

VI. MINISTRIES APPEALS PANEL ACT (ACT VI 2007) (AS AMENDED BY ACTS I AND III 2009, ACT XIII 2012, ACT VIII 2013, ACT II 2017 AND ACT IX 2018)

Edinburgh, 19 May 2007, Sess. I

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

1. The General Assembly hereby appoints a standing committee to be known as the 'Ministries Appeals Panel' to hear and finally dispose of such appeals as are delegated to it in terms of this Act. The decisions of the Ministries Appeals Panel shall be final, and there shall be no right of appeal against them. For the avoidance of doubt, save as specified in this Act, no decision taken solely by any Kirk Session or Presbytery of the Church may be appealed to the Ministries Appeal Panel.
2.
 - (1) The Ministries Appeals Panel shall consist of a Convener, Vice-Convener and three members all appointed by the General Assembly on the nomination of the Nomination Committee and in terms of the Standing Orders of the General Assembly. At least one member shall be legally qualified, at least one shall be a minister and at least one shall be an elder. The quorum of the Ministries Appeals Panel shall be three including either the Convener or Vice-Convener, and including at least one elder and at least one minister (each of whom may be the Convener or Vice-Convener).
 - (2) The Clerks of the General Assembly shall act as Clerks to the Ministries Appeals Panel, though not members thereof, but the duties may be carried out by one of them. If neither of them is present, the Ministries Appeals Panel shall appoint a substitute, whether or not a member thereof, to act as Clerk of the Panel during the sittings thereof, and the oath *de fidei* shall be administered to him or her and recorded.
3. Procedure shall be in accordance with the Standing Orders of the General Assembly so far as applicable and consistent with this Act. The Ministries Appeals Panel shall act in accordance with the Constitution of the Church and the Acts of the General Assembly and nothing in this Act shall be construed as conferring power to contravene or amend existing legislation, or to legislate. The Ministries Appeals Panel shall be accountable to the General Assembly which may revoke any action in excess of the powers conferred by this Act.
4. The Ministries Council shall report to the General Assembly all decisions made by the Ministries Appeals Panel in terms of this Act.
5. The Ministries Appeals Panel shall hear appeals by individuals against decisions of the Ministries Council or any of its committees, relating to questions of recruitment, selection, education and training for the full-time Ministry of Word and Sacrament, the Auxiliary Ministry, the Ordained Local Ministry, the Diaconate and the Readership, in accordance with the relevant Acts and Regulations of the General Assembly. The Ministries Appeal Panel shall also hear appeals by ministers and deacons taken against decisions of the Registration of Ministries Committee in terms of the Registration of Ministries Act (Act II 2017), in accordance with section 33 of that Act. In addition the Ministries Appeal Panel shall hear appeals arising under the Continuing

Parish Ministry Beyond the Age of 75 Regulations (Regs II 2018).

6. Act VI 1997 anent the Commission of Assembly (as amended) is hereby further amended by the addition to sub-paragraph 5(d)(i) of the words “, and with the further exception of those delegated to the Ministries Appeals Panel in terms of Act VI 2007”.
7. Act XVII 1992 anent the Readership (as amended) is hereby further amended by the addition of a new section 10 to read: “Appeals against decisions of the Ministries Council in terms of sections 1, 2 and 9 of this Act shall be subject to the provisions of Act VI 2007 anent the Ministries Appeals Panel”.
8. Act IX 2001 anent Selection, Training and Admission of Deacons (as amended) is hereby further amended by the addition to the end of section 2 of the sentence: “For the avoidance of doubt appeals against decisions taken in terms of this section shall be subject to the provisions of Act VI 2007 anent the Ministries Appeals Panel”.

Note: Act I 2009 section 9 provides that this Act should be interpreted in conformity with that one (effectively, Act IX 2002 as thereby amended).