

209. Notice of any meeting of Presbytery, directed to be held by the General Assembly under Par 206.3 shall be given in accordance with any directions made by the General Assembly, and in the absence of such directions, in accordance with Par 208.

210. The notice convening any meeting shall state as fully as possible the business to be transacted at the meeting. The accidental omission to give notice of a meeting to, or the non-receipt of a notice by, any member shall not invalidate the proceedings of that meeting.

211. At a special meeting held under Par 206.2 only business specified in the notice of the meeting shall be transacted.

212. Pars 208–210 shall not apply to a special meeting convened by announcement in the General Assembly and held with its permission.

Proceedings at meetings

213. The quorum for a meeting of Presbytery shall be ten members, of whom not less than three shall be ministers, met at the appointed time and place.

213.1 In the absence of a quorum, those members present may constitute themselves as an ad hoc committee of Presbytery to transact any urgent, non-controversial business. Any decisions taken shall be ratified at the next meeting of Presbytery, and if a decision is not so ratified, it shall cease to have effect, but so as not to invalidate anything previously done pursuant to that decision.

214. At a meeting of Presbytery, the Moderator shall not have a deliberative vote, but in the event of an equality of votes, the Moderator may exercise a casting vote.

215. The Presbytery shall adopt such standing orders as it thinks fit to regulate:

215.1 the method by which items of business may be brought before a meeting of Presbytery;

215.2 the manner in which business shall be conducted at a meeting of Presbytery;

215.3 the rules of debate to be observed in a meeting of Presbytery.

Attendance at meetings

216. Members of Presbytery have a duty to attend meetings of Presbytery, and may be required to give satisfactory reasons for any absence.

Section 4 – Duties of Presbytery

General Duties

217. A Presbytery shall oversee the spiritual and temporal affairs of the congregations over which it has jurisdiction and, for that purpose shall become involved in any matter which, in its judgment, affects the welfare of any such congregation.

218. The members of each Presbytery shall act as the **charity trustees** for that Presbytery and shall be responsible for its compliance with the requirements of **charity legislation** in Northern Ireland and/or the Republic of Ireland as appropriate, save that ministers and elders who come within Par 198.4, so long as they continue to serve in a role specified in that paragraph, shall not be required to act as charity trustees for the Presbytery but shall nevertheless remain members of the Presbytery.

Inter-Church Projects

219. The Presbytery shall consider and may authorise inter-church projects within its geographical area.

Mission

220. The Presbytery shall have oversight of the mission of the **Church** in the advancement of Christ's Kingdom generally, and particularly within its area, and it shall:

220.1 prioritise areas and forms of mission;

220.2 coordinate the work of its congregations in respect of Par 220.1;

220.3 work with its congregations and the Council for Mission in Ireland as appropriate in the establishing and sustaining of new causes;

220.4 constitute new congregations when so authorised or directed by the General Assembly.

Personnel

Ministers, licentiates, and elders

221. The Presbytery shall:

221.1 arrange for the election of ministers in congregations;

221.2 receive and sustain or refuse **Calls** from congregations or other authorised bodies in the **Church**;

221.3 ordain **licentiates** and install or induct ministers to their charges in its congregations;

221.4 ordain licentiates under its care and install or induct ministers in **special work** to which they have been called;

221.5 ordain or install ruling elders;

221.6 in respect of ministers under its care, receive their resignations, release them from their charges and designate them ministers without charge under its care, or grant them appropriate credentials;

221.7 determine when a minister has abandoned his or her charge;

221.8 accept the retirement of a minister, whom it shall designate **minister emeritus**;

221.9 release a minister emeritus on request and designate him or her as a minister emeritus (released);

221.10 review each year the position of each minister emeritus within the Presbytery and following each review may release a retired minister from the responsibilities of full membership of Presbytery (and thereby also of the General Assembly); a minister so released shall be designated minister emeritus (released). A decision so to release is appropriate when:

221.10.1 the minister emeritus requests to be released; or

221.10.2 the minister emeritus fails, following notification by the Presbytery, to request to be retained; or

221.10.3 the minister emeritus shows a lack of capacity to fulfil the responsibilities of membership of Presbytery; or

221.10.4 the minister emeritus has failed to attend Presbytery for a period of twelve months without appropriate reason.

221.11 receive licentiates and ministers without charge having satisfactory credentials from another Presbytery in the Church or from the Reception of Ministers and Licentiates Committee;

221.12 receive and approve resignations and retirements of ruling elders;

221.13 appoint Interim Moderators of Kirk Session and interim members of Kirk Session.

222. The Presbytery shall:

222.1 see that ministers:

- preach the Word faithfully to their congregations
- regularly visit the families under their charge
- visit the sick in their congregations
- promote peace and temperance among the members of their congregations
- adopt means for the instruction of the young in their congregations in Gospel doctrine and the distinctive principles of the Presbyterian Church in Ireland
- encourage education and missionary enterprise
- discharge all other duties of the pastoral office;

222.2 ensure that appropriate arrangements are in place for the pastoral care of ministers and their families within its care.

222.3 inquire into and deal with reports affecting the character, usefulness or soundness in the faith of:

222.3.1 ministers in its congregations;

222.3.2 those of its ministerial members engaged in **special work**;

222.3.3 ministers retired or without charge or in work not under the jurisdiction of the General Assembly;

222.3.4 **licentiates** under its jurisdiction;

222.3.5 **ruling elders** under its jurisdiction;

and in the cases of ministers engaged in special work, the Presbytery shall invite four representatives of the appropriate **Assembly** council to sit with it as assessors in the case, who shall for this purpose have the full powers of members of the court;

222.4 receive formal complaints against ministers, licentiates, and ruling elders and follow the procedures concerning inquiries and discipline in Chapter Eight;

222.5 ensure that a minister or licentiate in active duty shall not accept any paid public appointment, unless it be of an occasional kind, without the consent of the relevant Presbytery and the **Linkage Commission**;

222.6 ensure that the duties of the eldership are properly discharged;

222.7 ensure that elders are properly trained to enable them to discharge such duties;

222.8 exercise discipline as appropriate of the ministers, elders, deaconesses, senior lecturers and auxiliary ministers under its jurisdiction.

Remarriage of divorced minister

223. The Presbytery may, if it sees fit, and on application being made to it for that purpose, permit a divorced minister who intends to remarry to remain in office after such re- marriage.

Others

224. The Presbytery shall commission and induct deaconesses, Irish Mission workers, Global Mission workers, senior lecturers and auxiliary ministers who have been called by an authorised body in the **Church**.

225. The Presbytery shall:

225.1 inquire into and deal with reports affecting the character, usefulness or soundness in the faith of:

225.1.1 students under its care;

225.1.2 deaconesses, Irish Mission workers, Global Mission workers, senior lecturers and auxiliary ministers under its care;

and for those purposes invite four representatives of the appropriate General Assembly council to sit with it as assessors in the case, who shall for this purpose have the full powers of members of the court;

225.2 receive formal complaints against deaconesses, Irish Mission workers, Global Mission workers, senior lecturers and auxiliary ministers, and follow the procedures concerning inquiries and discipline in Chapter Eight.

Oversight of Congregations

226. The Presbytery shall:

226.1 require that a Kirk Session maintains two services each Sunday, unless they decide otherwise and, in addition make provision, where practicable, for holding meetings during the week for praise, prayer, and religious instruction;

226.2 foster children's and youth ministry within its bounds, requiring as far as possible that at least one Sunday School, or equivalent, be maintained in connection with each congregation, having a programme which embraces study of Scripture, the Shorter Catechism, and the Missions and Agencies of the **Church**;

226.3 hold consultations with, and where appropriate, visitations of, congregations;

226.4 examine and approve transactions, sales, mortgages or other dispositions of or affecting congregational lands or buildings where such approval is required by this Code;

226.5 direct a congregation to appoint new trustees of **congregational property** if the number of the trustees falls below three, unless the sole trustee of the property is the Presbyterian Church in Ireland Holding Trustee Company;

226.6 where a congregation has bought land or property for the benefit of the congregation in the name of its trustees, but the trustees have not made a declaration of trust declaring the trusts upon which the land is held, direct that the trustees make such declaration of trust, having regard to the provisions of Par 86;

226.7 subject to the provisions of Par 83, examine and approve:

- any proposed demolition of any church building
- the plans and siting of all new church buildings
- all permanent alterations or additions to church buildings or property
- the furnishings used in the conduct of public worship;

226.8 examine the **Statement of Accounts** of each congregation and certify the annual **Statistical Return**, in accordance with directions issued by the General Assembly from time to time;

226.9 ensure that, except for a special service or event, a congregation shall not seek financial aid from outside its parish bounds for the acquisition, maintenance and upkeep of its property or reduction of debt owed by the congregation, except with the prior permission of Presbytery and in accordance with directions made by it;

226.10 have the right to make an assessment on each of its congregations to meet the expenses of the Presbytery; and be required to publish annually an independently examined or audited Statement of Accounts.

Education

227. The Presbytery shall:

227.1 encourage the development and foster the progress of education within its bounds generally, and show pastoral concern for and Christian responsibility towards all involved in or seeking to benefit from education or vocational training;

227.2 for the purposes referred to in Par 227.1 take all reasonable steps to safeguard and secure the exercise of the **Church's** rights of representation on school Boards of Governors, Management Committees, and similar bodies. Particular care should be taken to discharge these duties during a ministerial vacancy.

Role of Presbytery in cases of difficulty and dispute

228. The Presbytery shall:

- 228.1 advise Kirk Sessions and congregational committees in cases of difficulty and, where there is dispute, recommend conciliation where appropriate;
- 228.2 inquire into the conduct of Kirk Sessions and congregational committees and set them right if they have erred. For this purpose, it shall have the right to call for a review at any time of the records of a Kirk Session and congregational committee;
- 228.3 receive and deal with references for advice or for adjudication from Kirk Sessions and appeals against decisions of Kirk Sessions;
- 228.4 deal with **requests for consideration** addressed to it:
  - 228.4.1 by bodies or persons under its care; or
  - 228.4.2 by others alleging wrongs to have been done by bodies or persons under its care.

229. Notwithstanding the provisions of sub-paragraphs 228.3 and 228.4, the Presbytery shall not receive an appeal from, nor a **request for consideration** of, any person who is or has been employed by one of its congregations under a contract of employment in respect of any grievance relating to such contract of employment where such grievance has been dealt with either under any grievance or disciplinary policy of that congregation relating to its employees, or following any reference of such grievance to a civil court or an industrial tribunal.

Section 5 – Administrative Role of Presbytery

230. The Presbytery shall:

- 230.1 license **requests for consideration** received for transmission to the General Assembly, if these are in order, and may express a recommendation on their merits in each case;
- 230.2 have the right to submit a request for consideration or **overture** to the General Assembly;
- 230.3 report annually to the General Assembly and furnish returns on such matters as may be specified by the General Assembly in **Regulations** (Schedule 1) or by this Code;
- 230.4 have the right annually to make a nomination for the office of Moderator of the General Assembly, such nomination to be made at a date and time set by the General Assembly.

Consultations with Congregations

231. The Presbytery shall engage in an official Consultation with each congregation, Church Extension Charge and Church Plant (each being a 'consultee') at least once in ten years.

232. The purpose of a Consultation is to enquire into the life of the consultee in order to discover:

- 232.1 matters to celebrate for the encouragement of the consultee, and to inspire the rest of Presbytery;
- 232.2 challenges faced by the consultee, so that Kirk Session can be directed and equipped to deal with the most pressing issues;
- 232.3 any concerns that Kirk Session may be struggling to deal with, requiring the intervention of Presbytery.

233. Normally there should not be a consultation with a consultee until at least two years after the installation or induction of the minister.

234. The **General Council** may from time-to-time issue resources for use in consultations.

Visitations of Congregations

235. If the Presbytery becomes aware of any matter which is adversely affecting the wellbeing, unity, or development of a congregation, Church Extension Charge or Church Plant, it may hold a visitation of that congregation, Church Extension Charge or Church Plant to investigate such matter in order to ascertain the relevant facts.

236. The **General Council** may from time-to-time issue resources for use in visitations.

Finding

237. After a visitation the Presbytery shall reach an official finding in which the Presbytery may make such recommendations and may give such directions and recommendations as it thinks fit. The finding shall first be read in private to those parties whom the Presbytery deems appropriate, and they shall have ten days from the date of such reading to appeal against the finding.

    237.1 When the ten days period referred to in Par 237 has expired, the finding shall be read to the congregation on a convenient Sunday by a ministerial member of Presbytery, who shall also address the congregation as appropriate to the circumstances, unless, within that period an appeal against the finding has been made to the Judicial Commission. In that event, the finding shall not be read to the congregation until the Judicial Commission has determined any appeal made under Par 237.

    237.2 The normal right of appeal shall operate following the reading of the finding to the congregation other than for those referred to in Par 237.

238. A minute of the procedure followed by the Presbytery or its commission, and the finding adopted shall be inserted in the Presbytery minute book; and a copy of the finding shall be furnished to the Kirk Session which shall retain it in its minute book.

Report

239. Within twelve months of the visitation of a congregation, the Presbytery shall require the minister or representative elder of the congregation to report on how far any instructions and/or recommendations of Presbytery have been carried out.

    239.1 If the congregation has failed to give effect to the instructions and/or recommendations of the Presbytery, the Presbytery may take such other action as it sees fit.

Section 6 – Vacancies in Congregations

Vacancy Arrangements

240. When the Presbytery has good cause to believe that a vacancy will occur imminently in a congregation, it may appoint a Vacancy Commission to oversee the vacancy.

241. When a vacancy occurs, the Presbytery, following the current **Linkage Commission** requirements shall:

    241.1 ensure that the congregation is officially notified of the vacancy, in so far as possible on the Sunday following the occurrence of the vacancy, but in any event not later than the succeeding Sunday;

    241.2 appoint a Vacancy Commission to oversee the vacancy, unless one has already been appointed under Par 240;

    241.3 fix, in consultation with the Linkage Commission, the remuneration and expenses to be paid by the congregation to the convener of the Vacancy Commission;

241.4 ensure that the Vacancy Commission appoints persons to supply the **vacant** congregation with the preaching of the Word and with other Gospel ordinances and that such persons are qualified to do so in the terms of Par 243;

241.5 ensure that the Vacancy Commission outlines to the vacant congregation the requirements of the Linkage Commission relating to vacant congregations, and the preliminary steps to be taken by it before it can proceed to make a **Call** to a minister;

241.6 ensure that a list of the members of the congregation qualified to vote is drawn up at an appropriate time to facilitate the calling of a minister;

241.7 approve the adoption of candidates to be heard by the congregation with a view to the election and calling of a minister;

241.8 supervise all proceedings for the election and calling by the congregation of a minister.

242. The convener of the Vacancy Commission shall be a ministerial member of the Presbytery, who shall act as the Interim Moderator of the Kirk Session of the **vacant** congregation.

243. The persons whom the Vacancy Commission may appoint to supply a **vacant** congregation under Par 241.4 are:

243.1 ministers, **licentiates**, accepted students for the ministry, auxiliary ministers, **accredited preachers**, elders of the **Church**;

243.2 appropriate staff employed in the congregation;

243.3 speakers on deputation from councils of the Church or from other agencies supported by the congregation;

243.4 ministers of other Churches deemed eligible to supply by the Reception of Ministers and Licentiates Committee;

243.5 ministers from a neighbouring church of a different denomination when, on an occasional basis, conducting a customary or special service;

except that no person may supply a vacant congregation unless the Vacancy Commission is satisfied that the person is not being considered as a candidate to fill the vacancy, nor is considering applying as a candidate for the vacancy.

244. Any income received by a **vacant** congregation during the period of the vacancy, the use of which is restricted to payment to the minister of the congregation, shall be available to the congregation to pay for pulpit supplies and the vacancy convener's remuneration and expenses.

245. If a **vacant** congregation has insufficient funds to pay for pulpit supplies, and for the remuneration and expenses of the convener of the Vacancy Commission, the **Linkage Commission** may, on application being made by the congregation, authorise grants from central funds to enable it to pay these.

246. The Vacancy Commission shall report:

246.1 to Presbytery, at its stated meetings, on the supply of ordinances in the congregation and such progress (if any) which the **vacant** congregation is making towards making a **Call** to fill the vacancy;

246.2 to the congregation by announcement, not less than once in every three months, on the progress being made towards making a Call to fill the vacancy and of all material steps being taken in that regard.

247. The convener of the Vacancy Commission shall:

247.1 as soon as possible after his or her appointment ascertain from the **Linkage Commission** what its requirements are and what information it will require when it considers whether to grant the congregation **Leave to Call**, and meet with the Kirk Session of the congregation to discuss those requirements and to commence the collation of the information so required;

247.2 record in a minute book the minutes of each meeting of the Vacancy Commission attested as true and accurate;

247.3 submit the minute book referred to in Par 247.2 to Presbytery when the vacancy has ended, and the Clerk of Presbytery shall retain the same for a period of twelve months from the date of the installation or induction of the minister;

247.4 ensure that all minutes of Kirk Session and meetings of the congregation, held during the vacancy, are recorded and attested in the minute book of the Kirk Session;

247.5 take charge of the marriage and baptismal registers of the congregation during the vacancy;

247.6 ensure that the title deeds of congregation's property, its other records, and any objects of historic interest listed in the Session minute book are in proper custody.

Election and Calling of a Minister

Leave to Call

248. A **vacant** congregation shall not, until it first obtains **Leave to Call**:

248.1 consider candidates for the vacancy;

248.2 appoint a Hearing Committee;

248.3 issue a **Call** to a minister or **licentiate**.

249. The Presbytery shall ensure that the rules of the **Linkage Commission** are observed and that the information required by the Linkage Commission is duly supplied.

249.1 When the Vacancy Commission is satisfied that the requirements of the Linkage Commission as referred to in Par 247.1 have been met and that the congregation can supply such information as the Linkage Commission shall require, it shall report that fact and forward the required information to the Presbytery.

249.2 Upon receipt of such report from the Vacancy Commission the Presbytery shall consider the report, comment as required by the Linkage Commission, and decide whether the congregation be given permission to seek **Leave to Call** from the Linkage Commission.

250. **Leave to Call,** once granted by the **Linkage Commission**, remains valid subject to Par 384**.**

250.1 It shall be a condition of a Leave to Call that the minister called shall be available to undertake additional duties, if so required by the Linkage Commission, after consultation with the Presbytery.

250.2 If the Linkage Commission refuses to grant to the congregation Leave to Call, it shall continue to consult with the congregation through the Vacancy Commission with a view to:

250.2.1 advising the congregation of what it requires to enable it to issue Leave to Call; or

250.2.2 ascertaining whether there should be a reconfiguration of ministry involving the congregation; or

250.2.3 determining what may otherwise be appropriate for the future of the congregation.

Voters List

251. Before any meeting of the congregation is required in connection with the vacancy, the Kirk Session shall, under the supervision of the Interim Moderator and at least one other member of the Vacancy Commission, publish a list of the voting members entitled to vote at such a meeting and for that purpose shall prepare and publish a **voters list** in accordance with Pars 100–106.

Selection of Candidates

Eligibility

252. Subject to Par 253, any minister or **licentiate** of the church qualified in accordance with Par 254 or 255 may be selected as a candidate for election to be called to a congregation.

253. The following are not eligible to be selected as a candidate:

253.1 a minister or **licentiate** of the **Church** serving in the congregation at any time during the vacancy or less than two years prior to the drawing up of the **List** of candidates for a hearing in accordance with Par 259, as an **associate minister**, as an ordained assistant to the Moderator, or as a licentiate assistant;

253.2 a minister who was a convener of the Vacancy Commission at any time during the vacancy, save that he or she may be deemed to be eligible, after consultation with the Presbytery, if:

253.2.1 the **Linkage Commission** deems it advisable for the linking of two or more congregations; or

253.2.2 the minister is installed in the Home Mission.

Congregations having fewer than 350 families

254. Subject to Par 253, the following are eligible to be called to a congregation having fewer than 350 families on its books shown as claiming connection on the most recent **Statistical Return**:

254.1 any minister of the **Church**, save that an ordained assistant minister to the Moderator of the General Assembly or an **associate minister** shall not become eligible to be called to a congregation until twelve months after their induction to that position;

254.2 any **licentiate** of the **Church** who has obtained a certificate from the Council for Training in Ministry that a period of probation of at least two years has been completed satisfactorily, such eligibility to be from the date specified by the Council for Training in Ministry;

254.3 any transferring minister or licentiate of another Church, if previously received by the General Assembly through the Council for Training in Ministry acting on its behalf, provided such minister or licentiate has successfully completed any course of study and/or period of assistantship required by the Council for Training in Ministry.

Congregations having 350 or more families

255. Subject to Par 253, the following are eligible to be called to a congregation having 350 families or more on its books shown as claiming connection according to the most recent **Statistical Return**:

255.1 any minister of the **Church** who has been ordained for at least six years;

255.2 any minister of the Church who is over 35 years of age and has been ordained for at least three years;

255.3 any minister of another church, if previously received by the General Assembly who:

255.3.1 has been ordained for at least six years; or

255.3.2 is over 35 years of age and has been ordained for at least three years;

and who has successfully completed any course of study and/or period of assistantship required by the Council for Training in Ministry.

Declaration of Eligibility by the Linkage Commission

256. If the application of Pars 254 or 255, as the case may be, gives rise to a serious difficulty, the **Linkage Commission**, in consultation with the Presbytery, may declare a candidate eligible to be called, notwithstanding the provisions of these paragraphs.

Listing and Hearing of Candidates

257. An eligible **licentiate** or minister may apply to the Kirk Session for a hearing in the congregation. Such application shall be in **writing** and may be on a form provided for that purpose. It may be accompanied by not more than two testimonials.

258. The Kirk Session shall invite **qualified voters** to propose the name of any eligible **licentiate** or minister to be heard by the congregation.

259. Subject to Pars 259.2 and 259.4, the right to select and make a **List** of the candidates for hearing belongs to the Kirk Session. The List of candidates shall be prepared as follows:

259.1 the Kirk Session shall select up to four candidates, whom it wishes to be heard by the congregation, for inclusion in the List;

259.2 the Kirk Session shall submit the List to the Vacancy Commission for approval;

259.3 once approved, the convener of the Vacancy Commission shall send the List to the Clerk of the General Assembly together with the names of all who applied or were interviewed for a hearing in the congregation;

259.4 the Clerk of **Assembly**, in consultation with the Moderator of the General Assembly, the immediate past Moderator, and the Convener and Secretary of the Council for Mission in Ireland, may, but is not obliged to, add to the List the names of not more than two people, taking the following into account:

- service, if any, in **Home Mission congregations**
- the frequency with which a name has appeared on lists
- suitability
- any other relevant circumstance

and shall then authorise the Vacancy Commission to proceed with the hearing of the candidates. The candidates thus listed shall be the List.

260. The right to hear candidates belongs to the congregation, and that right may be exercised by the congregation either directly, or by a Hearing Committee.

Hearing of Candidates Directly by the Congregation

261. Where candidates are to be heard directly by the congregation, the Vacancy Commission shall arrange for the hearing of the candidates on the **List**.

261.1 Candidates on the List shall be heard in alphabetical order, provided always that when the hearing is begun in even numbered years the names of all candidates shall be from A–Z, and in uneven numbered years from Z–A.

261.2 Should circumstances arise that a particular candidate is not able to conduct the service on the date arranged, the Vacancy Commission may arrange for the service to be conducted by someone who is not a candidate (subject to Par 243). No alteration may be made in the order of hearing without the permission of the Vacancy Commission and the consent of all the candidates.

261.3 Notice to the congregation of the names and the dates for the hearing of candidates shall be given on two consecutive Sundays prior to the commencement of hearing.

261.3.1 When appropriate, such notice may be given concurrently with the process of selection and approval of candidates, in which case the names of those under consideration will not be disclosed, but such names should be published before the first candidate preaches.

Hearing of Candidates by a Hearing Committee

262. The hearing of candidates by a Hearing Committee may take place if the Kirk Session does not consider that it is expedient for the candidates to be heard directly by the congregation and the Kirk Session convenes a meeting of the congregation to:

262.1 hear the reasons why the Kirk Session does not consider it expedient for the candidates to be heard directly by the congregation;

262.2 decide whether, in the light of such reasons, the congregation sees fit to appoint a Hearing Committee to hear the candidates on the **List**;

262.2.1 such Hearing Committee shall be selected by secret ballot;

262.3 if so appointed, decide whether to direct the Hearing Committee to seek to identify a sole nominee to be heard directly by the congregation before a **Call** is decided on.

263. Where candidates on the **List** are to be heard by a Hearing Committee, the Vacancy Commission shall arrange for the hearing of the candidates on the List.

263.1 Candidates shall be heard in alphabetical order, provided always that when the hearing is begun in even numbered years the names of all candidates shall be from A–Z, and in uneven numbered years from Z–A. No alteration may be made in the order of hearing without the permission of the Vacancy Commission and the consent of all the candidates.

Election of Minister to be Called

Decision on whether to proceed to a vote

264. When the hearing of the candidates on the **List** has been completed, a congregational meeting shall be held under the supervision of the Vacancy Commission, chaired by the Interim Moderator (or such other minister of the Presbytery as he or she may invite), to ascertain whether or not the congregation desires to proceed to vote on any candidate named on the List.

264.1 Such meeting shall not be held on a Sunday, and notice of the time and place and purpose of it shall be given to the congregation at public worship on the two Sundays preceding the date of the meeting.

264.2 If the hearing of the candidates has been by a Hearing Committee, the Hearing Committee shall at such meeting first report to the congregation its findings.

264.2.1 If the Hearing Committee is unable to recommend a single name, the congregation shall not proceed to a vote, in which case the provisions of Par 265 shall apply.

264.3 Thereafter, unless Par 264.2.1 applies, the minister presiding at the election meeting shall ascertain by a vote of the congregation whether the congregation desires to proceed to vote on any candidate named on the List.

Decision taken not to proceed to a vote

265. If a decision is taken not to proceed to a vote the following shall apply.

265.1 If the congregation has heard the **List** directly, the congregation may resolve that the Vacancy Commission take either Course A (as set out in Par 265.1.1) or Course B (as set out in Par 265.1.2), but not both:

Course A

265.1.1 arrange to re-hear, directly by the congregation, one or more of the candidates on the List as the congregation shall then nominate; or

Course B

265.1.2 arrange for the Kirk Session to prepare a supplementary List, including but not confined to, such candidates as were on the List which the congregation desires to re-hear, in accordance with Pars 258-261.

265.2 If the congregation does not make a resolution under Par 265.1, and in all cases where the hearing has been by Hearing Committee, the following shall apply:

265.2.1 the Vacancy Commission shall make arrangements for the drawing up by the Kirk Session of a New List, and Pars 260–263 shall apply to the drawing up of the New List, and the hearing of candidates on the New List; and

265.2.2 when the hearing of the candidates in the New List has been completed, the Vacancy Commission shall convene a further election meeting at which any candidate named on the New List shall be eligible for **Call**. All the provisions of Pars 264-267 shall apply to that election meeting.

265.3 When the hearing of candidates in accordance with Par 265.1 has been completed, the Vacancy Commission shall convene a further election meeting, and all the provisions of Pars 264–267 shall apply to that election meeting.

Decision taken to proceed to a vote

266. If a decision is taken to proceed to a vote the following shall apply:

266.1 The minister chairing the meeting shall invite the **qualified voters** to propose and second as follows:

266.1.1 where the congregation has heard the **List** for Hearing directly, one or more candidates whose names are on the List for Hearing; or

266.1.2 where the congregation has heard through a Hearing Committee, the candidate recommended by the Hearing Committee, and that person only.

266.2 When only one candidate is proposed and seconded under Par 266.1.1 or 266.1.2, and the congregation, upon being asked if it wishes to make out a **Call** to that candidate, resolves by a majority of not less than two thirds of the qualified voters attending the meeting and voting by secret ballot to make out a Call to that candidate, a Call to that candidate shall be drawn up;

266.3 When more than one candidate is proposed and seconded under Par 266.1.1, secret ballots shall be taken of the qualified voters attending and voting at the meeting, the ballots being repeated until only one candidate remains, so that after each ballot the candidate who has received the least votes shall be eliminated until one candidate remains. (See the provisions of Par 267 which are to be used in the exceptional case of a tied vote at any stage during the election meeting.)

266.3.1 If the leading candidate receives more than 50% of the votes cast, the other candidates are eliminated, with only the leading candidate remaining.

266.3.2 If the leading candidate receives less than 50% of the votes cast, after each ballot the candidate who has received the least votes shall be eliminated until one candidate remains.

266.4 When there is only one candidate remaining, a secret ballot of the qualified voters attending the meeting shall be taken on this remaining candidate, for and against.

266.4.1 If such candidate secures at least two-thirds of the votes cast, that candidate shall be declared elected, and a Call to that candidate shall be drawn up.

266.4.2 If such candidate fails to secure at least two-thirds of the votes cast, then the provisions of Par 266.6 shall apply to that candidate.

266.5 Should the remaining candidate, voted on in accordance with Par 266.4, fail to obtain two-thirds of the votes cast, the meeting may proceed to vote upon any of the other candidates whose names were on the List, and are proposed and seconded following the provisions of Pars 266.2 and 266.3.

266.6 Any candidate who fails to receive two-thirds of the votes cast when voted on individually shall thereupon cease to be eligible as a candidate for the congregation in the vacancy then existing.

When a vote is taken and a Call is agreed upon

266.7 If a **Call** is agreed upon, it shall be signed by as many members and **adherents** who wish to do so, and certified by the presiding minister. The election meeting shall be informed of the date on which the Vacancy Commission shall report, and bring the Call, to the Presbytery. Call forms, or forms in support of the Call, shall be available on the succeeding Sunday, when the person officiating at the service(s) on that day shall invite those who have not already signed it to do so, and shall certify any additional signatures.

266.7.1 The convener of the Vacancy Commission shall forthwith notify the Clerk of the Presbytery having jurisdiction over, or care of, the minister or **licentiate** to whom the Call is addressed, that the Call has been made. Such Clerk of Presbytery shall ensure that, if the person called is the minister of a congregation, that congregation shall be told of the making of the Call on the Sunday following the making of the Call.

266.7.2 The Vacancy Commission shall not bring the Call to the Presbytery until at least seven days after the making of the Call.

When a vote is taken but no Call is agreed upon

266.8 If, following the ballots referred to in the preceding sub-paragraphs, no **Call** is agreed upon, the Vacancy Commission shall make arrangements for the drawing up of a new **List** and the hearing of the candidates on it, and Pars 258-263 shall apply to the drawing up of the new List, and the hearing of candidates on it. No person to whom Par 266.6 applies may be included on a new List.

266.8.1 When the hearing of the candidates in the new List has been completed, the Vacancy Commission shall convene a further election meeting at which any candidate named on the new List shall be eligible for Call. All the provisions of Pars 264-267 shall apply to that election meeting.

267. In the exceptional case of a tied vote at any stage during an election meeting, the following provisions shall apply:

267.1 If on a ballot between two or more candidates, all or some candidates tie with the largest number of votes, the ballot between those candidates shall be repeated once to ascertain if any of the **qualified voters** wish to change their vote. If at the end of this process there remains an equality of votes between two or more candidates, the Chairman of the meeting shall bring the meeting to an end, and the Vacancy Commission shall resume responsibility for the process, and shall take the following steps:

267.1.1 The Vacancy Commission through its convener shall consult separately with those candidates and inform them that there was an equality of votes between them and invite each to confirm whether or not he or she wishes to remain as a candidate;

267.1.2 If all of the candidates withdraw their candidacies, or if all the candidates decline to withdraw their candidacies, the congregation shall be deemed to have decided not to proceed to a vote at the election meeting, and not to have resolved to take either of Courses A or B, so the Vacancy Commission shall proceed in accordance with the terms of Par 265.2;

267.1.3 If one or more of the candidates withdraw their candidacies, the Vacancy Commission shall convene a further election meeting in accordance with Par 264.1, at which the only business shall be to vote on the remaining candidate or candidates in accordance with Par 266.3 and/or 266.4.

Sustaining, Presenting and Accepting or Declining a Call

Objecting

268. If:

268.1 a **qualified voter** in the congregation; or

268.2 a member of the Vacancy Commission; or

268.3 any candidate named on the **List**, Supplementary List or New List;

is dissatisfied with a decision or proceedings of the Vacancy Commission with regard to the **Call** itself, or to the procedure which led to the Call being made, that person may, in **writing** addressed to the Clerk of Presbytery, object to such decision or proceedings.

269. An objection under Par 268 shall:

269.1 be sent to the Clerk of Presbytery in time to arrive with the Clerk at least seven days before the commencement of the meeting of Presbytery at which the Vacancy Commission shall report and bring the **Call** to Presbytery;

269.2 set out the grounds upon which such objection is being made.

270. When the report of the Vacancy Commission, with the **Call**, is submitted to the Presbytery, it shall first consider any notice of objection received under Par 268 and shall decide whether the proceedings have been regular and whether the Call be valid.

Sustaining a Call

271. A Presbytery shall only sustain a **Call** if:

271.1 it is satisfied that the proceedings have been regular and the Call is valid;

271.2 the terms of Call include:

271.2.1 a promise by the congregation to respect the minister for the sake of his or her work, to attend to the instruction of the minister in the Gospel, to submit to the discipline of the Presbyterian Church in Ireland, according to the law of the Lord Jesus Christ;

271.2.2 a promise by the congregation to pay an amount of stipend at least equal to the sum fixed by the **Linkage Commission**, with increase as from time to time set by the General Assembly, apart from the income to which the minister may be entitled from any other source;

271.2.3 an undertaking to contribute from time to time to the **Central Ministry Fund** such sum as the congregation may be obliged so to do under this Code;

271.2.4 a stipulation that the minister shall reside in the manse, where there is a manse;

271.2.5 an undertaking by the congregation to meet the rates or other property tax applicable to the manse (if any) and that the minister shall be entitled to occupy the manse;

271.2.6 where there is no manse, an undertaking to pay to the minister a housing allowance of such sum as shall be approved by the Presbytery and the Linkage Commission;

271.2.7 an undertaking that the minister shall be entitled to six weeks holiday in each year during which the congregation shall pay for the pulpit supply for the congregation;

271.2.8 an acknowledgment that the minister is entitled to avail of in-service leave and sabbatical leave in accordance with such terms as the General Assembly may from time to time approve.

Consequences of not sustaining a Call

272. If a **Call** is not sustained, the congregation may:

272.1 if **Leave to Call** is still current, recommence the procedures set out in Pars 258-267;

272.2 if Leave to Call is no longer current, seek further Leave to Call and on such being granted, recommence the procedures set out in in Pars 258-267.

Presenting a Call

273. If the **Call** is sustained, and the minister-elect is a member of, or under the care of, the Presbytery sustaining the Call, that Presbytery shall, where applicable:

273.1 satisfy itself that the minister-elect's congregation has been informed of:

- the making of the Call
- the date of the meeting of the Presbytery at which, the Call, if sustained, will be presented to the minister-elect
- its right to have representatives present to make relevant observations at that meeting;

273.2 give any representatives of the congregation issuing the Call, and of the minister-elect's congregation attending the meeting the opportunity to make any relevant observations;

and, having done so, shall resolve whether to present the Call to the minister-elect and, if so resolved, shall present the Call to the minister-elect.

274. If the **Call** is sustained, and the minister-elect is not a member, or under the care of the Presbytery sustaining the Call, that Presbytery, having sustained the Call, shall certify it and forward it to the other Presbytery.

274.1 The receiving Presbytery shall give any representatives of the congregation issuing the Call attending the meeting the opportunity to make any relevant observations;

and, having done so, shall resolve whether to present the Call to the minister-elect and, if so resolved, shall present the Call to the minister-elect.

Accepting or Declining a Call

275. When a **Call** is presented, the minister-elect shall thereupon advise the Presbytery presenting the Call whether he or she accepts the Call, declines the Call, or retains the Call for consideration.

275.1 When the minister-elect accepts a Call, and that Call has been forwarded from another Presbytery, then the Presbytery that has presented the Call to the minister-elect shall furnish him or her with credentials of transference to the Presbytery that sustained the Call.

275.2 Where the minister-elect retains the Call for consideration and does not accept or decline it within 14 days from the date on which it was presented, the minister-elect shall be deemed to have declined the Call.

Stipend

276. The minister's new charge shall be responsible for the payment of stipend from the date of installation. The Presbytery shall be responsible for ensuring the payment of all supplies until the same date.

Section 7 – Vacancy for Associate Minister

277. The law of the **Church** shall apply where relevant to **associate ministers** where ministers of congregations are referred to in Section 6 of this Chapter, and with the following special provisions in Pars 278–280.

Leave to Call

278. If a congregation seeks to call an **associate minister** in addition to its minister it shall advise the Presbytery of its desire so to do. If the Presbytery concurs it shall appoint a commission, of which the minister of the congregation shall be the convener, to oversee the process of requesting the Linkage Commission to establish a vacancy for an associate minister in the congregation and, if such a vacancy is so established, the hearing of candidates and the election of an associate minister.

279. Where a congregation seeks to call an **associate minister**:

279.1 unless the **Linkage Commission** decides otherwise, the cost of full salary of the associate minister shall be met by the congregation and the salary will not be augmented by the **Central Ministry Fund**;

279.2 the appointment of the associate minister shall be reviewable on a term set by the Linkage Commission.

Eligibility as candidate for Associate Ministry

280. A minister or **licentiate** who is eligible to be called to a congregation is eligible to be called as **associate minister** irrespective of the number of families in the congregation.

Section 8 – Nominations to Ministry

281. The Presbytery, and only the Presbytery may:

281.1 nominate, for the approval of the General Assembly, persons desiring to undertake the work of the ministry;

281.2 receive such persons under its care, when approved, as recognised students for the ministry;

281.3 when appropriate, license such persons as probationers.

282. The Presbytery shall co-operate with the Council for Training in Ministry in supervising the life and conduct of the students under its care.

282.1 Where the character or work of a student is considered unsatisfactory, the Presbytery may proceed as in Par 225 or, if it deems it advisable, delegate its authority to the Council for Training in Ministry.

Section 9 – Presbytery Services

Westminster Confession of Faith

283. Where a person is required to subscribe to the Westminster Confession of Faith, he or she shall do so in the following terms:

283.1 *"I believe the Westminster Confession of Faith, as described in the Code, Chapter One, paragraphs 11–13, to be founded on and agreeable to the Word of God, and as such I subscribe it as the confession of my faith."*

Ordination, Induction and Installation of Ministers

Preliminaries

284. Before fixing a date for the ordination of a **licentiate** or the installation or induction of a minister the Presbytery shall:

284.1 consider any objections laid before it, lodged with the Clerk of Presbytery, and for that purpose the Presbytery shall fix a date and time for a meeting at which it will consider any such objection, and shall give a person who has made an objection, and any person affected by such objection, not less than seven days' notice of such meeting and shall allow such person or persons to attend and to make such representations as that person considers appropriate;

284.2 in the case of an installation or induction to a congregation, ensure:

284.2.1 that there are no outstanding obligations due by that congregation to Presbytery, to the preceding minister, or the incoming minister of the congregation, or for the supply of ordinances;

284.2.2 that the manse (if relevant) is in, or is being put into suitable condition for the use of the minister;

284.2.3 that all congregational books and records and other **congregational property** in the custody or control of the previous minister, are available for handing over to the incoming minister.

285. If, under Par 284.1, no objections have been made or upheld, the Presbytery shall:

285.1 appoint a day and time for the service of ordination, induction or installation of a minister;

285.2 appoint ministers and ruling elders to conduct that service;

285.3 appoint a member of the Presbytery to give official notice of the date and time of the service of ordination, installation or induction to the congregation or congregations concerned, not less than eight days before the date of such service.

286. Before proceeding with any ordination or installation service, the Presbytery (or Presbytery commission in charge) shall:

286.1 receive the credentials of the minister-elect;

286.2 establish that notice of the ordination and induction and/or the installation of the minister-elect has been duly published in the congregation;

286.3 establish, if appropriate, that the minister-elect has completed a **Charity Trustee Declaration**;

286.4 establish that no impediment remains to the ordination or installation of the minister-elect.

Service

287. The Presbytery having been previously constituted by prayer and having satisfied itself concerning the matters in Par 286, the order of service, in accordance with Par 287.1, shall be conducted, which shall include subscription to the Westminster Confession of Faith, as in Par 283.

287.1 The order of service shall include the following:

287.1.1 opening worship, including praise, prayer and the reading of the Word; and an appropriate sermon, or an address or statement dealing with the principles of the **Church**, its ministry and government.

[The minister-elect takes his or her place before the Presbytery.]

287.1.2 *[The Moderator says:]*

In the name of the Lord Jesus Christ, the sole King and Head of the Church, who, having ascended to the right hand of the Father, has given gifts for building up the Church, which is his body, we are meeting as (a commission of) the Presbytery of *PP* (to ordain *NN* to the ministry of Word and Sacrament and) to *install/induct him/her* to the pastoral charge of *CC*.

or – to install *him/her* to the Home Mission and induct *him/her* to the pastoral charge of *CC*.

or – to induct him/her as assistant minister/associate minister in CC. or – to *install/induct him/her* to the position of Principal/Professor of ..... [or other post] in this College to which he/she has been appointed.

or – to *install/induct him/her* to missionary [or other] service in *XX*.

or – to *install/induct him/her* as a minister in special work in his/her appointment as…….

As required by the Law of the **Church**, the Clerk will now read the Statement of the Standards of the **Church**, including the Rule of Faith. (Code Chapter One, paragraphs 9-13).

287.1.3 *[Thereafter the Moderator addresses the minister-elect, asking the prescribed questions as follows:]*

NN, having heard the statement of the Standards of this **Church**, including the Rule of Faith, I now require you to answer the following questions.

The first two are a public profession of your personal faith and sense of call.

287.1.3.1 Do you believe in one God – Father, Son, and Holy Spirit; and do you confess the Lord Jesus Christ as your Lord and Saviour?

I do.

287.1.3.2 So far as you know your own heart, are the call of God, zeal for His glory, love for the Lord Jesus Christ, and a desire for the salvation of men and women through the power of the Holy Spirit, your central motives as you offer yourself for this new sphere of service?

They are.

And now four questions concerning your understanding of the Church of Jesus Christ and this Presbyterian Church in Ireland in particular.

287.1.3.3 Do you believe the Word of God as set forth in the Scriptures of the Old and New Testaments to be the only infallible rule of faith and practice?

I do.

287.1.3.4 Do you promise, in conformity with our Subordinate Standards, to uphold the Reformed doctrine, worship, government and discipline of this **Church** and, by the grace of God, to do so in a spirit of love towards all your brothers and sisters in Christ so as to preserve the peace and unity of the Presbyterian Church in Ireland as part of the worldwide Church of Jesus Christ?

I do.

287.1.3.5 The Presbyterian Church in Ireland adheres to the fundamental doctrines of the faith, set out in the Supreme and Subordinate Standards of this **Church**. Do you promise to teach them and defend them to the utmost of your power, against all error?

I do

287.1.3.6 Do you accept the Presbyterian form of Church government to be founded on and agreeable to the Word of God, and do you promise to yield submission in the Lord to the courts of this **Church** and to take your due part in the administration of its affairs so long as you remain a minister of this **Church**?

I do

Now, two questions on the conduct of your ministry.

287.1.3.7 Do you commit yourself, in the strength of the Lord Jesus Christ, to live a godly life; and faithfully, diligently, and graciously to discharge the duties of your ministry, seeking in all things the advancement of the kingdom of God?

I do.

287.1.3.8 Having accepted the **Call** of this congregation, do you promise, through the grace of God, to be a faithful minister of the Gospel among this people; preaching the Gospel of the grace of God, administering the Sacraments, nurturing children and young people, visiting and teaching, pastoring all the people, especially those in need, aiding in the government of the **Church** and discharging all other duties incumbent upon you as a minister of Jesus Christ?

Or

Having accepted the **Call** of the Council for Mission in Ireland to this Home Mission charge, do you promise, through the grace of God, to be a faithful minister of the Gospel among this people; preaching the Gospel of the grace of God, administering the Sacraments, nurturing children and young people, visiting and teaching, pastoring all the people, especially those in need, aiding in the government of the **Church** and discharging all other duties incumbent upon you as a minister of Jesus Christ?

or

Having accepted the call to become *associate minister/ assistant minister* in this congregation, do you undertake to retain your appointment for a period of not less than twelve months, in support of the minister; and do you promise through the grace of God, to be a faithful minister of the Gospel among this people; preaching the Gospel of the grace of God, administering the Sacraments, nurturing children and young people, visiting and teaching, pastoring all the people, especially those in need, aiding in the government of the **Church** and discharging all other duties incumbent upon you as a minister of Jesus Christ?

or

Having accepted the appointment of the General Assembly, do you promise, through God's grace, to be faithful in your ministry in the position in Union Theological College to which you have been appointed and in all the other duties and opportunities falling to you as a minister of Jesus Christ?

or

Having accepted the **Call** of the Council ..... of the General Assembly, do you promise, through God's grace to be faithful in your ministry in the position to which you have been appointed?

or

Having accepted the **Call** of the Council ..... of the General Assembly, do you promise, through God's grace, as a minister in special work in your appointment as ..... to be faithful in your ministry, discharging your duties and using your opportunities of witness and of service with all diligence as a minister of Jesus Christ?

I do.

287.1.4 Subscription to the Westminster Confession of Faith

[The Moderator addresses the minister-elect in these words:]

You have confessed your belief that the Word of God as set forth in the Scriptures of the Old and New Testaments is the only infallible rule of faith and practice. It is under that supreme standard, which alone is final, that this **Church** holds its subordinate standards.

This being understood, are you now prepared to subscribe, in terms of the General Assembly's Formula *"I believe the Westminster Confession of Faith, as described in the Code, Chapter One, paragraphs 11–13, to be founded on and agreeable to the Word of God, and as such I subscribe it as the confession of my faith."*?

I am.

[The minister-elect shall then subscribe the formula in the minute book of the Presbytery.]

[In cases certified by the Council for Global Mission, where the spouse is to be recognised as participating in the work of mission along with the person being ordained or installed, the following question shall be asked of the spouse:]

Do you, *SS*, commit yourself to be a partner with your husband/wife in the missionary service to which he/she is being appointed?

I do.

287.1.5 *[The congregation stands and the minister-elect kneels.]*

287.1.5.1 *[For services which include ordination those who are to participate in the laying on of hands take their places. The Moderator shall lead in prayer saying the following or similar:]*

God and Father of our Lord Jesus Christ, you call us in your mercy; you sustain us by your power. Through every generation, your wisdom guides your people. You sent your only Son, Jesus Christ, to be the Apostle and High Priest of our faith and the Shepherd of our souls. By his life, death and resurrection he has declared your love for the whole world, satisfied your justice, and demonstrated his victory over sin, and death. Having ascended into heaven, he has poured out his Spirit, making some apostles, some prophets, some evangelists, some pastors and teachers, to equip all for the work of ministry and to build up his body, the Church.

[The Moderator and an appropriate number of other members of Presbytery including at least two other ministers lay hands on the minister-elect.]

Pour out your Holy Spirit upon us the Presbytery of *PP* and this your servant *NN*, whom we now, in your name and in obedience to your will, by prayer and the laying on of hands, ordain to the Ministry of Word and Sacrament within the Church Universal; and *install/ induct him/her* to the pastoral charge of *CC*.

or – install *him/her* to the Home Mission and induct him/ her to the pastoral charge of *CC*.

or – induct *him/her* as *assistant minister/associate minister* in *CC*.

or – install/induct him/her to the position of *Principal/ Professor* of ..... [or other post] in this College to which *he/she* has been appointed.

or – install/induct him/her to missionary [or other] service in *XX*.

or – install/induct him/her as a minister in special work in *his/her* appointment as .....

May *he/she* be faithful in preaching your word, administering the sacraments and sharing in the government of the **Church** as *he/she* fulfils the ministry which you have called *him/her* to undertake.

We pray through Christ who lived and died for us, who rose again, and who reigns with you in the unity of the Holy Spirit, one God now and forever. Amen.

287.1.5.2 *[For all other services, the Moderator shall lead in prayer saying the following or similar:]*

God and Father of our Lord Jesus Christ, you call us in your mercy; you sustain us by your power. Through every generation, your wisdom guides your people. You sent your only Son, Jesus Christ, to be the apostle and high priest of our faith and the shepherd of our souls. By his life and his teaching, he has declared your love for the whole world, by his death he has satisfied your justice; by his resurrection he has demonstrated his victory over sin, and death. Having ascended into heaven, he has poured out his Spirit, making some apostles, some prophets, some evangelists, some

pastors and teachers, to equip all for the work of ministry and to build up his body, the Church.

Pour out your Holy Spirit upon us the Presbytery of *PP* and this your servant *NN*, whom we now, in your name and in obedience to your will, by prayer *install/induct* to the pastoral charge of *CC*.

or – install to the Home Mission and induct to the pastoral charge of *CC*.

or – induct as *assistant minister/associate minister* in *CC*.

or – *install/induct* to the position of *Principal/Professor* of ..... [or other post] in this College to which *he/she* has been appointed.

or – i*nstall/induct* to missionary [or other] service in *XX*.

or – *install/induct* as a minister in special work in *his/her* appointment as .....

May *he/she* be faithful in preaching your word, administering the sacraments and sharing in the government of the **Church** as *he/she* fulfils the ministry which you have called *him/her* to undertake.

We pray through Christ who lived and died for us, who rose again, and who reigns with you in the unity of the Holy Spirit, one God now and forever. Amen.

[The Aaronic Blessing (said or sung)]

287.1.6 *[The Moderator, addressing the minister-elect, says:]*

In the name of the Lord Jesus Christ, the sole King and Head of the Church, and by authority of this Presbytery, I now declare you *NN* to have been (ordained to the Ministry of Word and Sacrament, and) *installed/inducted* to this pastoral charge of *CC*.

or – installed to the Home Mission and inducted to the pastoral charge of *CC*.

or – installed as *associate minister/assistant minister* in this congregation.

or – *installed/inducted* to the position of *Principal/Professor* of ..... [or other post] in this College to which he/she has been appointed.

or – *installed/inducted* to missionary [or other] service in the field to which you have been called and to be commissioned for this task,

[and in cases so certified by the Council for Global Mission add:]

and, additionally declare the partnership of your *husband/wife, SS*, to be recognised.

or – *installed/inducted* as a minister in special work in your appointment as .....

As a sign of this I, as Moderator, on behalf of the Presbytery, extend to you the right hand of fellowship.

287.1.7 *[When the minister is being installed or inducted into a congregation, the Moderator says the following or similar:]*

Members of the congregation of *CC*, I am going to ask you two questions. These questions invite you to express your fellowship with your new minister and your commitment to work with him/her as you serve Christ together.

Do you, the members of this congregation, in receiving *NN* whom you have called to be your minister, offer him/her your welcome and promise *him/her* your loving encouragement and prayerful support?

We do.

Will you join regularly with *NN* as *he/she* leads worship and preaches the Word; will you share together with him/her in mutually enriching fellowship and will you, together with him/her, take up your responsibility for Christian mission in the local community and throughout the world?

We will.

[The Moderator says:]

Having committed yourselves, Presbytery, minister and people, to each other and to living for the glory of God in this place, we join with one voice in prayer: Our Father ...

287.1.8 The minister appointed by Presbytery shall preach a sermon as a charge to the new minister and to the congregation.

287.1.9 The service and the meeting of Presbytery shall conclude with the Benediction.

288. The proceedings shall be recorded and retained in the minute book of the Presbytery and

288.1 the Clerk of Presbytery shall without delay notify the Clerk of the General Assembly of the ordination, installation or induction.

Licensing as Probationers

Preliminaries

289. A Presbytery shall not license a student as a probationer for the ministry under its care until:

289.1 it is satisfied that the student is suitable to be licensed;

289.2 it has received a certificate from the Council for Training in Ministry that he or she has fulfilled all its requirements;

289.3 the student has signified his or her desire to be licensed.

290. Where the requirements of Par 289 have been satisfied, the Presbytery shall, directly or through a commission or some other body commissioned by it, arrange for a public service of licensing in the congregation to which the student belongs or at some other suitable place.

290.1 Any student who is a ruling elder will be deemed to have resigned the duties of the eldership at the point of licensing.

Service

291. The Presbytery having been previously constituted by prayer and having satisfied itself concerning the matters in Par 289, the order of service, in accordance with Par 291.1, shall be conducted, which shall include subscription to the Westminster Confession of Faith, as in Par 283.

291.1 The order of service shall proceed as follows:

291.1.1 opening worship, including praise, prayer and the reading of the Word; and an appropriate sermon, or an address or statement dealing with the principles of the **Church**, its ministry and government.

[the candidate for licensing takes his or her place before the Presbytery]

291.1.2 *[It is suggested that the Moderator shall declare:]*

In the name and by the authority of the Lord Jesus Christ, the sole King and Head of the Church, we are met here as a (commission of) Presbytery to license *NN* as a Probationer for the Ministerial office. As required by the Law of the **Church**, the Clerk will now read the Statement of the Standards of the **Church**, including the Rule of Faith. (Code Chapter One, paragraphs 9–13).

291.1.3 *[Thereafter the Moderator addresses the candidate, asking the prescribed questions as follows:]*

NN, having heard the statement of the Standards of this **Church**, including the Rule of Faith, I now require you to answer the following questions:

The first two are a public profession of your personal faith and sense of call:

291.1.3.1 Do you believe in one God – Father, Son, and Holy Spirit; and do you confess the Lord Jesus Christ as your Lord and Saviour?

I do.

291.1.3.2 So far as you know your own heart, have you been induced to seek the office of the ministry from love to God and from a sincere desire to win souls to Christ and to promote God's glory?

I have.

Secondly, three questions on the Rule of Faith and Standards of the **Church:**

291.1.3.3 Do you believe the Word of God as set forth in the Scriptures of the Old and New Testaments to be the only infallible rule of faith and practice?

I do.

291.1.3.4 Do you accept the Westminster Confession of Faith, as described in the statement from the Code, read by the Clerk, to be founded on and agreeable to the Word of God; as such do you acknowledge it as the confession of your faith; and do you accept the Catechisms compiled by the Assembly of Divines at Westminster and received as the Catechisms of this **Church**?

I do.

291.1.3.5 Are you resolved, through God's grace, firmly and constantly to adhere to the fundamental doctrines of the faith set forth in the said Confession and Catechisms, and to teach and defend them to the utmost of your power against all error?

I am.

Finally, a question relating to your position as a licentiate in this **Church**:

291.1.3.6 Do you believe the Presbyterian form of Church government to be founded on and agreeable to the Word of God; and do you promise to adhere to and support it, and to yield submission in the Lord to the courts of this **Church**?

I do.

291.1.4 In token of the affirmations made the Moderator shall invite the candidate to subscribe the General Assembly's formula:

"I believe the Westminster Confession of Faith, as described in the Code, paragraphs 11-13, to be founded on and agreeable to the Word of God, and as such I subscribe it as the confession of my faith."

[The candidate shall then subscribe the formula in the minute book of the Presbytery.]

291.1.5 *[This being done, the Moderator shall declare:]*

In the name and by the authority of the Lord Jesus Christ, the King and Head of the Church, we, the Presbytery of *PP* do hereby license you, *NN,* to preach the Gospel publicly as a probationer for the ministerial office.

As a sign of this I, as Moderator, on behalf of the Presbytery, extend to you the right hand of fellowship.

[The congregation stands as the probationer kneels, the Moderator leads in prayer for him or her, and the Aaronic Blessing is said or sung.]

291.1.6 An appointed minister shall address the probationer on his or her responsibilities and duties.

291.1.7 The service and the meeting of Presbytery shall conclude with the Benediction.

292. The proceedings shall be recorded and retained in the minute book of the Presbytery; and

292.1 the Clerk of Presbytery shall without delay notify the Clerk of the General Assembly of the licensing; and

292.1.1 if necessary, transmit credentials to the Clerk of the Presbytery within whose bounds the licentiate will be serving as a licensed assistant.

Ordination and Installation of Ruling Elders

Preliminaries

293. A Presbytery shall not proceed to ordain or install a **ruling elder** in a congregation until it has satisfied itself that the procedures specified in Pars 27–31 have been properly followed.

294. A person appointed to work under a General Assembly council may, other than where only a temporary or short-term appointment is proposed, be called to the office of a **ruling elder** under the General Assembly by that **Assembly** council. In the event of a call being issued:

294.1 that council shall submit the call to the Presbytery within whose bounds the work is undertaken; or, if not within the bounds of a Presbytery in Ireland, to the Presbytery within whose bounds is the congregation of which the person is a member;

294.2 that Presbytery shall thereupon arrange to confer with the person and, if need be, with representatives of the council concerned; and, being satisfied, shall sustain the call and proceed to ordain him or her to the office;

294.3 ruling elders ordained under these arrangements shall be members of the Presbytery and General Assembly but not automatically of the Kirk Session to which they belong.

295. If, under Pars 293 and 294, the Presbytery is satisfied, it shall:

295.1 appoint a day and time for the service of ordination and/or installation of a **ruling elder**;

295.2 appoint ministers and ruling elders to conduct that service;

295.3 ensure that official notice is given of the date and time of the service of ordination and/or installation to the congregation concerned not less than eight days before the date of such service.

296. Before proceeding with any ordination or installation service of a person to be ordained as a **ruling elder**, including under Par 294, the Presbytery shall establish that each elder-elect has completed any appropriate **Charity Trustee Declaration**.

Service

297. The Presbytery having been previously constituted by prayer and having satisfied itself concerning the matters in Pars 293 to 296, the order of service, in accordance with Par 297.1, shall be conducted, which shall include subscription to the Westminster Confession of Faith, as in Par 283.

297.1 The order of service shall proceed as follows:

297.1.1 opening worship, including praise, prayer and the reading of the Word; and a statement made, or a sermon preached, on the calling of the **ruling elder**, with the Scriptural warrant for the office.

[the elders-elect take their places before the Presbytery]

297.1.2 *[the Moderator shall then make a Declaration on the following lines:]*

In the name and by the authority of the Lord Jesus Christ, the sole King and Head of the Church, who gives gifts for the edifying of the Church, the Body of Christ, we are met here as a *Presbytery/ commission of Presbytery* for the *ordination/installation* of *NN* as ruling elders.

As required by the Law of the **Church**, the Clerk will now read the Statement of the Standards of the **Church**, including the Rule of Faith. (Code Chapter One, paragraphs 9–13).

297.1.3 *[Thereafter the Moderator, naming the elders-elect individually, addresses them, asking the prescribed questions as follows:]*

Having heard the statement of the Standards of this **Church**, including the Rule of Faith, I now require you to answer the following questions:

The first two are a public profession of your personal faith and sense of call:

297.1.3.1 Do you believe in one God – Father, Son, and Holy Spirit; and do you confess the Lord Jesus Christ as your Lord and Saviour?

I do.

297.1.3.2 So far as you know your own heart, are zeal for the glory of God, love to the Lord Jesus Christ as your Saviour, and desire for the salvation of souls and the upbuilding of the **Church**, your chief motives in entering upon the office of ruling elder to which you have been called?

They are.

Secondly, three questions concerning your understanding of the Church of Jesus Christ and this Presbyterian Church in Ireland in particular:

297.1.3.3 Do you believe the Word of God as set forth in the Scriptures of the Old and New Testaments to be the only infallible rule of faith and practice?

I do.

297.1.3.4 Do you accept the Westminster Confession of Faith, as described in the Statement from the Code, read by the Clerk, to be founded on and agreeable to the Word of God; as such do you acknowledge it as the confession of your faith; and do you accept the Catechisms compiled by the Assembly of Divines at Westminster and received as the Catechisms of this **Church**?

I do.

297.1.3.5 Are you resolved, through God's grace, firmly and constantly to adhere to the fundamental doctrines of the faith set forth in the said Confession and Catechisms so long as you remain an elder of this **Church**?

I am.

Finally, two questions on the discharge of your duties as a ruling elder in this **Church**:

297.1.3.6 Do you accept the Presbyterian form of Church government to be founded on and agreeable to the Word of God, and do you promise to yield submission in the Lord to the courts of this Church and to take your due part in the administration of its affairs so long as you remain an elder of this **Church**?

I do.

297.1.3.7 Do you pledge yourself as a member of Kirk Session to work together with the minister in the oversight and government of this congregation, for the upbuilding of God's people in spiritual fruitfulness and holy concord, and for the extension of Christ's Kingdom?

(In the case of elders called to special work this question shall be:

Do you pledge yourself in the work to which you have been called to seek as a ruling elder of the **Church** for the upbuilding of God's people in spiritual fruitfulness and holy concord, and for the extension of Christ's Kingdom?)

I do.

297.1.4 *[The Moderator shall then say:]*

You have confessed your belief that the Word of God contained in the Scriptures of the Old and New Testaments is the only infallible rule of faith and practice. It is under that supreme standard, which alone is final, that this **Church** holds its subordinate standards.

This being understood, are you now prepared to subscribe in terms of the General Assembly's formula – *"I believe the Westminster Confession of Faith, as described in the Code, Chapter One, paragraphs 11–13, to be founded on and agreeable to the Word of God, and as such I subscribe it as the confession of my faith."*?

[The elders-elect shall then subscribe the formula in the minute book of the Kirk Session.]

297.1.5 *[In cases certified by the Council for Global Mission, where the spouse is to be recognised with the elder being ordained or inducted, the following question shall be asked of the spouse:]*

Do you *SS* commit yourself to be a partner with your *husband/wife* in the missionary service to which *he/she* is being appointed?"

I do.

297.1.6 *[The congregation stands and the elders-elect kneel.]*

[The Moderator shall lead in prayer saying the following or similar:]

In humility we call on you, Almighty God, to grant your Holy Spirit to us, the Presbytery of *PP*, and to your servants whom we do now with prayer (and the laying on of our hands ordain to the office of the Ruling Eldership, and) install to oversight in this congregation.

[Adaptation shall be made and the words in brackets omitted depending on whether ordinations and/or installations are involved – the names of the elders-elect may be pronounced at the appropriate points.]

297.1.6.1 *[In the case of elders called to special work, the final six words of the formula should be replaced by:]*

install/induct as a Ruling Elder in the service of the **Church** in work as .....

(and in cases certified by the Council for Global Mission: "*NN* and do recognise *him/her* together with *his/her wife/husband, SS* as partners together in the work.")

297.1.6.2 *[Not less than three nor more than seven members of Presbytery should take part in the laying on of hands. Other members, and members of the Kirk Session, wishing to signify their assent may stand and raise the right hand. In services of ordination only the elder-elect shall receive the laying on of hands.]*

297.1.7 [The Moderator, addressing the elders-elect, says:]

In the name of the Lord Jesus Christ, the sole King and Head of the Church, and by authority of this Presbytery, I now declare you *NN* to have been (ordained to the office of the Ruling Eldership, and)

installed to oversight in the congregation of *CC*. *or*

installed as a ruling elder in the service of the Church in work as

…..... , and to be commissioned for this task,

[and, where the spouse is to be recognised with the person being commissioned or installed:]

and, additionally declare the partnership of your *husband/wife, SS*, to be recognised.

As a sign of this I, as Moderator, on behalf of the Presbytery, extend to you the right hand of fellowship.

297.1.8 The names of the ruling elders ordained *and/or* installed shall be inscribed in the minute book of the Kirk Session.

297.1.9 A suitable charge shall be given to those who have been ordained *and/or* installed, and to the people.

297.1.10 The service and the meeting of Presbytery shall conclude with the Benediction.

298. The proceedings shall be recorded and retained in the minute book of the Presbytery;

298.1 the Clerk of Presbytery shall without delay notify the Clerk of the General Assembly of the ordinations and/or installations.

Commissioning and Induction of Deaconesses, Irish Mission Workers, Global Mission Workers, Senior Lecturers and Auxiliary Ministers

Preliminaries

299. A Presbytery shall not proceed to commission or induct a deaconess, Irish Mission worker, Global Mission worker, senior lecturer, or auxiliary minister until it has satisfied itself that the relevant procedures in this Code have been properly followed.

300. If, under Par 299, the Presbytery is satisfied, it shall:

300.1 appoint a day and time for the service of commissioning and/or induction;

300.2 appoint ministers and ruling elders to conduct that service;

300.3 ensure that official notice is given of the date and time of the service of commissioning and/or induction to all relevant parties not less than eight days before the date of such service.

Service

301. The Presbytery having been previously constituted by prayer and having satisfied itself concerning the matters in Pars 299 and 300, the order of service, in accordance with Par 301.1, shall be conducted.

301.1 The order of service shall include the following:

301.1.1 opening worship, including praise, prayer and the reading of the Word; and a statement made, or a sermon preached, on a suitable theme.

301.1.2 A representative of the Kirk Session, supervising council or agency shall then present the candidate to the Presbytery and formally request the commissioning or induction.

301.1.3 *[The Moderator shall make the following Declaration:]*

The General Assembly of the Presbyterian Church in Ireland, realising the place to be given in the work of the **Church** to dedicated men and women in various fields of service, has authorised the appointment of Global Mission workers, deaconesses, senior lecturers and auxiliary ministers under the oversight and direction of their appropriate councils and agencies.

We rejoice in your call to be a fellow worker in the kingdom of our Lord and Saviour, Jesus Christ.

Accordingly, in the name and by the authority of the Lord Jesus Christ, the sole King and Head of the Church we, (a commission of) the Presbytery of *PP* are met to *commission and/or induct you* as ……., in the name of the Father, the Son and the Holy Spirit.

As required by the Law of the **Church**, the Clerk will now read the Statement of the Standards of the **Church**, including the Rule of Faith. (Code Chapter One, paragraphs 9–13).

301.1.4 [Thereafter the Moderator addresses the candidate, asking the prescribed questions as follows:]

The first two are a public profession of your personal faith and sense of call.

301.1.4.1 Do you believe in one God – Father, Son and Holy Spirit; and do you confess the Lord Jesus Christ as your Lord and Saviour?

I do.

301.1.4.2 So far as you know your own heart, are love to the Lord Jesus Christ and a desire to commend Him by word and life, your central motives as you offer yourself for this new sphere of service?

They are.

Secondly, three questions on the Rule of Faith and Standards of the **Church**:

301.1.4.3 Do you believe the Word of God as set forth in the Scriptures of the Old and New Testaments to be the only infallible rule of faith and practice?

I do.

301.1.4.4 Do you accept the Westminster Confession of Faith, as described in the statement read by the Clerk, to be founded on and agreeable to the Word of God; as such do you acknowledge it as the confession of your faith; and do you approve of the Catechisms compiled by the Assembly of Divines at Westminster and received as the Catechisms of this **Church**?

I do.

301.1.4.5 Adhering to the fundamental doctrines of the faith, set forth in the Standards of this **Church**, and accepting also the Presbyterian form of Church government to be founded on and agreeable to the Word of God, do you promise to adhere to and to support the same and to yield submission in the Lord to the courts of this **Church**?

I do.

Finally, a question relating to the duties of your position in this **Church:**

301.1.4.6 Do you engage, in the strength of the Lord Jesus Christ, to walk worthy of your calling, to discharge faithfully and diligently the duties of your office, and to seek the furtherance of the kingdom of God?

I do.

[In cases certified by the Council for Global Mission, where the spouse is to be recognised with the person being commissioned or inducted, the following question shall be asked of the spouse:]

Do you, *SS*, commit to be a partner with your *husband/ wife* in the missionary service to which *he/she* is being appointed?"

I do.

301.1.5 *[The Moderator shall then say:]*

As you have promised, may God grant that you keep your vows. In the name of the Lord Jesus Christ, the King and Head of the Church we *commission and/or induct you* as ..... ; and we commend you to the grace of God in the discharge of all your duties.

[and in cases so certified by the Council for Global Mission add:]

and, additionally recognise the partnership of your *husband/wife*, *SS*.

[The congregation stands as the Global Mission worker, deaconesses, senior lecturer or auxiliary minister kneels, the Moderator leads in prayer for him or her (and where appropriate their spouse), and the Aaronic Blessing is said or sung.]

301.1.6 *[The Moderator shall extend the right hand of fellowship in the name of the Presbytery]*

301.1.7 A suitable charge may be given at this point to the person commissioned or inducted and to the people.

301.1.8 The service and the meeting of Presbytery shall conclude with the Benediction.

302. The proceedings shall be recorded and retained in the minute book of the Presbytery;

302.1 the Clerk of Presbytery shall without delay notify the Clerk of the General Assembly of the commissioning and/or induction.

Section 10 – Ministers Without Charge and Licentiates

Relationship to Presbytery

303. Ministers without charge and **licentiates**, though not themselves members of Presbytery, remain under the care of Presbytery for oversight and discipline unless or until:

303.1 credentials of transfer are given to another Presbytery; or

303.2 their names are officially removed from the **Church's** current records.

304. Credentials in favour of ministers without charge and **licentiates**, shall only be granted by the Presbytery and shall be signed by the Moderator and Clerk. Such credentials shall be deemed to be presented to a Presbytery when they are transmitted to the Clerk of that Presbytery.

305. Presbytery shall exercise its jurisdiction over ministers without charge and **licentiates** in association with the appropriate General Assembly council, as prescribed in Par 222, where applicable.

306. In respect of ministers without charge, and of licentiates not serving an assistantship under Par 128, Presbytery shall:

306.1 decide annually on whether to seek authorisation to retain their recognition: the names of those not retained shall be reported by the Presbytery in accordance with Par 230.3, these names being removed from the **Church's** current records;

306.2 seek authorisation annually through the **General Council**, or its appropriate committee, for those it wishes to retain on the Church's current records as recognised ministers without charge or licentiates: the council shall consider such requests and ask the General Assembly to resolve on its recommendations;

306.3 maintain as a condition for retention that they report regularly to Presbytery as required, not less than annually, on their life and work, especially involvement in congregational life and Church work, in preaching, administration of the sacraments and conduct of marriages, and on whether they have actively been seeking a **Call**;

306.4 m them to have resigned from their position in the Church on their acceptance of a full-time appointment which is not under the jurisdiction of the **Assembly**, except as hereafter provided:

306.4.1 this rule does not apply to anyone appropriately employed by a para-church or similar Christian agency which serves the wider church, or on a temporary full-time basis in the service of a member Church of the World Communion of Reformed Churches, so long as they continue in good standing and in such employment.

307. A former minister without charge or **licentiate** of this **Church** whose name was removed from the records under Par 306, or who has resigned, and who wishes to be restored to his or her former status, shall make application to the Reception of Ministers and Licentiates Committee, producing references of good health and character together with the reasons for the application.

307.1 The Reception of Ministers and Licentiates Committee shall determine whether the application is in order and, if so, refer the matter to the applicant's former Presbytery which shall consider the application and, if in all the circumstances of the case it is satisfied, refer the case back to the Reception of Ministers and Licentiates Committee, which shall have **Assembly powers**:

307.1.1 to restore the applicant to his or her former status; or

307.1.2 to refer the case to the General Assembly.

307.2 When the Reception of Ministers and Licentiates Committee refers to a Presbytery the case of someone who has been engaged in ministerial work outside of Ireland, having previously been a minister or licentiate of this Church, and having received credentials from this Church not more than five years before the date of application, the Presbytery shall have power, on the presentation of satisfactory credentials of standing, and without further reference, to receive the applicant at once under its care as a minister without charge or licentiate.

307.3 When an applicant continues in a full-time appointment which is not under the jurisdiction of the **Assembly**, but wishes to become eligible for a **Call** to a particular **vacant** charge, or to a particular position under the jurisdiction of the General Assembly, the Reception of Ministers and Licentiates Committee shall:

307.3.1 have power, having consulted with the former Presbytery, to declare the applicant eligible for such Call on a temporary basis, such temporary eligibility to be subject to the normal provisions relating to Calls, and to cease on the applicant being eliminated from the process of that Call;

307.3.2 inform the relevant Presbytery or council of such temporary eligibility;

307.3.3 if a Call is made out and accepted, issue credentials: such credentials shall be deemed equivalent to those issued by a Presbytery as per Par 304 and received as per Par 286.1.

308. Before receiving any minister without charge or **licentiate** under its care according to the provisions of Pars 307.1 and 307.2, the Presbytery shall require such minister or licentiate to subscribe to the Westminster Confession of Faith in terms of Par 283.1 in the minute book of the Presbytery.

Chapter 6:
THE GENERAL ASSEMBLY

Section 1 – Description

309. The General Assembly is the supreme court of the **Church**, representing in one body the whole Church, including all subordinate courts and particular congregations, and acting as its supreme legislative, administrative and judicial authority, in dealing with all matters brought before it.

310. In furtherance of the **Church's** calling to extend the Gospel, the General Assembly shall establish and maintain particular missions and other agencies for Christian service and outreach.

310.1 Such missions and agencies shall be entitled to support from the whole Church through prayer, gifts and personal service, and each inferior court shall seek to encourage such support from the church members and organisations under its jurisdiction.

310.2 In providing means for extending the Gospel, the General Assembly may authorise participation in joint churches' or inter-denominational missions and agencies in accordance with such terms as the **Assembly** may from time to time determine.

310.3 The administration of the Church's missions and agencies shall be entrusted to commissions, councils and committees appointed by the Assembly.

Section 2 – Membership and Officers

Membership

311. The General Assembly shall consist of:

311.1 the ministers in active duty in the congregations of the **Church**;

311.2 one **ruling elder** appointed by the Kirk Session of each fully constituted congregation of the Church who, if not a member of the appointing Kirk Session, may be a member of any Kirk Session of the Church;

311.3 chaplains to the Forces, ordained ministers serving under the Council for Global Mission and other ministers serving under any **Assembly** council in **special work** outside Ireland;

311.4 elders serving under the Council for Global Mission;

311.5 ministers in special work in Ireland (including Church Extension charges) who have been called or appointed by authority of the Assembly;

311.6 ministers who have retired from active duty with the consent of the Assembly, but not those ministers designated **minister emeritus** (released);

311.7 ruling elders appointed annually by Presbytery to correspond in numbers to members who are ministers in active duty qualified under Par 311.5;

311.8 ruling elders appointed under Par 294 and so ordained and/or inducted by a Presbytery;

311.9 ministers or ruling elders who are ex-officio members of the Assembly by virtue of their appointment as:

- conveners and secretaries of each of the Assembly's standing commissions, councils and committees
- clerks of Presbytery;

311.10 two ruling elders, being Individual Trustees who are appointed annually by The Trustees of the Presbyterian Church in Ireland;

311.11 ministers or ruling elders who may be constituted members of the Assembly;

311.12 elders who have been nominated by Presbyteries or the Nominations Committee to commissions of the Assembly, and who are not otherwise members of the Assembly.

311.13 the Director of Operations.

312. The General Assembly shall invite those ministers under the care of Presbyteries designated **minister emeritus** (released) or minister without charge to sit and deliberate in the Assembly, giving them the right to attend and debate but not the right to vote.

312.1 The **Assembly** may, through the General Assembly Business Committee, invite other elders and members of the **Church**, or corresponding persons in other churches to sit and deliberate in the Assembly, giving them the right to attend and debate but not the right to vote.

312.2 Those invited under Par 312 and 312.1 shall not be entitled to attend when a judicial process is before the Assembly, nor when the Assembly sits in private, except where their attendance is considered desirable by the General Assembly Business Committee for the business of the Assembly.

Officers

313. The stated officers of the General Assembly shall be:

313.1 the Moderator, who shall be appointed in accordance with **Guidelines** (Schedule 2);

313.2 the Clerk of **Assembly**, who shall be appointed in accordance with **Regulations** (Schedule 1).

314. The General Assembly may create other offices as it considers necessary, and from time to time appoint persons to such offices.

The Moderator

315. The Moderator shall take office at the annual meeting of the General Assembly and shall hold office until the next annual meeting.

315.1 During the year of office, the Moderator shall be the principal public representative of the **Assembly**.

316. In the event of the Moderator:

316.1 ceasing to be a member of the General Assembly; or

316.2 dying; or,

316.3 in the judgment of the **General Assembly Advisory Committee** as certified by a resolution passed by that committee, becoming incapacitated, found to be in a position where it is impossible for him or her satisfactorily to discharge the duties of the office, or otherwise prevented from discharging those duties;

the member of **Assembly** who had last been the Moderator shall assume the office, with authority to discharge all its functions until the next annual meeting of the Assembly or until the Assembly determines otherwise.

The Clerk

317. In the event of the Clerk of the General Assembly:

317.1 ceasing to be a member of the General Assembly; or

317.2 dying; or

317.3 in the judgment of the **General Assembly Advisory Committee** as certified by a resolution passed by that committee, becoming incapacitated, found to be in a position where it is impossible for him or her satisfactorily to discharge the duties of the office, or otherwise prevented from discharging those duties;

the **Assembly**, if in session, or, if not, the Moderator, in consultation with the General Assembly Advisory Committee, shall have power to appoint a Clerk of Assembly to act until the next meeting of the General Assembly.

Section 3 – Meetings of the General Assembly

Annual Meeting

318. The General Assembly shall meet annually and notice of the date, time and place of such Annual Meeting shall be given by the Moderator prior to the close of the previous Annual Meeting and noted in the minutes of that meeting.

318.1 If for any reason an Annual Meeting cannot be so held on the date or time or at the place so fixed, it shall be held at such other date, time or place as the Moderator, in consultation with the **General Assembly Advisory Committee**, may determine and notice thereof shall be given in the manner prescribed in Par 320.

Special Meeting

319. The Moderator shall call a special meeting of the General Assembly:

319.1 if authorised by the **Assembly**; or

319.2 on his or her own authority, in consultation with the **General Assembly Advisory Committee**; or

319.3 if requested by five Presbyteries.

320. Notice of a special meeting of General Assembly shall be sent to every minister and Kirk Session (through its Moderator) and to every other member of **Assembly**, by the Clerk of Assembly, at least ten clear days before the day of meeting. The notice convening a special meeting of Assembly shall state the business to be transacted; and no other business shall be transacted at a special meeting except that which has been specified.

Commissions to General Assembly

321. For all meetings of the General Assembly, the commission of each representative **ruling elder** appointed by the Kirk Session of that congregation shall be registered with the Clerk of **Assembly** prior to or during the relevant meeting.

Quorum

322. A quorum shall be fifty members of the General Assembly, at least half of them being ministers, met at the appointed time and place.

Voting

323. Each member of the General Assembly, other than the Moderator, shall have one vote on any resolution put to the **Assembly** for a vote.

323.1 Except where otherwise provided in this Code, any resolution put to the Assembly for a vote shall be passed by a simple majority of the members of the Assembly present and voting. In the event of an equality of votes, the Moderator shall have the casting vote. The Moderator shall have no vote at a meeting of the Assembly other than the casting vote.

Section 4 – Powers and Duties

324. As the supreme legislative, administrative, and judicial authority of the **Church**, the General Assembly exercises the powers conferred upon it by this Code; in particular, it may:

324.1 deliberate upon and oversee matters which concern the whole Church in its doctrine, worship, witness, discipline and government, and declare the mind of the Church thereupon;

324.2 issue such directions and take such other action as it may find conducive to the welfare of the Church and the fulfilment of the Church's duties or the well-being of the community;

324.3 deal with any matter, whether within or concerning the Church, which may arise and for which no other provision has been made.

325. Decisions of the General Assembly are final and binding upon the whole **Church**, but a member of the **Assembly** who dissents from a decision may require a statement of the fact of such dissent to be recorded in the minutes; nevertheless, that member shall not be freed from obligation loyally to implement the decision so long as it stands unaltered.

326. The General Assembly, and only the **Assembly**:

326.1 may enact, alter or abrogate this Code, or any part of it;

326.2 may amend, rescind or reverse its own sentences, decisions or resolutions;

326.3 may decide the **Church's** general policy on co-operation or joint action with other churches;

326.4 shall delegate to the **General Council**, as **charity trustees**, such powers and decisions as are required in order for the Assembly to comply with the requirements of charities legislation in Northern Ireland and/or the Republic of Ireland as appropriate.

327. The General Assembly is the only court of the **Church** which can exercise or delegate to a commission powers to:

327.1 regulate the number and extent of the several Presbyteries under its care;

327.2 remove congregations and ministers from one Presbytery to another;

327.3 place ministers and congregations for a time and for a specific purpose under committees or commissions appointed by itself;

327.4 admit congregations from other denominations or other ecclesiastical bodies, with or without their ministers;

327.5 determine the name by which congregations shall be known and their respective bounds;

327.6 approve the promotion of new congregations or the relocation of existing congregations;

327.7 link congregations or dissolve linkages of congregations;

327.8 approve the merger of a congregation with another congregation, or with the Presbytery which has jurisdiction over the congregation, or with the General Assembly;

327.9 dissolve existing congregations;

327.10 adopt or issue **Regulations** (Schedule 1) and **Guidelines** (Schedule 2) which carry its authority.

328. The General Assembly is the only court of the **Church** which can exercise or delegate powers to:

328.1 constitute as a member of the **Assembly** and/or any subordinate court any minister or **ruling elder** who, in the judgment of the Assembly, has rendered or is rendering important service to the Church;

328.2 call and appoint ministers, ruling elders or members of the Church to the work of mission and call and appoint ministers to **special work** outside the pastorate of a congregation;

328.3 declare that a minister is eligible as a candidate for a **vacant** pastorate;

328.4 receive under the care of the Church **licentiates** or ministers without charge from other churches;

328.5 approve of suitable persons as students for the ministry, appoint their course of studies and superintend their theological education;

328.6 permit ministers of congregations and ministers in special work to retire from the active duties of their office;

328.7 permit congregations to fill a vacant pastorate and fix the terms under which **Leave to Call** is given;

328.8 restore ministers suspended or deposed from office or removed from the records, and probationers for the ministry from whom licence has been withdrawn.

329. The General Assembly shall itself and through its agencies seek on behalf of the **Church** to:

329.1 appoint times of special prayer for repentance, thanksgiving or intercession throughout the Church;

329.2 issue public testimonies for the truth or against prevalent error;

329.3 issue pastoral addresses and directions to congregations;

329.4 develop and superintend the work of mission and generally devise means for extending the Gospel at home and abroad;

329.5 maintain correspondence with other churches;

329.6 conduct discussions with relevant governmental and civil authorities.

330. In the discharge of its duties the General Assembly may:

330.1 inquire as to any act or omission of any inferior court or of a congregational committee;

330.2 appoint a commission or committee of visitation to any congregation of the **Church**, having all the powers of Presbytery in relation to such congregation or congregations or as the **Assembly** may determine, except the powers of Presbytery in relation to discipline;

330.3 remit any matter before it to a commission, council or committee, whose powers shall arise from and (without prejudice to Par 358) be limited by the resolution of Assembly which appointed it;

330.4 establish and superintend the commissions, councils and committees necessary in the general work of the Church in Ireland and elsewhere;

330.5 adopt, amend or suspend standing orders to regulate proceedings at its meetings.

331. An inquiry under Par 330.1 involving matters which might affect the character of a minister or member of the **Church** may only take place if:

331.1 notice of motion for the holding of that enquiry has first been given to the Clerk of the General Assembly at least three weeks prior to the date upon which the notice of motion is to be considered;

331.2 the Clerk of **Assembly** has forwarded the notice of motion and date for consideration to the Clerk of the inferior court or the secretary of the congregational committee involved;

331.3 the Clerk of the inferior court or secretary of the congregational committee has forwarded the notice of motion and date for consideration to the relevant minister or member of the Church so as to be received at least seven clear days before the holding of the enquiry.

Legislative Powers

Overtures

332. A proposal to enact a new provision of this Code or to alter or abrogate an existing provision of this Code shall only be made by an **overture** addressed to the General Assembly.

333. Before licensing an **overture** for submission to the General Assembly, the General Assembly Business Committee shall seek the advice of the Judicial Commission as to:

    333.1 whether the form and content of the overture is suitable for submission to the **Assembly**, and, if it is not so suitable, what amendments would be required to make it so suitable; and

    333.2 the category into which the overture should be placed, namely:

        333.2.1 Category A: where the overture contemplates a change that does not significantly alter the existing provisions of this Code;

        333.2.2 Category B: where the overture contemplates a significant alteration to the existing provisions of this Code, but not such as would produce a material change in the constitution of the **Church**, or in its doctrines or in its worship;

        333.2.3 Category C: where the overture contemplates a material change in the constitution of the Church, or in its doctrines or in its worship.

334. The General Assembly shall not make any change to this Code unless the **overture** for that change has been received by the Clerk of **Assembly** not less than one month prior to the meeting of the Assembly at which the change is to be made, and the draft is included with the printed Reports circulated beforehand to members of Assembly.

335. Amendments to the draft circulated may be accepted if the Moderator rules that the **overture** as amended is within the scope of the proposed change, otherwise it may be dealt with at the next annual meeting of the General Assembly (see Par 340 for amendments to Category C overtures).

336. **Overtures** concerning the **Central Ministry Fund**, the **Retired Ministers' Fund**, the **Widows of Ministers' Fund** or the Presbyterian Church in Ireland Pension (2009) Fund shall be deemed to be under Category B.

Treatment of Categories of Overture

337. As regards a Category A **overture**:

    337.1 a change may be made immediately by a majority of two-thirds of those voting in the General Assembly;

    337.2 a change approved by less than a two-thirds majority shall be placed on the books for consideration by the next meeting of the **Assembly**, when it may be made by a simple majority;

    337.3 notwithstanding the provisions of Par 334, if an overture has been licensed in accordance with any relevant standing orders a change may be made by the Assembly immediately if it is approved without anyone objecting.

338. As regards a Category B **overture**:

    338.1 before any changes are adopted, the overture shall have been received and entered in the minutes of the previous annual meeting of the General Assembly;

    338.2 if the **Assembly** decides by a two-thirds majority of the members present and voting when the relevant resolution is put, the Assembly may adopt it as a temporary provision for one year, and shall deal with it at its next annual meeting by a simple majority vote.

339. As regards a Category C **overture**:

339.1 if the overture is approved by the General Assembly at which it is initially received, it shall then be sent to Presbyteries for their approval or otherwise;

339.2 each Presbytery shall approve or not approve the overture and Presbytery shall include in its annual report to the General Assembly, as required under Par 230.3, the result of the vote and the numbers of members voting for and against the approval of the overture and

339.2.1 the approval or otherwise of the overture by a Presbytery shall be determined by majority, for or against, of the members of the Presbytery present and voting at a meeting of the Presbytery. The result of the vote shall be recorded in the minutes of the Presbytery;

339.3 if a majority of the Presbyteries approve the overture referred, it shall be dealt with at the next annual meeting of the **Assembly**;

339.4 if an overture is not approved by a majority of the Presbyteries voting, but a majority of votes cast in the Presbyteries, taken together, are in favour of the overture, then the overture shall remain on the books of the Assembly for a further year, and shall be dealt with at the next annual meeting of the Assembly, that is, two years after it is initially received under Par 339.1.

Amendment of Overtures sent to Presbyteries

340. If an **overture** being dealt with by the General Assembly after submission to Presbyteries is then amended, the Moderator shall rule whether or not the overture as amended goes beyond the scope of the overture as submitted.

340.1 If the Moderator rules that the overture as amended:

340.1.1 does not go beyond the scope of the overture as submitted, it shall continue to be dealt with at that **Assembly**;

340.1.2 does go beyond the scope of the overture as amended, it shall be dealt with at the next annual meeting; and the General Assembly Business Committee shall seek the advice of the Judicial Commission as to whether or not it be sent down to Presbyteries in the interim.

341. If Par 340 applies and the Judicial Commission advises in the interim that the **overture** in its amended form:

341.1 need not be sent to Presbyteries, the overture in its amended form shall be dealt with at the next annual meeting of the General Assembly;

341.2 should be sent down to Presbyteries, Par 339 shall apply, with the **Assembly** at which the overture is amended being deemed to be the Assembly in Par 339.1 'at which it is initially received.'

Section 5 – Regulations, Guidelines and Guidance

Regulations and Guidelines

342. The General Assembly may from time to time either itself, or through one of its commissions acting within the terms of its **remit**, issue directions which it shall designate either as 'Regulations', which shall be listed in Schedule 1 to this Code, or as 'Guidelines' which shall be listed in Schedule 2 to this Code.

Guidance

343. The General Assembly may also from time to time either itself, or through one of its commissions acting within the terms of its **remit**, issue Guidance for the assistance of the **Church**.

Duties in respect of provisions of the Code, Regulations, Guidelines, and Guidance

344. The provisions of this Code represent the law of the **Church** and, as such are binding upon all members of the Church, congregations, courts of the Church, commissions and committees of the General Assembly, and all other agencies of the Church and must be obeyed and observed.

344.1 Regulations (Schedule 1), though not part of the Code, may be adopted, amended or removed only by resolution of the General Assembly, or by one of its Standing Commissions acting within the terms of its remit, and must be followed in all circumstances as if they were part of this Code.

344.1.1 Proposed Regulations, and amendments to existing Regulations, shall first be considered by the Judicial Commission. If the Judicial Commission considers that any proposals relate to the constitution, doctrine or worship of the Church; the **Central Ministry Fund**, the **Retired Ministers' Fund**, the **Widows of Ministers' Fund**; the Presbyterian Church in Ireland Pension (2009) Fund; or other significant matters, then it may recommend to the General Assembly that such proposals be accepted as Interim Regulations, to be in force for one year, and to be submitted for **final determination** at the next General Assembly.

344.2 Guidelines (Schedule 2), though not part of the Code, may be adopted, amended or removed only by resolution of the General Assembly or by one of its Standing Commissions. Guidelines are not the law of the Church, but set out how the General Assembly considers that members of the Church, congregations, and the courts of the Church should proceed in the circumstances to which Guidelines apply. Accordingly, members of the Church, congregations, and the courts of the Church shall observe such Guidelines unless there are exceptional reasons not to, and a **written** record of such reasons shall be kept.

344.3 Guidance is offered by the **Assembly** as advice to be taken into consideration by members of the Church, congregations, and the courts of the Church.

Section 6 – General Assembly Agencies

General

345. The General Assembly may appoint commissions, councils and committees. These may be either standing, or occasional.

345.1 Occasional commissions and committees may be appointed for specific purposes, subject to annual reappointment.

345.1.1 Occasional committees shall report to the General Assembly through the **General Council**.

345.2 It shall be the duty of the Nominations Committee to report to each annual meeting of the **Assembly** a list of the names of all those to be proposed for appointment as members of commissions, councils and committees, and of those to be proposed for appointment as their conveners.

345.3 If the Assembly should fail to reappoint a commission, council or committee which has not been discharged from the role for which it was appointed, the members thereof in place as at the date of the commencement of the Assembly shall be deemed to have been reappointed, notwithstanding that the period of appointment of any of those members shall exceed the period set out in Par 348.2.

346. Commissions, councils and committees may, as appropriate to their **remits**, appoint **panels** and **task groups**.

346.1 The General Assembly's Director of Operations may act in an advisory capacity to all commissions, councils, committees and other bodies appointed by them.

346.2 Expenses shall be paid to members attending the **Assembly**, commissions, councils, committees and other bodies appointed by them as agreed by the **General Council**.

Membership

347. Unless this Code makes specific provision as to the membership of any commission, council, committee, **panel** or **task group**, then the provisions of Pars 348–353 shall apply to such membership.

348. The membership of a General Assembly commission, council or committee shall be appointed from ex officio members, direct Presbytery nominees, and others nominated by the Nominations Committee.

348.1 A **panel** or **task group** shall have at least one third of its membership made up of members of the commission, council or committee that appoints it.

348.2 Apart from ex officio membership:

348.2.1 the period of appointment shall normally be a four-year term (save in the case of the Nominations Committee, when the period shall normally be a five-year term);

348.2.2 no person may serve more than two consecutive terms;

348.2.3 after the second term no person may be appointed again to the same body until three years have elapsed.

348.3 Any member of a commission, council, committee, panel or task group who, without giving due reason, has failed to attend any of the meetings thereof for a year or for three successive meetings, whichever be the longer period, shall be deemed to have retired from such commission, council, committee, panel or task group.

348.4 Where the quorum of any commission, council, committee, panel or task group has not been fixed by the **Assembly** it shall be one quarter of the total membership, or the number nearest one quarter, but in no case shall the quorum be less than three.

Ex-officio membership

349. The Moderator and Clerk of the General Assembly shall be ex officio members of all commissions, councils, committees, **panels** and **task groups**.

349.1 Where the Clerk of **Assembly** is ex-officio, the Clerk may authorise the Deputy Clerk to attend as a member in his or her place, if necessary.

349.2 The convener and secretary of each commission, council, and committee shall be ex-officio members thereof and of their associated panels and task groups.

Direct Presbytery Nominees

350. Presbyteries shall be entitled to nominate from their membership directly onto commissions and councils.

350.1 In making nominations, Presbyteries shall have regard to the need to provide an appropriate balance in terms of men and women, age, and between ministers and elders, in addition to skills, experience and interest relevant to the body to which individuals are nominated.

350.2 Before making any nomination, the Presbytery shall ascertain that the proposed nominee is willing to serve for the duration of the term.

350.3 Where a Direct Presbytery Nominee ceases to be a member of a council, the Nominations Committee may receive a nomination from the relevant Presbytery to fill the vacancy, as it occurs, during the year.

350.3.1 In the case of a person nominated under Par 350.3, he or she will be appointed immediately to the vacant position, but for the purposes of reckoning the length of term under Par 348.2, only the time after the following General Assembly shall be included.

350.4 A minister shall only remain on a council while a member of the Presbytery that nominated him or her.

350.5 Where a Direct Presbytery Nominee is not reappointed as a congregation's representative elder to Presbytery, that person, so long as he or she remains an elder of the congregation, should be invited to sit and deliberate on Presbytery, thus enabling him or her to complete the appointed term, if the Presbytery is so minded.

351. When a Direct Presbytery Nominee leaves a council:

351.1 he or she is permitted to continue in membership of any committees of that council until the next General Assembly; but

351.2 if such nominee does not choose to remain in the membership of any of that council's committees, the Nominations Committee may appoint a replacement from the membership of the council (which may include any new Direct Presbytery Nominee).

352. If a Presbytery fails to make a nomination following the completion of an initial period, as described in Par 348.2.1, the retiring nominee shall be deemed to have been re- nominated.

353. Each Presbytery shall make arrangements for those whom it appoints as Direct Presbytery Nominees to report back to it on the work of the relevant body and request those nominees to report to the council any feedback from the Presbytery on the work it is doing or, in the mind of Presbytery, should be doing.

Nominations Committee Nominees

354. To enable the appointment of members of commissions, councils and committees other than ex officio members and Direct Presbytery Nominees under Par 348, the Nominations Committee shall, unless specific provisions apply, as referred to in Par 347, nominate such other members to the General Assembly.

354.1 The number of Nominations Committee Nominees on each commission, council and committee shall be in accordance with **Regulations** (Schedule 1) approved by the General Assembly from time to time.

354.2 In the case of a committee, the Nominations Committee shall normally nominate not more than twelve members, of which not less than one half shall be members of the council under which the committee operates.

354.3 The Nominations Committee, in making nominations to any commission, council or committee shall ensure that those being nominated have the approval of their minister and, where appropriate, Clerk of Presbytery, and, so far as is reasonably practical, that:

- there is an equal number of ministers and other members of the **Church**
- men, women and younger members are all represented
- no one is nominated as a member of more than two councils, other than ex officio
- the proposed nominees are willing to serve.

Convenerships

355. To enable the Nominations Committee to make its report under Par 345.2 in respect of the appointments of conveners of commissions, councils and committees, and before it makes that report, the Nominations Committee shall ensure that each post has been publicised on the Presbyterian Church in Ireland website.

356. The period of appointment for conveners of a council, committee or **panel** shall normally be for a five-year term.

356.1 The convener of a council **task group** shall serve for the life of the Task Group, which shall normally be for not more than three years.

356.2 No-one shall normally hold more than two consecutive committee convenerships on the same council.

356.3 A retiring council convener should not normally be appointed to another council convenership within three years.

356.4 If the General Assembly should fail to reappoint a convener who has not been discharged from his or her position, that convener in place as at the date of the commencement of the **Assembly** shall be deemed to have been reappointed, notwithstanding that the period of appointment shall exceed the period set out in Par 356.

Commissions of the General Assembly

357. The General Assembly may from time to time appoint commissions to deal with particular terms of reference as the **Assembly** may determine.

357.1 A commission shall have **Assembly powers** when dealing with matters within its terms of reference.

357.2 The Assembly may refer to a commission for consideration matters which are not within the commission's powers as defined in this Code. Unless it is given specific Assembly powers by this reference, the commission shall report upon such matters to the Assembly with its recommendations, and any decision on those matters shall lie with the Assembly itself.

357.3 Members of a commission of the Assembly shall themselves be members of the Assembly appointing them.

357.4 If a convener of a commission ceases to be a member of that commission, he or she shall cease to be the convener thereof.

357.5 Conveners of commission **panels** shall themselves, at the date of their appointment, be members of the commission appointing them but, subject to Par 348.1, other members of commission panels need not themselves be members of that commission.

357.6 Each commission of Assembly shall report in full to the next annual meeting of the Assembly all decisions taken in the name of the Assembly.

357.7 Notwithstanding that a commission shall have had Assembly powers so that, except under Par 358, there is no appeal from its decisions, the report of such a commission shall be presented to be received by the Assembly.

358. If a **request for consideration** is presented to the General Assembly alleging that a commission has exceeded its powers, the proceedings of that commission shall be reviewed by the **Assembly**. If the Assembly concludes that the commission did not exceed its powers, its decision shall stand. If the Assembly concludes that the commission did exceed its powers, the Assembly shall take such decision as it thinks fit. When the Assembly is reviewing a decision of a commission, members of that commission are not excluded from the review by reason of having taken part in those proceedings.

Standing Commissions

359. There are four standing commissions of the General Assembly, namely:

359.1 the Judicial Commission;

359.2 the Special Judicial Commission;

359.3 the Commission on Applications;

359.4 the **Linkage Commission**.

The Judicial Commission

Membership

360. The Judicial Commission shall consist of:

360.1 the Moderator of the General Assembly;

360.2 the Clerk of **Assembly**;

360.3 the Convener of the Judicial Commission;

360.4 one person from each Presbytery (either a minister or a **ruling elder**) nominated by that Presbytery;

360.5 not more than ten persons (either ministers or ruling elders) nominated by the Nominations Committee.

361. The period of appointment to the Judicial Commission shall be a five-year term, and no person may serve more than two consecutive terms.

362. A **ruling elder** who is a member of the Judicial Commission, for so long as he or she is a member, shall be constituted an ex officio member of the General Assembly.

363. A person nominated by a Presbytery under Par 360.4 shall cease to be a member of the Judicial Commission if that person ceases to be a minister or elder under the authority of that nominating Presbytery.

364. Any vacancy in the membership of the Judicial Commission occurring either by death, resignation, or under Par 363 shall be filled at the next annual meeting of the General Assembly as follows:

364.1 if the vacancy is from among those nominated by Presbytery, on the nomination of the Presbytery whose nominee is no longer a member;

364.2 in all other cases on the nomination of the Nominations Committee.

365. Seven members shall form a quorum for the Judicial Commission.

Powers

366. The Judicial Commission shall have **Assembly powers** to dispose finally of any cases of appeal or reference or any other matters which may be referred to it under or by virtue of this Code. However, where the Judicial Commission deems it appropriate, it may refer cases to the Special Judicial Commission to hear and determine.

The Special Judicial Commission

Membership

367. The Special Judicial Commission shall consist of:

367.1 the Moderator of the General Assembly;

367.2 the Clerk of Assembly; and

367.3 ten other members of the Judicial Commission appointed by the Assembly having due regard to all relevant factors.

368. Members of the Special Judicial Commission appointed under Par 367.3 shall hold office for five years.

369. Any vacancy which may occur in the Special Judicial Commission membership through death, resignation or a person ceasing to be a member of the Judicial Commission shall be filled by the General Assembly on the nomination of the Judicial Commission.

370. Five members shall form a quorum for the Special Judicial Commission.

Powers

371. The Special Judicial Commission shall have the same **Assembly powers** as the Judicial Commission to dispose finally of any cases of appeal or reference which may be referred to it.

Commission on Applications

Membership

372. The Commission on Applications shall consist of:

372.1 the Moderator of the General Assembly;

372.2 the Clerk of **Assembly**;

372.3 not more than six persons nominated by the Nominations Committee.

Duties

373. The Commission on Applications shall deal with formal appeals from decisions of Presbytery relating to:

373.1 applications for the ordained ministry, the diaconate and the **Accredited Preacher** and Auxiliary Ministry Schemes.

373.2 decisions not to retain an individual under its care as a minister without charge or a **licentiate**.

The Linkage Commission

Membership

374. The **Linkage Commission** shall consist of:

374.1 the Moderator of the General Assembly;

374.2 the Clerk of **Assembly**;

374.3 the Deputy Clerk of Assembly;

374.4 the Convener of the Linkage Commission;

374.5 the Secretary of the Linkage Commission;

374.6 three representatives of the Council for Mission in Ireland;

374.7 the conveners of the Linkage Commission **panels**;

374.8 one nominee (either a minister or **ruling elder**) from each Presbytery;

374.9 ten nominees (either ministers or ruling elders) of the Nominations Committee.

375. A person nominated by a Presbytery under Par 374.8 shall cease to be a member of the **Linkage Commission** if that person ceases to be a minister or elder under the authority of that nominating Presbytery.

376. Any vacancy in the membership of the **Linkage Commission** occurring either by death, resignation, or under Par 375 shall be filled at the next annual meeting of the General Assembly as follows:

376.1 if the vacancy is from among those nominated by Presbytery, on the nomination of the Presbytery whose nominee is no longer a member;

376.2 in all other cases on the nomination of the Nominations Committee.

377. Ten members shall form a quorum for the **Linkage Commission**.

Powers

378. The **Linkage Commission** shall have **Assembly powers** to determine conditions under which:

378.1 **vacant** congregations shall be filled or have ministry supplied by one or more of the following means:

378.1.1 single charges;

378.1.2 linkages of more than one charge (including deferred linkages);

378.1.3 mergers;

378.1.4 **reviewable tenure** ministries;

378.1.5 part-time ministries;

378.1.6 Stated Supplies, who may be:

- appointed on a short-term basis, normally for no longer than two years; or
- the minister of a neighbouring congregation, appointed on a long-term basis;

378.2 ministry shall be reconfigured using one or more of the means specified in Par 378.1;

378.3 associate pastorates shall be established;

378.4 special ministries shall be provided;

378.5 auxiliary ministry posts shall be established;

378.6 additional pastoral personnel posts shall be authorised;

and shall deal with such other matters as the General Assembly may from time to time refer to it.

379. No congregation shall be dissolved or merged, with loss of its identity, except by authorisation from the General Assembly.

379.1 Where the **Assembly** resolves that a congregation is to be dissolved, or two or more congregations are to be merged, the terms for such dissolution or merger, as the case may be, shall be either:

379.1.1 such terms as the **Linkage Commission** shall agree with the Kirk Session or Kirk Sessions of the congregation or congregations involved; or

379.1.2 in default of such agreement, where the Presbytery consents, and in the case of **Home Mission congregations** the Council for Mission in Ireland consents, the terms shall be set by the Commission and all the parties concerned shall seek to carry out such terms.

379.2 When deciding upon the terms of any dissolution or merger, the **Linkage Commission** shall have power to recommend the future ownership or dispersal of property and assets belonging to the congregation or congregations involved, and **congregational trustees** shall seek to carry out such recommendations given to them by the Commission.

Vacant congregations

380. When a vacancy arises in a congregation or a linkage, the Clerk of the Presbytery having jurisdiction over the congregation shall:

380.1 immediately notify the vacancy in **writing** to the Convener of the **Linkage Commission**; and

380.2 take steps to ensure that the congregation is informed of the rules governing **vacant** pastorates and preliminaries to any **Call**.

381. The leave of the **Linkage Commission** to issue a **Call** shall first be obtained by a **vacant** congregation, or linkage, before it, or the Presbytery having jurisdiction over it, takes any step towards filling a vacancy in the congregation or linkage.

382. Prior to such leave being given, and after consultation with the Presbytery or Presbyteries concerned, the **Linkage Commission** shall decide, on the merits of the case, in particular:

382.1 whether the congregation, or linkage, as the case may be, should:

382.1.1 continue as it is currently constituted; or

382.1.2 have its ministry reconfigured to one of the forms specified in Par 378.1;

382.1.3 be dissolved;

382.1.4 change to another geographical location (see also Pars 392-394); or

382.2 whether other special provisions, including dissolution of existing linkages for alternative arrangements, should be applied;

382.3 what minimum contribution to stipend, ministerial allowances and other sums should be paid by the congregation itself or the linked congregations or what (if any) grants should be made available to the congregation or the linkage from the central funds of the **Church**; and

382.3.1 following the installation of a minister, the minimum contribution to stipend shall be reviewed by the Linkage Commission every seven years; or

382.3.2 where the minimum contribution set gives rise to serious difficulty, the Linkage Commission shall have power to vary the amount payable;

382.4 whether any other special terms should be set or arrangements made for **Leave to Call**, pulpit supply or pastoral oversight and, if so, what those terms should be.

Leave to Call

383. Where, following a vacancy:

383.1 the configuration of ministry referred to in Par 378.1.1–5 has been settled; and

383.2 the terms for a new ministry referred to in Pars 382.3 and 382.4 have been settled; and

383.3 the **Linkage Commission** is satisfied that the manse (if any) is being put into suitable condition for the use of the minister; and

383.4 the Linkage Commission is satisfied that the congregation or linkage has made all the payments it is required to have made to the **Central Ministry Fund** or other funds of the Church;

Leave to Call shall be issued by the Linkage Commission on behalf of the General Assembly and evidenced in **writing**, signed by its convener.

384. **Leave to Call** granted under Par 383 may be reviewed by the **Linkage Commission** at any time after 15 months, at which point it may be withdrawn or adjusted.

Deferred Linkage, Reviewable Tenure and Part-Time Ministry

385. The **Linkage Commission** may also issue **Leave to Call** under the commission's schemes for:

385.1 deferred Linkage;

385.2 **reviewable tenure**;

385.3 **part-time ministry**.

Stated Supply

386. Where the **Linkage Commission** considers that it is not appropriate to issue **Leave to Call** under any of the configurations of ministry referred to in Par 378.1.1–5, it may arrange for the appointment of a Stated Supply to provide for the work of the ministry in the congregation or linkage on terms that such an appointment:

386.1 shall be made by the Presbytery on the nomination of, and on terms settled by, the Linkage Commission;

386.2 shall not of itself qualify the person so appointed for membership in the courts of the **Church**;

386.3 shall be terminable on two months' notice given, after consultation among them, by the supply, the Presbytery, or the commission, or otherwise by mutual arrangement.

Reconfiguration of Ministry

387. The **Linkage Commission** shall consider whether there should be a reconfiguration of ministry in a congregation or congregations in the following circumstances:

387.1 following receipt of a reference from a Presbytery under Par 448; or

387.2 following receipt of a reference from the **General Council** under Par 448; or

387.3 following receipt of a request from a Kirk Session, or from a Presbytery other than under Par 448; or

388. if, in its own opinion, the work of a congregation whose minister's stipend is augmented from any fund of the General Assembly, can be adequately performed by the minister of a neighbouring congregation, or for which other adequate arrangements can be made under Par 378.1. In any consideration of a reconfiguration of ministry under Par 387, the **Linkage Commission** shall consult with all of the following:

- the minister of any congregations involved
- the Kirk Sessions of any congregations involved
- the Presbytery with jurisdiction over any congregation involved
- in the case of a **Home Mission congregation**, the Council for Mission in Ireland.

389. Where the reconfiguration of ministry is for the linkage of two or more congregations, then, unless the Presbytery concerned, and, in the case of a **Home Mission congregation**, the Council for Mission in Ireland, agree to the reconfiguration, such reconfiguration shall not take place.

390. When it has been determined that a reconfiguration of ministry shall take place, the **Linkage Commission** shall endeavour to agree the terms of reconfiguration with the Kirk Session, and Presbytery involved, and, in the case of a **Home Mission congregation**, the Council for Mission in Ireland, but in default of such agreement, the Linkage Commission shall fix the terms and shall set a date for the implementation of the reconfiguration, and report these to the General Assembly. Such terms shall be binding on the congregations and Presbyteries concerned, and, if applicable, the Council for Mission in Ireland.

391. Where appropriate to facilitate a reconfiguration of ministry, the **Linkage Commission** may, after the consultation set out in Par 388, instruct the Presbytery to release ministers involved from their charges under the following terms:

391.1 if the reconfiguration follows a reference under Par 387.1 or 387.2, or a minister voluntarily resigns to facilitate the reconfiguration, the Linkage Commission may make a special arrangement for the minister in accordance with the terms of Par 162; otherwise:

391.1.1 the appointment shall not be terminated without six months' prior notice in **writing** having been given by the Presbytery to the minister;

391.1.2 after termination of the appointment, the minister shall be eligible for salary and pension contributions at the rate of the appropriate **Ministerial Minimum Income** as a charge upon the **Central Ministry Fund** until the earlier of:

- the date on which the minister is installed in another charge
- the date which is twelve months after the date on which the Presbytery shall have given to the minister notice of termination of the appointment.

Changing a congregation's geographical location

392. Where the **Linkage Commission** is of the opinion that the geographical location of a congregation's church building should be changed it shall consult with the following:

- the minister
- the Kirk Session
- the Presbytery with jurisdiction over the congregation
- in the case of a **Home Mission congregation**, the Council for Mission in Ireland.

393. Unless the Presbytery concerned, and, in the case of a **Home Mission congregation**, both the Presbytery concerned and the Council for Mission in Ireland, agree that the geographical location of the congregation should be changed, such change shall not take place.

394. When it has been determined that a change in geographical location of a congregation shall take place, the **Linkage Commission** shall endeavour to agree the terms of the proposed change with the Kirk Session involved, but in default of such agreement, the Linkage Commission shall fix the terms and shall set a date for the change, and report these to the General Assembly. Such terms shall be binding on the congregation.

Removing a congregation to a different Presbytery

395. When congregations belonging to different Presbyteries are being linked or a congregation is being moved to a different geographical area, the **Linkage Commission** shall have power to move congregations and ministers from one Presbytery to another.

Ministers' additional paid employment

396. A minister in a congregation may not undertake any additional paid employment or appointment without the consent of the **Linkage Commission**, which shall only give such consent, under **Guidelines** (Schedule 2) then in force, if it is satisfied that:

396.1 the minister's ability to discharge his or her duties to the **Church** shall not be adversely affected;

396.2 the undertaking of the appointment will not involve any demand upon the human and other resources of the Church.

Property and Memorials

397. The **Linkage Commission** shall:

397.1 receive from congregations, through the relevant Presbytery, requests for the authorisation of new buildings, additions and alterations to, or demolition of **congregational property**, and memorials, made in accordance with Par 83;

397.2 examine the proposals set out in such request;

397.3 determine whether to grant such authorisation;

397.4 where a contribution to the stipend of the minister is being paid from central funds, determine whether to give consent to the relevant Presbytery for it to authorise any proposal under Par 83.

398. When any congregation is considering a proposal for dissolution, merger or linkage with another congregation, no arrangements regarding the sale of its properties and distribution of the proceeds or the income therefrom shall be made without first obtaining the agreement of the **Linkage Commission**.

Councils and Committees of the General Assembly

399. Councils, each having supervisory responsibilities over a broad field of work for which they are answerable to the General Assembly, may:

399.1 include a number of official committees appointed by the **Assembly** to promote particular aspects of work under the supervision of the council;

399.2 from time to time appoint **panels** (which shall have ongoing responsibility), **task groups** (which shall be appointed for a specific purpose or for a set period), or agents given particular defined responsibilities;

399.2.1 such panels, task groups and agents shall be answerable to the council which appointed them for work remitted to them.

Membership of Councils and Committees

400. Except where this Code provides otherwise, the membership of a council and its associated committees shall be appointed in accordance with **Regulations** (Schedule 1), from representatives of the **Church**, nominated by Presbyteries, together with ex- officio members and others on the nomination of the Nominations Committee.

General Council

401. The **General Council** shall:

401.1 on behalf of the General Assembly, deal with such exceptional matters affecting public interest or the general work of the **Church** as may arise and require action between meetings of the General Assembly; and may either directly or through its authorised committees issue statements on such matters on behalf of the Church;

401.2 co-ordinate the work of all councils including:

- co-ordination of work not in the **remit** of other councils
- co-ordination of work which touches upon the responsibilities of two or more councils and which is not the responsibility of another council;

401.3 provide for effective communication of the **Assembly**'s views both within and beyond the Church;

401.4 have the authority to deal with urgent matters of financial administration, otherwise outside the other powers of the council, but which may arise between meetings of the General Assembly;

401.5 act as **charity trustees** for the Assembly;

401.6 directly, or through an appropriate **task group**, be authorised, in accordance with **Regulations** (Schedule 1), to submit nominations for the offices of Clerk, Deputy Clerk, Theological Professors and College Principal;

401.7 have authority to call ministers to work in the administration of the Church or to facilitate the work of this or other councils.

402. The **General Council** shall fulfil other functions, either directly, or through the appropriate committee appointed by the General Assembly, the **remits** of which are described in the rest of this paragraph.

Nominations Committee

402.1 A Nominations Committee to:

402.1.1 nominate to the General Assembly conveners of commissions, councils and committees;

402.1.2 nominate to the General Assembly suitable persons to serve on these commissions, councils and committees;

402.1.3 ensure that, except for ex-officio membership, no convener or secretary of a council of the General Assembly whose work is supported by the **United Appeal** is nominated for membership of the United Appeal Committee;

402.1.4 oversee nominations to the General Assembly for membership of commissions, councils and committees.

General Assembly Business Committee

402.2 A General Assembly Business Committee, to order the business of the **Assembly** by:

402.2.1 dealing with and, where appropriate, licensing, all business to the Assembly;

402.2.2 recommending an order of business to the Assembly;

402.2.3 making all arrangements for the accommodation and discharge of the Assembly business;

402.2.4 nominating corresponding members and delegates to other churches;

402.2.5 examining the records of all the Presbyteries and Assembly councils.

Priorities Committee

402.3 A Priorities Committee to:

402.3.1 make, in consultation with Presbyteries and other councils, recommendations to be considered by the General Assembly as to the priorities of its work;

402.3.2 appoint a Priorities Reference **Panel**, to act independently of other councils;

402.3.3 report directly to the General Council as to the implementation by each council of such priorities for which it is responsible;

402.3.4 report directly to the General Council whether the United Appeal allocations are consistent with the remit of councils and reflective of priorities agreed by the General Assembly;

402.3.5 approve, on behalf of the General Council, all new projects and/or staffing posts.

Doctrine Committee

402.4 A Doctrine Committee to prepare general **Church** policy or statements on doctrine for submission to the General Assembly.

General Assembly Advisory Committee

402.5 A **General Assembly Advisory Committee** to:

402.5.1 advise the Moderator and Clerk on matters of sensitivity for the Church; provide assessors to sit with a lower court if that court invites assistance in cases of difficulty;

402.5.2 recommend to the General Assembly or, if appropriate, the General Council, which changes of Church policy being considered by the General Assembly should be subject to compulsory consultation with Presbyteries prior to the implementation of such policies;

402.5.3 monitor the progress being made by the relevant council and/or committee of the General Assembly in the implementation of a remit;

402.5.4 assist the implementation of a remit by recommending to the General Council any appropriate adjustment to be made to the remit;

402.5.5 where a recommendation is to be brought to the General Assembly for the implementation of a remit, give guidance to the General Assembly as to the appropriate scope thereof;

402.5.6 consider, in the event that unforeseen consequences arise in the implementation of a remit, the effect of those consequences and to advise the General Assembly whether, and if so how, the remit may be carried into effect.

Church Relations Committee

402.6 A Church Relations Committee to develop relationships with other churches and monitor those inter-church bodies of which the Presbyterian Church in Ireland is a member.

Support Services Committee

402.7 A Support Services Committee to ensure that support services are being provided to the councils efficiently and effectively and dealing with any related policy issues, including, but not limited to:

402.7.1 being responsible for the management of all personnel employed by the General Assembly or under the control of the **Assembly**, ensuring that policies and regulations for the welfare and efficiency of such staff are observed, and obtaining such information as it needs to review staff matters;

402.7.2 overseeing the finances of the Church, except those which are the responsibility of individual congregations or the Trustees of the Presbyterian Church in Ireland, or the Trustees of the Presbyterian Church in Ireland Pension Scheme (2009), and including the administration of:

- the **Central Ministry Fund**
- the **Incidental Fund**
- the **Retired Ministers' Fund**
- the **Widows of Ministers' Fund**
- the **Prolonged Disability Fund**
- the **Retired Ministers' House Fund**

402.7.3 being responsible for the payment of ministers' stipends, the collection of employer's and employees' contributions to the Presbyterian Church in Ireland Pension Scheme (2009), and contributions to be made in respect of ministers' National Insurance;

402.7.4 recommending to the General Council for approval a basic **Ministerial Minimum Income**, which shall be used to calculate the Ministerial Income to which ministers of the Church in active duty in congregations are entitled;

402.7.5 recommending to the General Assembly, through the General Council, in each year the amount of assessments required from congregations to finance the activities of the Church carried out through the commissions and councils of the General Assembly;

402.7.6 administering The Presbyterian Church in Ireland Pension Fund and acting as scheme employers for the Presbyterian Church in Ireland Pension Scheme (2009) or any successor scheme;

402.7.7 preparing and presenting the annual accounts to the Assembly and nominating independent examiners or auditors for appointment by the Assembly;

402.7.8 preparing and presenting for approval by the General Assembly the Annual Report to be submitted to the Charity Commission for Northern Ireland and the Charity Regulator for the Republic of Ireland;

402.7.9 requiring councils and officials to take all steps considered necessary by the council, for the protection of the assets of the Church against all classes of risk;

402.7.10 being responsible for the regular compilation and publication of Church Statistics;

402.7.11 superintending the management and care of the Assembly Buildings and the Fisherwick Buildings, and ensuring the discharge of all statutory duties imposed on occupiers of buildings;

402.7.12 considering and reporting to the Assembly the cases of all ministers applying for special leave to retire from active duty with the right to issue a schedule of queries to be answered by the applicant.

United Appeal Committee

402.8 A United Appeal Committee to prepare the annual United Appeal.

402.8.1 The United Appeal shall be prepared with a view to securing stability in the finances of organisations of the Church by:

402.8.1.1 obtaining such financial information from councils and committees as it requires to prepare the United Appeal, it being the duty of councils and committees to provide the information sought;

402.8.1.2 submitting to the General Assembly in June a United Appeal for the following financial year with proposals for apportioning liability for the amount of the United Appeal between the Presbyteries in such proportions as shall appear to it to be equitable;

402.8.1.3 if the full amount of the United Appeal is not contributed in any year, determining the extent to which the amount which each council or committee was due to receive shall be reduced;

402.8.1.4 in the event of an emergency arising which necessitates a special appeal to congregations, granting permission for such an appeal to be made, stating the conditions upon which it is to be made; but without such permission, no special appeal shall be launched by any council or committee participating in the United Appeal.

402.8.2 The General Assembly alone shall have power to include in, or exclude from, the United Appeal any mission, fund, or scheme of the Church, or any Societies recognised to be organisations of the Church. Such inclusion or exclusion shall normally follow notice of motion in that behalf received and entered on the books at the Assembly twelve months previously. No mission, scheme or fund whose work is supported by direct assessment shall normally be included.

402.8.3 After adoption by the Assembly of the United Appeal, with or without amendment, each Presbytery shall apportion the proportion of the United Appeal for which that Presbytery is liable equitably among the congregations under its jurisdiction.

402.8.3.1 Any congregation which believes the amount which it is to pay is excessive may request the Presbytery to review the amount.

402.8.3.2 A congregation which raises a sum in excess of its allocation may distribute the excess among the funds of the Church included in the United Appeal in such proportion as it thinks fit.

402.8.3.3 Congregations shall endeavour to transmit all United Appeal contributions received by it as soon as practicable to the Church's Finance Department and the total amount, in any case, before the 31 December following.

Council for Public Affairs

403. The Council for Public Affairs shall identify current issues which the **Church** needs to address, helping to develop the Presbyterian Church in Ireland's thinking in these areas and communicating the General Assembly's views in the public square on all aspects of public policy including education, youth, children's, social and ethical issues, and in particular shall:

403.1 engage with the Governments and Parliaments of the United Kingdom and Ireland and with the Northern Ireland Executive and Assembly by representations to those bodies on behalf of the Church and responding to consultations issued by those bodies in respect of issues on which it considers the voice of the Church should be heard;

403.2 work with the Church's press and media office to ensure the Church's view is given publicity to the public at large;

403.3 develop relationships with civic society;

403.4 provide nominations to education and other state bodies on which the **Church** has a right to be represented.

Council for Training in Ministry

404. The Council for Training in Ministry shall:

404.1 consider all aspects of leadership training for ordained ministers, **licentiates** and students for the ministry, including:

- selecting and training candidates for the ordained ministry;
- providing continuing in-service development for ordained ministers and licentiates;
- receiving ordained ministers and licentiates from other churches;

404.2 consider all aspects of leadership training for deaconesses, auxiliary ministers and **accredited preachers**, including:

- selecting and training deaconesses, auxiliary ministers and accredited preachers;
- providing for the continuing development of deaconesses, auxiliary ministers and accredited preachers;

404.3 encourage and resource Presbyteries in their provision of pastoral care for ministers and their families;

404.4 provide a conciliation service and encourage its use where appropriate;

404.5 operate the **Regulations** (Schedule 1) approved by the General Assembly for the procedure for the review of Council decisions relating to the acceptance of students for the ministry, candidates for the office of deaconess, accredited preacher trainees and auxiliary ministry trainees, or the termination of these pathways or the pathway of a licentiate or of a minister transferring from another denomination;

404.6 be responsible for managing Union Theological College and the Magee Fund Scheme.

Students for the Ministry

405. The Council for Training in Ministry shall, in respect of candidates for the ordained ministry:

405.1 correspond with Presbytery in accordance with Par 119;

405.2 lay down the academic requirements for students for the ministry, under the directions of the General Assembly;

405.3 determine such academic and practical requirements, including serving an assistantship in a congregation or congregations, to be met by students for the ministry after entry upon their theological course, subject to approval by the General Assembly;

405.4 ensure that every student for the ministry is instructed in the Scriptures and the Subordinate Standards of the **Church**;

405.5 where appropriate, recommend to the General Assembly the termination of a candidate's candidature.

Union Theological College of the Presbyterian Church in Ireland

406. The **College** was constituted by the Union Theological College of the Presbyterian Church in Ireland Act 1978 and is under the complete and entire control of the General Assembly as the Supreme Court of the **Church** and its property is vested in the Trustees of the General Assembly.

407. The **College** shall:

407.1 primarily provide the theological studies or courses which may from time to time be required in **Regulations** (Schedule 1) by the General Assembly to be undertaken by its students for the ministry;

407.2 generally promote theological education of high academic standard and practical training relevant to the work and witness of the **Church**.

408. The **College** shall have a Faculty, known as the Faculty of the College, comprising the Principal of the College and other professors of the College appointed by the General Assembly, together with such other persons as may be appointed by the General Assembly on the proposal of the Faculty.

Union Theological College Management Committee

409. The General Assembly's direction and control of the **College** shall be exercised in general through its Council for Training in Ministry and in particular through the College Management Committee, constituted under the provisions of the Union Theological College of the Presbyterian Church in Ireland Act 1978.

410. The Constitution, Membership, Proceedings and Functions of the **College** Management Committee shall be determined from time to time by the General Assembly, in accordance with the provisions of the Union Theological College of the Presbyterian Church in Ireland Act 1978.

Faculty

411. The Faculty of the **College** shall:

411.1 be responsible for the effective discharge of the duties of the College;

411.2 have full authority over the College's academic standards;

411.3 be responsible for the maintenance of internal discipline in the College;

411.4 report annually to the Ministerial Studies and Development Committee on the attendance, diligence, proficiency and conduct of students for the ministry;

411.5 refer any matters which it may desire to bring to the attention of the General Assembly to the College Management Committee.

412. Any complaint or appeal arising from the exercise of discipline, or in the discharge of its duties, by the Faculty of the **College** shall in the first instance come to the **College** Management Committee.

Academic Posts

413. The General Assembly has the rights of election and appointment to:

413.1 the office of Principal of the **College**;

413.2 all professorial chairs in the College;

and it shall exercise those rights by such procedures and in such form as it shall consider desirable.

414. Only an ordained minister of the **Church**, or someone qualified to be ordained as a minister, may be appointed to the office of Principal of the **College**, or to a professorial chair.

414.1 A minister in a charge who is elected and appointed to a professorial chair or full-time lectureship shall resign his or her charge and all financial benefits arising from it before taking up the appointment.

415. Each person appointed by the General Assembly to a professorial chair shall:

415.1 before his or her appointment, subscribe to the Westminster Confession of Faith in terms of the General Assembly's formula;

415.2 on presentation of credentials of ministerial standing, be ordained and installed or installed by the Presbytery with which his or her congregational connection lies.

416. Senior lecturers and lecturers shall be appointed by the Council for Training in Ministry. Only a **communicant member** of the **Church** may be appointed as a senior lecturer.

416.1 If a person appointed as a senior lecturer:

416.1.1 is a minister or licentiate of the Church, he or she shall be called by the Council for Training in Ministry and, on presentation of credentials of ministerial standing, shall be ordained and installed or installed by the Presbytery with which his or her congregational connection lies; or

416.1.2 is not a minister or licentiate of the Church, such person shall be commissioned by the Presbytery with which his or her congregational connection lies.

416.2 If a person appointed as a lecturer:

416.2.1 is a minister or licentiate of the Church, he or she shall be called by the Council for Training in Ministry and, on presentation of credentials of ministerial standing, be ordained and inducted, or inducted, by the Presbytery with which his or her congregational connection lies;

416.2.2 is not a minister or licentiate of the Church, such person shall be appointed by the Council for Training in Ministry only after it is satisfied that he or she evidences an understanding of, and commitment to, working within the Christian ethos and doctrinal framework of the Presbyterian Church in Ireland as outlined in the Westminster Confession of Faith.

417. Part-time or temporary lecturers may be appointed by the **College** Management Committee as occasion may require, including making temporary provision for the discharge of the duties of a professor or senior lecturer where a vacancy arises, having noted any recommendations of the College Faculty.

418. Upon retirement with the leave of:

418.1 the General Assembly, a professor shall be known as professor emeritus and have the same status as a minister retired from active duty in a congregation;

418.2 the Council for Training in Ministry, a senior lecturer (or lecturer) who is a minister shall be known as senior lecturer (or lecturer) emeritus and have the same status as a minister retired from active duty in a congregation;

418.3 the Council for Training in Ministry, a senior lecturer who is not a minister shall be known as senior lecturer emeritus.

419. The Presbyterian Theological Faculty, Ireland, established by Royal Charter, dated 25 October 1881, and supplemented by its Supplemental Charter of 2021, shall consist of the Principal and other professors appointed by the General Assembly, together with such other persons as may be appointed by the **Assembly** on the proposal of the Faculty, and is empowered by the said Charter to grant degrees.

Council for Congregational Life and Witness

420. The Council for Congregational Life and Witness shall seek to support the on-going life, mission and witness of congregations in their work with all age-groups, and in particular shall:

420.1 assist the congregations of the **Church** in setting vision and in their development; offer training; advise on good practice; and provide resources in key areas, including worship, discipleship, pastoral care, evangelism, leadership and global mission involvement;

420.2 take specific responsibility for ensuring the strategic development within the Presbyterian Church in Ireland of:

- ministries for both men and women, and for all age groups
- support for the family (including relationship counselling services)
- training of elders and other leaders;

420.3 encourage and provide resources for **c**ongregations in connection with:

- building supportive links with local schools
- supporting Christians in the workplace
- fostering the work of good relations;

420.4 be responsible, in co-operation with other councils, for providing congregations with support and training in specific areas, such as:

- social, financial, health & safety, and personnel issues
- disability awareness.

Presbyterian Women

421. The organisation known as 'Presbyterian Women' (also referred to as 'PW') incorporates the former Presbyterian Women's Association and the former Young Women's Groups, and exists to encourage, envision and equip effective ministry among women of the congregations of the Presbyterian Church in Ireland.

422. The Council for Congregational Life and Witness shall establish a Presbyterian Women's **Panel** to oversee 'Presbyterian Women' and the strategic coordination of its work.

423. The Constitution of 'Presbyterian Women' shall be contained in **Regulations** (Schedule 1) agreed from time to time by the General Assembly.

Council for Mission in Ireland

424. The Council for Mission in Ireland shall:

424.1 develop strategic priorities in all-age mission in Ireland, planning initiatives at a General Assembly level where appropriate;

424.2 provide financial assistance, loans and grants to support new church development and church planting and establishing new congregations in areas where these may be required;

424.3 oversee all aspects of the work of the Home Mission and the Irish Mission;

424.4 oversee the deployment and on-going support of deaconesses;

424.5 support mission and ministry through chaplaincy services in the Forces, hospitals, hospices, prisons, universities and colleges;

424.6 oversee the funds of the Presbyterian War Memorial, ensuring that its terms of trust are fulfilled;

and to fulfil these purposes, the council may call ministers, elders, auxiliary ministers or deaconesses to recognised work in Ireland and allocate them to their spheres of service.

Home Mission

425. The Home Mission shall operate under the authority of the Council for Mission in Ireland to facilitate within the general structure of the **Church**:

425.1 the provision of ministries supplementary to that of ordained ministers, elders, and other persons;

425.2 the provision of grants in aid to congregations, causes or agencies giving service to the Church or to its members;

425.3 the establishment and maintenance of such other fields of service as the General Assembly or its Council for Mission in Ireland may from time to time determine.

Irish Mission

426. The Irish Mission shall operate under the authority of the Council for Mission in Ireland, and in accordance with the evangelical witness of the Protestant Reformation, to proclaim and share the blessings of the Gospel throughout Ireland, by:

426.1 the circulation and exposition of the Scriptures;

426.2 evangelism;

426.3 Christian training and education.

Council for Global Mission

427. The Council for Global Mission shall supervise the Global Mission of the **Church** and shall proclaim the Gospel in word and action in such countries and in such ways as the General Assembly or the Council for Global Mission may from time to time determine, wherever possible in partnership with churches, united missions and agencies in that country or area.

428. The Council for Global Mission shall:

428.1 develop a strategy on Global Mission, including partnership with churches and agencies outside Ireland, and sending Global Mission workers;

428.2 promote world development issues, including providing for an annual appeal;

428.3 lead thinking on issues of global concern such as the environment, race relations, and international relations.

429. The Council for Global Mission may select and call Global Mission workers and allocate them to their spheres of service.

Council for Social Witness

430. The Council for Social Witness shall:

430.1 deliver an effective social witness service on behalf of the Presbyterian Church in Ireland to the wider community;

430.2 in partnership with appropriate organisations, oversee the ministry of the **Church** in the areas of:

430.2.1 services for older people, including residential care, nursing care, day care, respite care, supported housing and care in the community;

430.2.2 services for people who have a disability, including supported housing, residential care, day services, respite care, and community support;

430.2.3 criminal justice, including the management and professional oversight of residences for the rehabilitation of offenders;

430.2.4 substance abuse, including the management and professional oversight of accommodation and day centres for those who engage in substance abuse;

430.3 oversee the policy development and administration of **Taking Care** including providing congregations with support and training;

430.4 support Christian ministry among the deaf community, including the work of the Kinghan Church.

Ministry and Pension Funds

General

431. The General Assembly shall maintain the following funds:

431.1 The **Central Ministry Fund** (CMF) (including the funds formerly known as the Commutation Fund, the Sustentation Fund, and the Augmentation Fund);

431.2 The Presbyterian Church in Ireland Pension Fund;

431.3 The **Retired Ministers' Fund** (RMF);

431.4 The **Widows of Minsters' Fund** (WMF);

and the **General Council** shall administer these Funds itself or through the Support Services Committee.

Central Ministry Fund

432. The object of the Central Ministry Fund is supporting ministers and such other persons, engaged in the pastoral work of the **Church**, as may be authorised from time to time by the General Assembly or the **Linkage Commission**.

433. The Director of Operations shall act as the Treasurer of **CMF**.

434. Donations or bequests left to, or given to the **Church** for the benefit of **CMF**, Sustentation Fund, or Augmentation Fund, or for objects similar to those of those funds shall, unless otherwise directed by the testator or donor, be invested by the Trustees of the Presbyterian Church in Ireland and the income thereof paid to the CMF, but with authority, if necessary, to resort to the capital of such donations or bequests.

435. The income of **CMF** shall be applied as follows:

435.1 to pay to every qualified minister (as determined by the **Linkage Commission**) out of income received a monthly sum to be fixed from time to time by the **General Council**;

435.2 to provide such augmented payments in respect of ministers of the **Church** in active duty in congregations for whom congregational contributions may be insufficient;

435.3 to pay family grants to qualified ministers at rates and on conditions fixed from time to time by the General Council, in respect of each child under the age of 16, or in full-time attendance at a recognised educational institution;

435.4 to pay special grants as may be authorised from time to time by the General Assembly or its Linkage Commission;

435.5 to pay grants (including family grants) to **licentiates** of the Church serving in congregations;

435.6 to pay the expenses of administering the Fund.

436. In reckoning any augmented payment to a minister, required where local sources and other contributions are not sufficient to provide for the **Ministerial Minimum Income** of the minister, account shall not be taken of:

436.1 special payment for additional work undertaken, as determined by the **Linkage Commission**;

436.2 payments, from central funds of the **Church**, for ministerial allowances or family grants;

436.3 a sum fixed from time to time by the **General Council**, being income from endowments for the benefit of the minister received during his or her ministry in the congregation, but only in those cases where the minister was called to the charge before 5th June 2020;

436.4 a sum fixed from time to time by the General Council, in the aggregate, in respect of:

- income earned by the minister from Church, or Church-nominated, appointments
- income earned by the minister from any other work outside his or her congregation
- a sum fixed from time to time by the General Council being income from the **Central Ministry Fund**.

437. If exceptional circumstances arise or exceptional hardships occur affecting the congregation or its minister, either the congregation itself, or its minister, may, with the approval of Presbytery, submit a **request for consideration** to the **General Council** and request it or its appropriate committee to exercise its power to decrease the assessments due by the congregation during the current financial year, or to make such other change as appears desirable in the circumstances of the case. In all such cases the action taken by the General Council shall be fully reported to the **Linkage Commission** and the General Assembly. The General Assembly may, if it sees fit, review the decision of the General Council.

438. Each congregational treasurer and minister shall jointly make a full return to the General Assembly's Finance Department, not later than such date as may be fixed from time to time by the General Council each year, of the following, with a continuing obligation to notify the Finance Department within one week of any change in them:

438.1 the estimated stipend for the incoming year and all payments (including allowances and endowments) being made by the congregation to its minister or ministers; and

438.2 all other income and payments (including allowances, fees and endowments) received by the minister or ministers either directly or indirectly on account of their ministerial office, except those from the congregational treasurer.

439. If any dispute shall arise as to the interpretation of any of the provisions in this Code relating to the Fund, such dispute shall be determined by the Support Services Committee of the **General Council**; its decision shall be binding, subject only to review by the General Council and the General Assembly following the decision.

The Presbyterian Church in Ireland Pension Fund

440. The object of The Presbyterian Church in Ireland Pension Fund shall be to provide the appropriate funds for the contribution to be made by the **Church** to The Presbyterian Church in Ireland Pension Scheme (2009).

Retired Ministers' Fund

441. The object of the Retired Ministers' Fund shall be to make provision for the appropriate annuity to be paid from central funds to ministers of the **Church** retired from active duty in respect of service given before 1 April 1978, or as otherwise may be required to complement payments under The Presbyterian Church in Ireland Pension Scheme (2009).

442. The retirement pension shall be under conditions set, and at the rate agreed, from time to time by the **General Council**.

The Widows of Ministers' Fund

443. The object of the Widows of Ministers' Fund shall be to make provision for widows and widowers of qualified ministers who are not fully provided for by The Presbyterian Church in Ireland Pension Scheme (2009).

444. Benefits under the Widows of Ministers' Fund shall be payable under conditions set, and at the rate agreed, from time to time by the **General Council**.

Financing of Funds

445. The funds referred to at Par 431 shall be financed by:

445.1 quarterly contributions assessed on congregations on a basis and at rates determined annually by the General Assembly on the advice of the **General Council**, or as fixed by the **Linkage Commission** in giving **Leave to Call** in a vacancy; however, the General Council may apply provisional rates of assessment from the first quarter of each year;

445.2 bequests, donations and endowment income received for the objects of that fund;

445.3 in the case of **CMF**:

445.3.1 income from investments and trust funds;

445.3.2 any other income to which CMF is, or may become entitled, including income from any donations or bequests left or given for CMF or left or given for objects similar to those of CMF.

446. No change in the financial assessments referred to in Par 445, and no **request for consideration** making any pecuniary claim upon any Fund listed in Par 431, shall be decided by the General Assembly until a report thereon has been received from the **General Council** or its appropriate committee.

Defaulting Congregations

447. The Director of Operations shall immediately refer the matter to the relevant Presbytery if:

447.1 the congregational treasurer and minister of a congregation fail to make the returns and notifications required by Par 438; or

447.2 a congregation fails to remit any portion of the quarterly contributions assessed under Par 445.1 which may be due from a congregation.

448. A Presbytery which receives a reference under Par 447 shall be under obligation to take such action as it may deem necessary to ensure that the information is supplied or moneys paid without delay.

448.1 If the information is not supplied or the moneys are not paid, the Presbytery and/or the **General Council**, directly or through its appropriate committee, shall refer the matter to the **Linkage Commission**, which shall investigate and take appropriate action under Par 387.

448.2 Such referral to the Linkage Commission shall take place no later than following the third failure within any three-year period to transmit any portion of the quarterly moneys which may be due.

449. The **Linkage Commission** shall not give **Leave to Call** to any **vacant** congregation or linkage so long as it remains in default in making payment of any quarterly contributions assessed on it under Par 445.1.

450. No amendment of the rules of any fund listed in Par 431 shall be made unless notice of motion moving such amendment has been received by the preceding General Assembly and the proposed amendment thereafter approved by the following General Assembly.

The Trustees of the Presbyterian Church in Ireland

451. The Trustees of the Presbyterian Church in Ireland is a body incorporated under Royal Charter, with statutory powers and duties conferred by the Irish Presbyterian Church Act, 1871, and the Irish Presbyterian Church Act, 1901, for management of certain trust properties for the **Church** and other purposes.

451.1 A trustee, who shall be a member of at least two years standing of a congregation of the Church, is appointed by a vote of the General Assembly and may be similarly removed but otherwise continues in office until he or she resigns, dies or becomes disqualified from holding office as a trustee under any statutory provision.

451.2 The **Trustees** hold and are charged with the management of:

- the **Central Ministry Fund**
- any other funds and property under the jurisdiction of the **Assembly**,

and such are to be held in accordance with any trusts which may have been declared in respect of them, and otherwise as directed by this Code or as determined by the General Assembly.

451.3 The Trustees may hold property, including land and buildings, in trust for the Church or for any congregation of the Church, in accordance with any trusts which may have been declared in respect of and subject to such rights as at the time of grant, assignment or vesting affected the same.

451.4 The Trustees may from time to time make such bye-laws, rules and regulations as may be deemed expedient for the discharge of their duties and which are consonant with any trusts declared in respect of properties held by the Trustees. Any such bye-laws, and every alteration, repeal or addition thereto, shall not come into force and effect until approved by the General Assembly.

451.5 The Auditors of Accounts of the General Assembly shall annually audit the accounts of all the funds held by the Trustees and shall present a report regarding them to the General Assembly at its annual meeting.

451.6 The Trustees shall have **Assembly powers** to deal with all cases where trustees or others desire to transfer any property, real or personal, to the Trustees of the Presbyterian Church in Ireland under the provisions of the Irish Presbyterian Church Acts, 1871 and 1901 and to accept any such transfer on such terms as it deems expedient.

451.7 The Trustees shall compile annually an abstract of bequests received by the Presbyterian Church in Ireland during the previous year and an abstract of bequests notified but not yet received during that year.

Chapter 7:
CONDUCT OF BUSINESS IN CHURCH COURTS

Section 1 – General Rules

452. All meetings of each court and committee of the **Church** shall be opened and closed with prayer for God's guidance and blessing. Any proposal for a pause in the proceedings of a meeting to engage in special devotions may be made only by the Moderator of the court or the chairman of the committee, as the case may be.

453. A court shall be presided over by a minister as Moderator as follows:

453.1 in the case of a Kirk Session by the minister of the congregation, or if it is **vacant** by the Interim Moderator appointed by the Presbytery, but the minister or Interim Moderator may appoint another minister of the **Church** to act as Moderator for that meeting;

453.2 in the cases of Presbytery and the General Assembly, the minister appointed by that court to be its Moderator, but:

453.2.1 if the appointed Moderator of Presbytery or **Assembly** is not present, or desires temporarily to vacate the chair, his or her immediate predecessor in office, or, in the absence of the immediate predecessor, such earlier predecessor as the appointed Moderator may request, shall moderate the meeting;

453.2.2 in the absence of any former Moderator, the senior minister present shall constitute the court and call upon the meeting to appoint one of its members as Moderator for the time being.

454. The Moderator of a Presbytery or of the General Assembly, when moderating a meeting, may only speak and act officially on behalf of the court and not personally in issues that come before the court. A Moderator who desires to propose, second or speak to any resolution under debate shall leave the chair and not resume it until the matter has been determined.

455. The Moderator of a Kirk Session may propose, second or speak to any resolution under debate, from the chair.

456. It is the duty of the Moderator:

456.1 to rule on questions of order;

456.2 to see that order is maintained in proceedings and that rules for the management of business are observed;

456.3 to declare the decisions and pronounce the sentences and, when necessary, sign official documents in the name of the court.

457. The Clerk of each court shall:

457.1 be chosen by the court and shall hold office during its pleasure;

457.2 conduct correspondence on behalf of the court;

457.3 take custody of and be responsible for all official records and documents belonging to the court;

457.4 surrender to the court such official records and documents belonging to the court, on leaving office or whenever required to do so by the court.

458. In the event of the Clerk of any court:

458.1 ceasing to be a member of the court, dying, or becoming permanently incapacitated for any cause from discharging the duties of the office, the court shall as soon as possible appoint a successor to that person; or

458.2 becoming temporarily incapacitated for any cause from discharging the duties of the office, or being unable to be present at any meeting of the court, the Moderator of the court, or the court itself, if in session, shall have power to appoint a Clerk on a temporary basis.

Section 2 – The Ordering of Business

General

459. Every court shall be entitled to adopt standing orders for the regulation of its business, provided these do not conflict with the provisions of this Code.

460. Every court may appoint a Business Committee to order items of business for submission to the court.

Business proposed by members of a Court

461. Any member of a court may propose new business for consideration by the court. If the court has appointed a Business Committee, such new business shall be proposed to that committee; if not, it shall be proposed through the Clerk of the court.

462. The Business Committee (if appointed) or the court itself, as the case may be, shall:

462.1 consider whether new business is competent business, properly expressed, but shall not pronounce on its intrinsic merits;

462.2 if it considers the new business to be competent business for the court to transact, it shall either:

462.2.1 license it to be transacted; or

462.2.2 amend and license it to be transacted;

462.3 if it considers the new business not to be competent business, reject it.

463. Where any new business has been proposed, its Business Committee or its Clerk, as the case may be, shall submit a report to the court, detailing:

463.1 the items of new business which have been proposed;

463.2 which of those items have been licensed and are on the agenda for the meeting;

463.3 which of those items have been rejected;

463.4 in respect of those which have been licensed, the items for discussion and proposed resolutions relating to each of them.

464. Following submission of the report referred to in Par 463:

464.1 if the Business Committee or Clerk of the court, as the case may be, has rejected any new business, any member of the court may propose that such new business be included; and, if the proposal is seconded, it shall be considered and disposed of in private, and if passed the new business in question shall be considered at the meeting;

464.2 subject to standing orders, a member of the court may propose additional new business to be transacted by the court which may be referred to the Business Committee or Clerk of the court, as the case may be, for license or may be added to the agenda with the permission of the majority of the members present;

464.3 a proposal in respect of new business arising in the course of a meeting of the court may only be added to the agenda for that meeting with the unanimous permission of the members of the court present at the meeting.

Business brought by persons not members of the Court

465. When any matter is properly brought before a court by persons who are not members of the court, they shall be invited to make a statement to the court and to conclude their statement before the court proceeds to deliberate. They shall not be permitted to address the court again on the matter unless they are asked or allowed to give additional facts or to explain something in their statement.

Business conducted by Commission etc.

466. Instead of dealing directly with any item of business itself, a court of the **Church** may, in accordance with the Code, either:

466.1 remit that item to a commission, having the power of the court for the matters remitted; or

466.2 remit that item to a council, committee or agent appointed by the court for such purposes as the court shall determine, always provided that its actions shall be subject to review by and may be appealed against to the court appointing it, but see also Par 467.

467. The provisions of Par 466.2 shall not apply to matters which fall under the review procedures of the Council for Training in Ministry as approved by the General Assembly as specified in **Regulations** (Section 1), which shall be deemed equivalent to an appeal, the outcome of which shall be final.

468. No commission, council, committee or agent can be appointed to exercise greater powers or wider responsibilities than those of the court appointing them.

469. A commission of a court of the **Church** shall consist of a number of members of the court, less than its full complement, appointed by the court to consider matters referred to it and invested with the powers of the court itself so far as these matters are concerned.

470. A committee of a Presbytery or Kirk Session shall consist of members of the **Church**, whether or not members of the court. The inclusion of deaconesses and general Church members, men, women and young people, where appropriate, is recommended.

471. A commission, council or committee may invite persons who have not been appointed to its membership to act as consultants, with power to sit and deliberate but without a vote.

Reporting to a Court of the Church

472. A commission, council or committee appointed to undertake the business of a court of the **Church** shall be answerable only to the court appointing it, and shall report to that court either verbally or in **writing** when requested so to do, and at least annually.

472.1 The report of a commission shall be received by the appointing court and, inasmuch as the commission when acting within its terms of reference has the powers of the court, its acts are already those of the court.

472.2 The report of a council or committee shall be received by the appointing court, recognising that the report is the responsibility of the body presenting it. The receipt of a report shall not in itself bind the appointing court to accept anything contained in the report without an appropriate resolution.

472.3 The appointing court may refer the report back to that body for reconsideration.

472.4 If the commission, council or committee presenting the report asks the court to adopt any matter in a report or connected with it, the presenting body shall specifically set out that matter in a draft resolution, which must be in respect of the subject matter, either in whole or in part, of the report as presented by the reporting body, appended to the report and submitted for adoption by the court, and the court will not be bound by such a report until such resolution is passed by the court.

472.5 A resolution relating to any matter extraneous to the contents of the report, but within the terms of the council or committee may be submitted by:

472.5.1 the reporting body only if it is accompanied by an addendum to the report itself setting out the considerations on which such resolution is founded;

472.5.2 any member of the court, but only in the form of a **request for consideration** setting out why the resolution is proposed.

Rules of Debate

General

473. General discussions may be permitted at the discretion of the person chairing the meeting in order to open up subjects of concern outside the strict order of debate, but any decisions resulting therefrom shall be such as are clearly adopted in resolutions which are proposed, seconded, and carried by the meeting.

474. Subject to any relevant standing orders which have been adopted, when a matter is before a meeting, any member may submit a resolution which, if competent and seconded, shall be entered in the minutes and may be discussed. There shall be no record of a resolution which has not been seconded.

474.1 No resolution is in order if it is the same in substance as any resolution which during the same meeting has been resolved in the affirmative or the negative; nor is a resolution competent which violates the Code or **Regulations** (Schedule 1) of the **Church** or any decision of a superior court.

475. When speaking in a court of the **Church** every person shall address the Moderator.

476. Before a debate commences, the Moderator may permit questions to obtain relevant information on the meaning of a report or a resolution to be submitted; but such questions shall not be used for the expression of opinions which are properly the subject for debate.

477. In the course of debate:

477.1 a member may speak only to a resolution or amendment, or to a question of order;

477.2 if a member indicates an intention to speak to a question of order, the person who has been addressing the court shall cease until the order has been decided;

477.3 any speaker interjecting matters obviously not relevant to the question under consideration shall be called to order by the Moderator;

477.4 no person shall speak more than once to a resolution or amendment, except the proposer (or seconder) who has the right of reply, but one who has already made a speech may be allowed to explain any apparent misunderstanding arising from it, but

477.4.1 this rule may be relaxed when a court is engaged in informal discussion as a committee;

477.5 no member shall introduce other business until the matter under consideration has been issued, or has been deferred by decision of the court;

477.6 when the Moderator intervenes during debate, any member then speaking or offering to speak shall defer to the Moderator; and the meeting shall listen to the Moderator without interruption.

478. No member shall use offensive language and, if a member does so, the Moderator shall call that person promptly to order.

478.1 Anyone who has used language ruled to be objectionable shall forthwith withdraw it and apologise for it in a manner satisfactory to the Moderator. Any failure to do so shall render the speaker liable to summary censure by resolution of the court for **contempt**.

478.2 Where any person bringing or seeking to bring any matter before a court of the **Church** uses language which is scandalous, defamatory, intemperate or otherwise unsuitable, whether spoken or **written**, the court may, apart from any other action, summarily suspend the hearing of the matter until the language has been withdrawn and an appropriate apology given.

479. After a debate is closed, no member shall speak except in respect of taking a vote.

Resolutions and Amendments

480. When a resolution has been proposed and seconded, or while it is being discussed, an amendment may be proposed and, if seconded, the amendment becomes the question before the meeting. Until the amendment has been accepted, rejected, or withdrawn no other amendment can be proposed except as specified in Par 483.

480.1 A competent amendment is an amendment which:

480.1.1 removes an ambiguity from the resolution or **overture** or varies the wording to clarify the meaning; or

480.1.2 alters the scope of the resolution or overture but not so as to extend it in principle. Restrictive clauses may be introduced which diminish the scope or modify the intention of the resolution or overture provided that these do not in principle directly negate the original scope or intention; or

480.1.3 is not a mere negation of the resolution.

480.2. Only three amendments may be made to a resolution so that if a first amendment is defeated, a second amendment may be proposed and seconded and if the second amendment is defeated, a third may be proposed and, seconded.

480.2.1 If the third amendment is defeated the original resolution shall be considered without further amendment.

480.3 If an amendment is carried, the resolution as amended shall become the new substantive resolution before the meeting.

480.3.1. Only one further amendment to the new substantive resolution may be proposed and seconded.

480.3.2 If that amendment is defeated, the new substantive resolution shall be put without further amendment.

480.3.3 If that amendment is carried the new substantive resolution as thus further amended shall be put to the meeting to be passed or rejected.

480.4 When during debate on a motion or subject before the court a motion or amendment is proposed which substantially goes beyond the scope of the initial motion and the court wishes its merits to be examined the court may adjourn the debate until the motion has been licensed and later submitted.

481. The wording of every resolution or amendment shall be stated to the meeting by the proposer before speaking to it.

481.1 Every resolution or amendment, before it is discussed, shall be **written** out and placed in the hands of the Clerk, unless the person chairing the meeting decides otherwise.

481.2 No change in the terms of a resolution or amendment under discussion shall be permitted without the unanimous leave of the court.

482. A resolution or amendment, which has been proposed and seconded may only be withdrawn by the proposer with the unanimous leave of the meeting; but even if withdrawn, such resolution or amendment shall remain on the minutes and the fact of its withdrawal shall be recorded.

Procedural Resolutions

483. During the course of any debate on a resolution or amendment, any of the following procedural resolutions may be proposed and seconded, and shall be taken in the following order:

483.1 to adjourn the meeting;

483.2 to pass from the question (save that such is not a competent resolution in connection with the disposal of a reference or an appeal);

483.3 to adjourn the debate;

483.4 to refer the resolution or amendment to a committee, council or commission; or

483.5 to close the debate;

but no such procedural resolution may be proposed when a member is speaking or when a vote is being taken.

483.6 Any such procedural resolution so proposed and seconded takes, for the time being, priority as the resolution before the meeting.

483.6.1 If the resolution is defeated the meeting shall return to the discussion of the original resolution or amendment.

484. If the resolution is passed it becomes the decision of the meeting. It is competent to propose one or more procedural resolutions, but

484.1 only one procedural resolution shall be taken at a time, and each shall be disposed of separately in the order set out in Par 483.1-5.

485. When a resolution is made 'to adjourn the meeting' or 'to adjourn the debate', neither the proposer nor the seconder, nor any other member, shall be at liberty to speak to it, but that resolution shall immediately be put to the vote.

485.1 If a resolution 'to adjourn the meeting' is carried, the debate on the original resolution or adjournment should be resumed when the meeting next reassembles, or at a suitable date and time agreed by the Business Committee.

485.2 If a resolution 'to adjourn the debate' is carried:

485.2.1 the date and time to which the debate is adjourned shall be fixed by the meeting on the recommendation of the Business Committee;

485.2.2 the debate takes precedence of all other business for that day, but cannot be entered upon sooner than the debate and time to which it was adjourned;

485.2.3 upon the resumption of the adjourned debate the member who proposed its adjournment is allowed precedence.

485.3 A resolution 'to pass from the question' may be discussed before it is voted on.

485.4 If a resolution is proposed and seconded 'to close the debate', the proposer shall have leave to speak to it for up to five minutes and a reply of up to five minutes shall be allowed, after which the resolution shall be voted on without further debate.

485.4.1 This resolution shall only be carried by a two-thirds majority of the vote.

Voting

Voting Methods

486. No voting by proxy shall be allowed in any court of the **Church**, nor may members be directed by any person or appointing body to vote other than according to their own judgement and conscience.

487. No member of a court shall be entitled to deliberate or vote in any case in which that member is a party, or is a candidate for office.

488. A vote or decision of a court on a resolution may be given by any of the following methods:

488.1 by voices saying 'aye' or 'no', and the Moderator shall state an opinion as to whether the resolution is carried or rejected; and, if that opinion is not acquiesced in, the vote shall be taken by either of the methods given in 488.2 or 488.3;

488.2 by a show of hands; and, if members are not satisfied with the count, the vote shall be taken by the method given in 488.3;

488.3 by secret ballot, taken in accordance with the standing orders or usual practice of the court; but

488.3.1 where an individual is being voted on, it shall normally be by secret ballot;

and when the Moderator has declared any resolution carried or rejected, that declaration shall not be questioned.

Voting to appoint to an Office by a Court

489. At an election to office by a court, if more than one candidate is proposed and seconded the number of votes in favour of each shall be ascertained, and:

489.1 if one candidate has a clear majority of all the votes given, he or she shall be declared elected; or

489.2 if no candidate has such a majority, the candidate who received the fewest votes shall be eliminated and a further vote taken on the candidates remaining.

489.2.1 This procedure shall be repeated until one candidate receives a clear majority of all the votes cast, and that candidate shall be declared elected.

489.3 The role of the Moderator shall be as defined in Pars 36.3 and 214, as appropriate.

490. Canvassing on the part of a candidate for an office or appointment shall disqualify that person from election.

Recording a Vote

491. The numbers voting on any resolution shall only be recorded in the minutes of the meeting in those cases where the votes are counted; in other cases, the minutes shall only record whether the resolution was agreed or lost.

Dissent

492. A member of a court who has voted or spoken against any of its decisions may intimate dissent from, or protest against, the decision, and has the right to have such dissent or protest entered on the minutes, provided he or she intimates that dissent or protest immediately after the decision has been pronounced.

492.1 A dissenter is relieved of all responsibility for the taking of the decision in question, but is nevertheless required:

492.1.1 to obey any law or injunction of the **Church**; and

492.1.2 to implement the decisions of courts of the Church;

unless and until the decision is reversed or altered by the processes of complaint or appeal, or other due consideration by the court.

492.2 No reasons need to be given for a dissent.

492.2.1 If given, reasons shall be expressed briefly, and may, at the discretion of the court, be recorded and in any case shall be retained by the court.

492.2.2 A court may reject reasons which are disrespectful to it or injurious to parties, and it may also allow a reply to be given to reasons for dissent.

Alteration or reversal of existing decision

493. A member of a court seeking to alter or reverse an existing decision of a court shall do so by notice of motion first given to and received by the court.

493.1 Subject to any standing orders, the motion shall then be dealt with at the next stated meeting of the court or at a meeting fixed by the court for that purpose; but

493.1.1 unless in a case of discipline, or where an appeal has been lodged, a decision may be reconsidered and reversed at the same meeting of the court at which it has been given, provided two-thirds of the members who took part in the decision consent and provided the motion to reconsider and reverse be made and seconded by members who were in the majority.

494. A Presbytery may not alter or reverse:

494.1 any decision taken by it at the same or earlier meeting with reference to the suspension or deposition of a minister, licentiate, elder or **Church** member unless it is a suspension for **contempt** which was imposed by summary censure; or

494.2 any decision against which an appeal has been regularly taken to a superior court.

Section 3 – Conciliation

495. If at any stage during the exercise of the jurisdiction of a court of the **Church**, it appears to the court that there is a reasonable possibility of an issue being resolved satisfactorily in a conciliatory way and with proper regard to the interests of the Church or of appropriate remedial action being taken in those interests, the court may adjourn its consideration of the matter for such period as it thinks fit.

495.1 On any such adjournment, the court may give such advice and directions as it thinks fit and, if appropriate, invite conciliators to be appointed by the General Assembly's Conciliation Service.

495.2 The court's powers under this rule are in addition to any inherent or other power of adjournment exercisable by it.

Section 4 – References

496. Where an inferior court refers a case to a superior court, it shall:

496.1 formally notify all parties directly concerned of the reference;

496.2 give to the superior court an authenticated copy of its proceedings, and the reasons for the reference.

497. Every matter referred to the General Assembly by a Presbytery for directions or determination or advice shall be heard and determined by the Judicial Commission, unless any party directly concerned, shall within 14 days of the referral, request the Judicial Commission, in **writing**, to send the matter to the General Assembly, and in that event the Judicial Commission shall:

497.1 without adjudicating thereon, immediately send the reference to the General Assembly with a report and recommendation as to whether the matter shall be heard and decided upon directly by the General Assembly or referred to a commission.

498. The General Assembly shall thereupon determine either:

498.1 that the General Assembly itself deal with the reference; or

498.2 that the Judicial Commission deal with the reference; or

498.3 that the Special Judicial Commission appointed for the purpose deal with the reference.

499. When a case comes before a superior court by way of a reference (as distinct from on an appeal) the members of the inferior court who are members of the superior court shall be entitled to deliberate and vote as members of the superior court.

500. Without prejudice to any other power exercisable by it, a superior court to which a reference is made may:

500.1 decline to advise, or to investigate and adjudicate upon the matter; or

500.2 remit the matter to the court which has made the reference; or

500.3 give advice on the matter; or

500.4 adjudicate on the matter in the place of the court which made the reference; or

500.5 appoint an assessor or assessors to act with the inferior court as full members; or

500.6 appoint a commission of its own members to investigate and adjudicate the matter with the powers of the superior court.

Chapter 8:
INQUIRIES, DISCIPLINE AND APPEALS

Section 1 – General Provisions

501. In exercising oversight, the courts of the **Church** may conduct inquiries and exercise discipline as outlined in Pars 502 to 583.

502. The courts of the **Church** shall have power to conduct:

    502.1 a Stage 1 Inquiry; and/or

    502.2 a Stage 2 Inquiry.

503. Those who hold office in the **Church**, communicants, baptised persons and **adherents**, are subject to its oversight and discipline.

504. Kirk Sessions, Presbyteries and the General Assembly are the courts of the **Church** by which Church oversight and discipline are administered in accordance with this Code.

505. Oversight and discipline in the **Church** are:

    505.1 of Scriptural authority, directed to the glory of God, the purity of the **Church** and the spiritual benefit of members;

    505.2 to be exercised in faithfulness, meekness, love and tenderness, for the condemnation of offences and the recovery of offenders;

    505.3 to be administered by those appointed to rule in the **Church**, in their respective courts, under the authority of the Lord Jesus Christ; and

    505.4 to protect the rights of individuals against the wrongful use of the authority of the **Church**.

506. Inquiries in respect of any person and in any matter, conducted by means of either a Stage 1 Inquiry and/or a Stage 2 Inquiry in accordance with the provisions of this Code, shall be brought in the court which has, under this Code, jurisdiction in respect of such matter. Where an inferior court having such jurisdiction neglects or fails to conduct a relevant inquiry, a superior court may direct an inferior court to conduct such.

507. Before considering any accusation brought against any person in a court, the court shall:

    507.1 in all cases of alleged personal and private wrongs ensure that the course prescribed by our Lord, in Matthew 18:15–17, has been followed; and

    507.2 consider whether the accusation may properly be entertained by it or should be referred to a superior court.

508. A Kirk Session shall not conduct any inquiry into a minister, elder, deaconess or auxiliary minister, or into an accusation of heresy, or into an accusation against such person which, if established, could result in that person being suspended or removed from office in the **Church**. Such matters must be referred by a Kirk Session to its Presbytery.

509. Issues in respect of matters within the jurisdiction of an inferior court shall not come before a superior court except by reference or on appeal.

    509.1 Where an issue brought before a Kirk Session relates to a matter of special difficulty or importance, a Kirk Session should consider referring the matter to the Presbytery.

510. In conducting an inquiry, a court of the **Church**:

510.1 should endeavour to shorten its work as much as is practicable consistently with the performance of its duties and the edification of the Church;

510.2 shall avoid unnecessary publicity; and

510.3 shall, on its conclusion, provide its decision to all parties in person or, if appropriate, in Stage 1 inquiries, through **written** communication.

511. A court may, instead of conducting an inquiry, have a private consultation with any person involved with the matter and, if appropriate, deal with that matter by admonition of any person involved.

512. If at any stage during an inquiry, it appears to a court that there is a reasonable possibility of the issue being resolved satisfactorily in a conciliatory way and with proper regard to the interests of the **Church**, or of appropriate remedial action being taken in those interests, the court may adjourn its consideration of the matter for such period as it thinks fit and the court may give such advice and directions as it thinks fit and, if appropriate, invite conciliators to be appointed by the General Assembly's Conciliation Service. The court's powers under this rule are in addition to any inherent or other power of adjournment exercisable by it.

513. A court or commission of a court conducting an inquiry shall normally consist of no fewer than six members, and, if necessary, the Clerk of the court shall request the **General Assembly Advisory Committee** to appoint assessors to bring the membership of the court or commission to the required number.

Section 2 – Review

514. Where a matter arises, which may require the holding of a Stage 1 or a Stage 2 Inquiry, then:

514.1 where the matter is brought to a Kirk Session, the Moderator and Clerk of the Kirk Session; or

514.2 where the matter is brought to a Presbytery, the Moderator and Clerk of Presbytery, and the person who is the direct nominee of the Presbytery to the Judicial Commission; or

514.3 where the matter is brought to the General Assembly, the Moderator and Clerk of the General Assembly and the Convener of the Judicial Commission; or

514.4 where the matter is brought to an appropriate council or committee of the General Assembly, the convener and secretary of that council, or, if a committee, the convener of that committee along with the convener and secretary of the supervising council;

shall consider the matter, taking into account the provisions of Pars 516 and 519, and shall determine whether:

514.5 the matter is frivolous or vexatious and ought not to be taken further and, in that event, they shall advise the relevant court, council or committee to take no further proceedings in connection with the matter; or

514.6 the matter is one which ought to be investigated but appears not to raise any issues which should more properly be dealt with by a Stage 2 Inquiry (see Par 524), in which event they shall advise the appropriate court, or in the case of a council or committee, request the appropriate Presbytery, to instigate a Stage 1 Inquiry into the matter, but without prejudice to the right of the court conducting the Stage 1 Inquiry to direct the holding of a Stage 2 Inquiry into the matter; or

514.7 the matter is one which raises such serious issues that it can only properly be dealt with by a Stage 2 Inquiry as set out in Par 524, in which event they shall advise the appropriate court, or in the case of a council or committee, request the appropriate Presbytery, to instigate a Stage 2 Inquiry into the matter.

515. In the case of a complaint or a **fama clamosa**, a court may, before initiating a Stage 1 Inquiry under Par 514, confer privately with the persons concerned. If it appears to the court that any complaints or rumours are groundless, the court shall take effective steps to discredit them and to counteract any harm they may have done. If, however, the court concludes that the Stage 1 Inquiry should proceed, it shall ensure that the complaints or alleged fama clamosa shall be specifically set out in **writing**.

Section 3 – Stage 1 Inquiries

516. Subject to Par 514, a court may conduct a Stage 1 Inquiry into the relevant facts where any of the following apply:

516.1 it concludes that the proceedings of an inferior court ought to be reviewed whether or not by virtue of any appeal;

516.2 any person under the jurisdiction of a court is accused of heresy or of behaving in such a way as is inconsistent with any vows which that person may have taken on ordination and appointment to office;

516.3 any person under the jurisdiction of a court is accused of having behaved, or behaving, in such a way as is inconsistent with the profession of faith made by that person;

516.4 there is a **fama clamosa**, and a court itself considers the interests of the **Church** would be served by an investigation of the facts;

516.5 any person to whom either Par 165 or Par 196 applies, fails to make the relevant disclosure.

517. A court may, if it considers it appropriate, pending the conduct of the Stage 1 Inquiry, suspend, on a precautionary basis, a minister, elder, member of congregational committee, or other leader in a congregation from office.

518. No accusation should be made against any person lightly or maliciously, and a person who contravenes the provisions of this paragraph may be the subject of a Stage 2 Inquiry and, in particular, no accusation of heresy may be made unless it complies with the conditions of Par 524.

519. Before conducting a Stage 1 Inquiry:

519.1 a Kirk Session may apply to Presbytery or a Presbytery may apply to the **General Assembly Advisory Committee** for the appointment of assessors to sit with the court in the consideration of a case and those so appointed shall for this purpose have the full powers of members of the court; or

519.2 if the matter under investigation concerns a person who has been called to office by the General Assembly or a council of the General Assembly, the Presbytery shall invite four representatives of the appropriate **Assembly** council to sit with it as assessors in the case, who shall for this purpose have the full powers of members of the court.

520. In conducting a Stage 1 Inquiry:

520.1 a court shall have power to require the production to it of any minutes of meetings of an inferior court, congregational committee, or congregational meeting relating to any matter which is the subject of the inquiry, and/or any correspondence and documents relating to the matter, and it shall be the duty of the person who has custody of such minutes to produce the same on such date and time as the court requires; and

520.2 a court shall have power to require persons who appear to the court to have information relevant to any matter which is the subject of the inquiry to meet with the court, for the purpose of being interviewed by the court as to the matter, at such time and place as may be agreed, and if not agreed, as fixed by the court, and it shall be the duty of those persons to attend; and

520.3 if the matter to be investigated in a Stage 1 Inquiry concerns a minister, a superior court may, in accordance with Par 18, exercise the powers of a Kirk Session and convene a congregational meeting to consider the views of the members of the congregation.

521. If anyone fails to carry out any of the duties under Pars 520.1 and 520.2, without good reason, the court may initiate a separate Stage 1 or Stage 2 Inquiry in respect of that person.

522. Having conducted a Stage 1 Inquiry, a court may do any one or more of the following:

522.1 adjourn the inquiry for such time as it sees fit, if satisfied that the matter can be resolved satisfactorily in a conciliatory way;

522.2 invite conciliators appointed by the General Assembly's Conciliation Service to seek a way forward;

522.3 conclude that appropriate action has been taken to remedy any irregularity, omission or failure disclosed by the facts and to prevent the recurrence thereof;

522.4 admonish or rebuke the person concerned and direct that no Stage 2 proceedings be taken;

522.5 remove from his or her position a member of congregational committee, or other leader in a congregation, if it concludes that that member of the congregational committee, or other leader in the congregation may be in a position where he or she cannot satisfactorily discharge the duties of their role in the congregation;

522.6 initiate a Stage 2 Inquiry into the matter, and if appropriate, pending the conclusion of such Stage 2 Inquiry, suspend on a precautionary basis the member of congregational committee, or other leader in a congregation, from his or her role in the congregation until a Stage 2 Inquiry is concluded; such precautionary suspension is not a censure but rather the recognition of the position of a person facing a charge yet to be investigated;

522.7 take any such action as may be authorised by any other provision of this Code.

523. Where the matter before the court concerns the issue of:

523.1 whether a minister or **ruling elder** has placed him or herself in a position where he or she cannot satisfactorily discharge the duties of their role in the congregation, or if it is publicly reported that his or her usefulness has been seriously impaired; or

523.2 whether the usefulness of a minister or ruling elder has been seriously impaired by the acts or omissions of any person connected with the congregation;

the court may do any of the following:

523.3 determine that the minister or ruling elder, or member of the congregation has not placed himself or herself in a position where he or she cannot satisfactorily discharge the duties of their role in the congregation or that his or her usefulness has not been seriously impaired;

523.4 admonish the minister, ruling elder, or person connected;

523.5 release the minister or elder from the duties of his or her charge but on the basis that the minister or elder remain in good standing within the **Church**, and in the case of a minister, declare the congregation **vacant** and refer the matter to the Judicial Commission to enable it to make a special arrangement;

523.6 if satisfied that the circumstances so warrant, initiate a Stage 2 Inquiry into the matter, and if appropriate, pending the conclusion of such Stage 2 Inquiry, suspend on a precautionary basis such minister or ruling elder from his or her role in the congregation until the Stage 2 Inquiry is concluded. Such precautionary suspension is not a censure but rather the recognition of the position of a person facing a charge yet to be investigated.

Section 4 – Stage 2 Inquiries

524. A Stage 2 Inquiry may not be held unless one or more of the following applies:

524.1 the issue is one of heresy on the part of a minister or elder, which shall only be considered if submission is made in **writing** specifying:

524.1.1 the doctrine which the minister or elder is alleged to have impugned, or the false doctrine which the minister or elder is alleged to have taught contrary to the Word of God and the subordinate standards of the **Church**; and

524.1.2 the statements from the teaching of the minister or elder, and/or the quotations from his or her writings, which are relied upon to establish the charge are set out;

524.2 the issue is one of gross immorality on the part of a minister or elder;

524.3 a court has conducted a Stage 1 Inquiry and concluded that the gravity of the matter is such that it may result in the suspension or removal from office of any minister or elder; or the denial of the privileges of communicant membership to any **communicant member** of the Church;

524.4 Pars 533, 537 or 542 are relevant.

In such cases a Stage 2 Inquiry shall be held.

525. The court which drew the conclusion referred to in Par 524.3 may conduct the Stage 2 Inquiry itself, or, if it sees fit ask the next superior court to conduct the Stage 2 Inquiry, save that a Kirk Session may not conduct an inquiry into the conduct of a minister, elder, deaconess or auxiliary minister.

526. A Stage 2 Inquiry shall not be held into the conduct of any person where that conduct occurred more than five years previously unless one or more of the following applies:

526.1 that person had withdrawn from the discipline of the **Church** within that five-year period, but has now returned to be under such discipline;

526.2 the conduct is alleged to have been revived by such person's later conduct which requires investigation;

526.3 the conduct in question is certified by the Judicial Commission or the Special Judicial Commission as being of such grave nature as to warrant a Stage 2 Inquiry.

527. A Stage 2 Inquiry shall not be held in respect of conduct previously investigated by a court unless:

527.1 new evidence has come to light which was withheld when the previous investigation took place; or

527.2 new evidence comes to light which could not reasonably have been made available to the previous investigation but which the court considers to be of importance in considering the conclusion reached in the previous investigation;

527.3 it is proved to the satisfaction of the court that false evidence was deliberately presented to the court by a witness and that such false evidence may have materially influenced the court into reaching its decision.

Precautionary Suspension in certain cases

528. A court dealing with a Stage 2 Inquiry may direct the precautionary suspension of a minister, elder, member of congregational committee, or other leader in a congregation from the exercise of all or any of the functions of his or her office pending the outcome of the Stage 2 Inquiry. Such precautionary suspension is not a censure but rather the recognition of the position of one facing a charge yet to be investigated.

Conduct of a Stage 2 Inquiry

529. A member of the court which is conducting the Stage 2 Inquiry shall not take any part in the conduct of such inquiry, if he or she:

529.1 has been, or is, in any way directly concerned in the subject of the inquiry; or

529.2 has a family relationship with any person who is the subject of the inquiry; or

529.3 is required to assist the court in giving evidence as to the subject of the inquiry; or

529.4 was a member of the court or commission (other than as the Moderator or Clerk of that court) which dealt with the Stage 1 Inquiry and initiated the Stage 2 Inquiry;

but if by virtue of this provision there are insufficient members of the court to comply with the provisions of Par 513 the Clerk of the court shall request the **General Assembly Advisory Committee** to appoint assessors to bring the membership of the court or commission to the required number.

530. Unless a member of the court conducting the Stage 2 Inquiry has been present for all hearings in connection of the inquiry, he or she shall not vote on any question arising on the inquiry.

531. A court conducting a Stage 2 Inquiry shall:

531.1 as soon as possible notify in **writing** any person who is the subject of the inquiry that such an inquiry will take place and shall, at the same time, give to that person written particulars of the matters and alleged facts giving rise to the inquiry;

531.2 have power to require the production of any documents, electronic communication, minutes, or reports which it considers should be produced to the inquiry, and to give a written direction to the person or persons having custody of such to produce them to the court by such date as the court shall specify;

531.3 have power to require, by written direction to any person or persons whom the court believes may be in a position to give evidence, including the person who is the subject of the inquiry, that such person or persons furnish written statements of their evidence by such date as the court shall specify.

532. A court may give the directions referred to in Pars 531.2 and 531.3 at such times until the date of the inquiry, and may do so in the course of the hearing of the inquiry, but in the latter event shall adjourn the hearing of the inquiry to a date which it shall fix after the date it has specified for the production of documents, or, as the case may be, the furnishing of any **written** statement of evidence.

533. If anyone fails to carry out his or her duty under Pars 531.2 or 531.3 without good reason, the court may initiate a Stage 1 or Stage 2 Inquiry in respect of that member.

534. Upon receipt of the documents and statements referred to in Pars 531.2 and 531.3, the court shall send copies of them to the person or persons who are the subject of the inquiry and shall ask them to state whether or not there are any other documents which they require, or statements from any other persons which they require, and, if so, to give details thereof to the Clerk of the court within 10 days. If any documents or statements are so required, the court shall request the same under the powers given to it under Pars 531.2 and 531.3. Upon receipt of any such documents or statements, the court shall send them to the person or persons who are the subject of the inquiry.

535. When the court is of the opinion that it has received and sent to any persons who are the subject of the inquiry all the documents and statements which it believes that it will receive, it shall fix a date for the hearing of the inquiry which shall not be less than 14 days thereafter, and it shall immediately inform any persons who are the subject of the inquiry of that date and require them to indicate no later than 7 days thereafter the names of those persons who furnished statements and whom they wish to attend in person.

536. The court of the **Church** shall then give a **written** direction to:

536.1 such persons whom the court requires to attend the hearing; and

536.2 such persons whom the persons who are the subject of the inquiry require to attend the hearing;

requiring them to attend the hearing at the place, date and time notified to them.

537. If anyone fails to carry out his or her duty under Par 536 without good reason, the court may initiate a Stage 1 or Stage 2 Inquiry in respect of that member.

Service of documents

538. Any document which a court has to serve on any person in connection with a Stage 2 Inquiry including the notification referred to in Par 531.1 and the directions referred to in Pars 531.2 and 531.3 shall be signed by the Clerk, or the Deputy Clerk, or the Moderator of the court and may be served by any of the following methods:

538.1 by someone authorised by the court delivering it personally to that person, in which event the date of service shall be the date when it was so delivered; or

538.2 by someone authorised by the court leaving it at the last known address of that person, in which case the date of service shall be the date when it was so left; or

538.3 by posting it (with proof of delivery), addressed to the person at his or her last known address, in which case the date of service shall be the date of delivery; or

538.4 by electronic means, using the last known contact details known to the court for the method of transmission, in which case the date of service shall be the date of transmission.

Procedure at a Stage 2 Inquiry

539. The procedure to be adopted at a Stage 2 Inquiry shall be in the discretion of the court conducting the inquiry. A Stage 2 Inquiry should be conducted on the basis of the court itself directing the inquiries which it considers it needs to make in order to arrive at the truth of the subject of the Stage 2 Inquiry.

540. To achieve the purpose set out in Par 539, the court may:

540.1 ask the Clerk of the court to set out the issues which have given rise to the Stage 2 Inquiry;

540.2 ask any person who is the subject of the Stage 2 Inquiry to make any statement which he or she wishes to make in connection with those issues;

540.3 question those witnesses whom it considers have material evidence to give to establish the factual circumstances giving rise to the subject of the inquiry, including any person who is the subject of the Stage 2 Inquiry;

540.4 question those witnesses whose attendance any person who is the subject of the inquiry has requested the court to direct;

540.5 permit any person who is the subject of the Stage 2 Inquiry to question the witnesses referred to in Pars 540.3 and 540.4;

540.6 consider all documents and statements referred to in Pars 531.2 and 531.3;

540.7 invite members of the court and any person who is the subject of the inquiry to make such submissions to the court in connection with those documents as they consider relevant;

540.8 make such directions as it considers appropriate.

541. The court shall allow any persons who submit a complaint to attend the proceedings of the Stage 2 Inquiry. Any such person may also act as a witness under Pars 540.3 and 540.4.

542. It shall be the duty of witnesses answering questions to answer those questions truthfully, fully, and without embellishment or conjecture. If anyone is shown to have failed to do so, the court may initiate a Stage 1 or Stage 2 Inquiry in respect of that person.

543. If a person who is the subject of a Stage 2 Inquiry feels unable to question witnesses or make submissions, he or she may ask a member of the **Church**, subject to Par 17.4, to assist in the presentation of his or her case to the court, but:

543.1 if the member of the Church giving such assistance is a member of the court concerned, he or she shall not take part in any deliberations of the court nor have any vote on the case and he or she shall not count in computing the number of the members of the court hearing the Stage 2 Inquiry; and

543.2 if the member of the Church giving such assistance is not already under the jurisdiction of the court, he or she shall become so for all purposes connected with the case.

544. The evidence of witnesses unable to appear, because of ill-health, infirmity, or other sufficient reason, may be taken either:

544.1 by a video link at the date and time of the hearing; or

544.2 by a committee of two or more persons who shall take the evidence according to the rules followed by the court itself and make a permanent record thereof in accordance with Par 545 and such permanent record shall be presented to the court as part of the evidence in the case.

545. A detailed record shall be made of the evidence of each witness and a summary certified as accurate by the Moderator or the Clerk of the court shall be preserved among the records of the court until such a time as the court directs its being destroyed.

546. The court may admit any evidence of whatever nature which may, in its opinion, be relevant to the matter into which it is inquiring but shall assess the weight to be attached to any particular evidence by reason of its nature, the circumstances relating to its admission by the court, and its credibility. In particular, in assessing the weight of any evidence taken in accordance with Par 544.2, the court shall take into account that the person who is the subject of the Stage 2 Inquiry shall not have had the opportunity to address questions to the witness.

547. The detailed record of the evidence in a case, certified as accurate by the Moderator or Clerk of the court by which it has been taken, shall be received as evidence by every other court including a superior court to which the case may be appealed, but such court must consider what weight can be attached to that evidence particularly when the evidence was taken under Par 544.2.

548. If at any stage a person who is the subject of a Stage 2 Inquiry admits that his or her conduct may have fallen short of the standard of conduct required of him or her by the **Church**, the court may forthwith proceed to consider the censure to be imposed and the inquiry shall conclude upon that person's submission to such censure.

549. If a person commits **contempt** in the course of a Stage 2 Inquiry before a court, the court may without a Stage 2 Inquiry find that person in contempt and impose a censure on that person; but it shall not do so until it has given him or her an opportunity to be heard. In every such case, the record of the court must set out clearly the circumstances of the contempt, the finding of the court in relation to it, and the censure (if any) imposed. If the court is a subordinate one, an appeal shall lie to the superior court.

Standard of Proof

550. A court of the **Church** conducting a Stage 2 Inquiry may only censure the person who is the subject of the Stage 2 Inquiry if it is satisfied that, on the balance of probabilities, the accusation against such person has been proved.

Censures

Kirk Session

551. If a Kirk Session, having conducted a Stage 2 Inquiry, concludes that the evidence is such that the person who is the subject of the Stage 2 Inquiry should be censured, it may take one or more of the following steps:

551.1 admonish that person;

551.2 formally rebuke that person;

551.3 suspend that person from rights and privileges of communicant membership, for such period as it may consider appropriate;

551.4 remove that person from rights and privileges of communicant membership;

551.5 refer the matter to the Presbytery, with a full report of the Stage 2 Inquiry to determine the appropriate censure.

Presbytery

552. If a Presbytery, having conducted a Stage 2 Inquiry, concludes that that the evidence is such that the person who is the subject of the Stage 2 Inquiry should be censured, or where a matter is referred by a Kirk Session to determine the appropriate censure, it may take one or more of the following steps:

552.1 admonish that person;

552.2 formally rebuke that person;

552.3 suspend that person from rights and privileges of communicant membership for such period as it may consider appropriate;

552.4 remove that person from rights and privileges of communicant membership;

552.5 where that person is a **ruling elder** or a member of the congregational committee, or holds any office within a congregation, or is an office-holder under Par 166, suspend that person from his or her office for such period as the court may consider appropriate, or remove that person from such office;

552.6 refer the matter to the General Assembly (Judicial Commission) where that person is a minister and the Presbytery is of the view that a possible censure might be the removal of the minister from office either for a specified period, or permanently.

General Assembly

553. If the General Assembly, acting through its Judicial Commission or its Special Judicial Commission, having conducted a Stage 2 Inquiry, concludes that the evidence is such that the person who is the subject of the Stage 2 Inquiry should be censured, or where a Presbytery has referred to it a matter to determine the appropriate censure in respect of a minister, it may take one or more of the following steps:

553.1 admonish that person;

553.2 formally rebuke that person;

553.3 suspend that person from rights and privileges of **Church** membership, for such period as it may consider appropriate;

553.4 remove that person from rights and privileges of communicant membership;

553.5 where that person is a **ruling elder**, or a member of the congregational committee, or holds any office within a congregation, or is an office-holder under Par 166, suspend that person from his or her office for such period as the court may consider appropriate, or remove that person from such office;

553.6 where that person is a minister, suspend the minister from his or her office for such period as the Judicial Commission or Special Judicial Commission may think fit;

553.7 where that person is a minister, remove the minister from his or her office permanently.

Matters following from an Act of Censure

554. The suspension of a minister from his or her office shall be deemed to include the minister's permanent release from the duties of his or her charge. This does not apply to a precautionary suspension from office under Pars 517, 523.6 or 528.

555. Suspension of a person from the rights or benefits of **Church** membership also means that such person is suspended from office in the Church.

556. A censure shall be recorded in the minute book of the court by which it was imposed, and in the minute book of a superior court if the censure has been affirmed on an appeal to it.

557. A court imposing a censure on a person may, if it considers it appropriate so to do, direct that notice of the censure be given to the congregation of which that person is a member or in which that person is the holder of an office, but such notice shall not be given until the period for an appeal against the censure has passed and no appeal has been brought. If an appeal against the sentence is so brought, such notice shall not be given unless and until the appeal is dismissed.

558. A precautionary suspension of a person under Par 528 shall cease upon the **final determination** of the subject of the Stage 2 Inquiry.

559. In the event of an appeal against a decision of a court, any censure imposed by the court in that decision shall be suspended until the **final determination** of that appeal.

560. Where a minister is suspended from office (other than a precautionary suspension from office under Pars 517, 523.6 or 528), or deposed from office, the right to emoluments from the congregation or any of the funds of the **Church** and to the possession of the manse, shall cease from the date of the suspension or deposition.

561. When, following a **final determination**, a minister of a congregation has been suspended or deposed from office, by sentence of a court, the minister's congregation shall be declared **vacant**.

562. It is the duty of courts and congregations to pray for persons under censure, and to use every means which Christian love and prudence may suggest to bring them to repentance.

Restoration after Censure

563. If the court which imposed a censure is satisfied by evidence of repentance received from a person suspended from the rights and privileges of **Church** membership, it shall restore such rights and privileges to that person. Thanksgiving shall then be offered to God for having brought that person to a credible profession of repentance.

564. Restoration of a person to the rights and privileges of **Church** membership does not carry with it restoration to office. Restoration to office shall not take place, however satisfactory may be the evidence of repentance, unless it is clear to the court that the cause of Christ will be advanced and not harmed by restoring that person.

565. Except in the case of suspension from office for **contempt** as a result of summary censure under Par 549, a minister or licentiate suspended or deposed from office shall not be restored to office unless by the authority of the General Assembly. Before such restoration the General Assembly must be satisfied, not only that his or her repentance has been evidenced by an appropriate and sustained period of consistent Christian conduct, but also that such restoration will be acceptable to the **Church**.

Section 5 – Appeals

566. Appeals from decisions of **Church** courts lie as follows:

566.1 from a decision of a Kirk Session to the Presbytery having jurisdiction over the congregation;

566.2 from a decision of a Presbytery to the General Assembly.

567. The right of appeal belongs to:

567.1 any party in a case before a court who feels aggrieved by a decision in the case and desires to have the decision reviewed.

567.2 any member of the court which made the decision appealed against who disapproves of a decision and desires to have it reviewed.

568. Anyone entitled and wishing to appeal against a decision of a court shall, within ten days from the announcement of the decision, give **written** notice to the Clerk of the court which is to hear the appeal, accompanied by a statement of the reasons for the appeal; otherwise the decision of the court shall stand.

568.1 The Clerk of the court which made the decision shall at all times be ready to advise an intending appellant on his or her rights and of the procedures to be followed under this Code.

569. The Clerk, having received the **written** notice and reasons of appeal, shall cause a copy of the notice and reasons to be served on the other party, and shall forward the notice and reasons to the Clerk of the court which made the decision which is the subject of the appeal.

570. When an appeal is notified**,** the appellate court shall decide whether:

570.1 the party notifying the appeal has the right of appeal;

570.2 the stated grounds of appeal are adequate and appropriate to be heard;

570.3 the appeal has been regularly notified.

571. If the conditions in Par 570 are met, the appeal shall be accepted for hearing and shall then be considered by the Business Committee of the appellate court, or, if the appellate court is the General Assembly, by the Judicial Commission, to recommend to the appellate court whether the appeal should be heard and decided directly by the appellate court or referred to a commission for adjudication. The Clerk of the appellate court shall fix a date and time for the hearing of the appeal and notify the court whose decision is the subject of the appeal and all parties to the case of that date and time.

572. When an appeal is accepted for hearing, the decision of the court which made the decision shall be stayed while the appeal is pending, save that in the case of disciplinary matters:

572.1 acceptance of an appeal for hearing does not remove any precautionary suspension from the ministerial office or other leadership role, or from **Church** ordinances, under which the court which made the decision may have placed a minister, a **ruling elder** or other Church member, while a charge against him or her is being investigated;

572.2 where the decision appealed against includes the releasing of a minister from his or her charge or the suspension or removal from office of a ruling elder, member of congregational committee or other leader in a congregation, is an office-holder under Par 166, acceptance of an appeal for hearing shall, unless the court which made the decision rules otherwise, have the effect that the person concerned is suspended from exercising all of the duties and privileges of his or her charge or office pending the outcome of the appeal;

572.3 acceptance of an appeal for hearing against a decision made during the conduct of a case does not in itself prevent the case from continuing.

573. The court which made the decision appealed against shall submit the minutes of its proceedings, and all the documents and evidence in the case in its possession, to the Clerk of the appellate court; and shall appoint not more than five of its members to defend its proceedings and decision before the appellate court.

574. An appellant is entitled to such extracts from the minutes of the court which made the decision, and to copies of such documents in its possession as the Clerk of the appellate court considers necessary to enable the appellant to bring the appeal before the appellate court.

575. An appellant shall attend the appellate court for the hearing of the appeal at the date and time set. An appellant who fails to do so shall be deemed to have abandoned the appeal, and the original decision shall stand unless the appellant can satisfy the appellate court that the failure to prosecute the appeal was unavoidable.

576. Upon the hearing of an appeal, the members of the court which made the decision appealed against who are also members of the appellate court may not deliberate or vote as members of the appellate court.

577. If a party to an appeal wishes to tender to the appellate court new evidence which was not tendered on the hearing of the case, he or she shall send that evidence in written form to the Clerk of the appellate court not later than fourteen days before the date set for the hearing of the Appeal and the appellate court shall within seven days determine if such new evidence may be tendered. If the appellate court permits the tendering of such new evidence, it shall forthwith send a copy of that evidence

577.1 to the Clerk of the court which made the decision appealed against; and

577.2 to any other party or parties to the case;

not later than seven days before the date set for the hearing of the appeal and advising them that the appellate court has permitted the tendering of that new evidence.

578. The order of proceedings in hearing appeals shall be as follows:

578.1 the decision appealed against shall be read;

578.2 the reasons for the appeal shall be read;

578.3 the whole record of the proceedings of the court which made the decision and all the documents in its possession (or such parts thereof as the appellate court and the parties in the case may otherwise agree) shall be put before the appellate court;

578.4 any new evidence which a party has obtained leave to present in accordance with Par 577, shall be heard;

578.5 any submissions which the appellant wishes to make shall be heard;

578.6 any submissions which the other party or parties to the case wish to make shall be heard;

578.7 any reply which the appellant wishes to make to the submissions made by the other party or parties to the case shall be heard;

578.8 any submissions of that court which made the decision shall be heard through its appointed representative or representatives.

579. In dealing with questions of evidence, the superior court shall form its judgment from the record of the evidence transmitted by the Clerk of the inferior court and any new evidence presented with due attention to the submissions made at the hearing of the appeal.

580. If, in the course of an appeal, new evidence is discovered which, in the judgment of the superior court, has an important bearing on the case, it may either:

580.1 dispose of the appeal by referring the case to the inferior court for re-hearing; or

580.2 take this evidence and then hear and determine the case.

581. If, after a hearing before any court, new evidence is discovered, which is alleged to be of importance for the possible establishment of the innocence of the person accused, the latter may seek a new hearing, and subject to Par 582, the court may grant the request, if, in the opinion of the court, justice so requires; but if the court is an inferior one, and the case has been appealed from it, such application shall be made to the superior court which, if it grants the request, shall either:

581.1 refer the whole case to the inferior court for a new hearing; or

581.2 with the consent of the parties, take this evidence and then hear and determine the case.

582. A new hearing shall not be granted, without the authority of the General Assembly, in any case in which a minister or licentiate has been sentenced to be suspended or deposed from office.

583. The appellate court may at any time exercise any of the powers conferred on it by Pars 18 or 23 and, in addition, may, if it finds anything wanting in the conduct of the court which made the decision appealed against, advise, reprimand, or otherwise deal with that court.

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LIST OF REGULATIONS

Regulations listed are only those directly referred to in the Revised Code.

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