

VII. REGULATIONS OF THE CENTRAL FABRIC FUND (AS AMENDED BY REGULATIONS IV 1983 AND II 1992, DELIVERANCE OF 1994 AND REGULATIONS IV 1995, II 1998 AND VI 2003)

Edinburgh, May 25 1979 Sess 7

I General

The Central Fabric Fund shall be used by the Church of Scotland General Trustees in making grants and loans to Financial Boards of Congregations for the purchasing, building, repairing and improving of Churches, Church Halls and Manses held for the Church of Scotland and in certain other special cases as determined by the General Trustees.

II Applications

1. There shall be submitted to the Presbytery of the bounds a schedule containing particulars of the proposals, together with plans (if appropriate), estimates of probable costs and a copy of the most recent abstract of congregational accounts. When dealing with the application, Presbytery shall consider all relevant factors including the Presbytery Plan, the number of buildings for which the congregation is responsible, whether the particular building is likely to be required by the congregation in the medium to long term, the need for the work in the interests of safety or to preserve the value of the building as a marketable asset and the impact of the proposed expenditure on the congregation's other commitments such as contributions towards ministry costs and, where appropriate, Mission and Aid. If, after considering these matters, the Presbytery approves of the application, it shall transmit the schedule with its deliverance thereon and the supporting papers to the General Trustees. No application which has not been approved by the Presbytery shall be considered by the General Trustees.
2. In all cases where financial assistance by way of grant or loan is being requested the application must be considered by the General Trustees prior to the work being begun.
3. In urgent cases, where immediate repairs are necessary, the Convener or Vice-Convener of the Fabric Committee of the General Trustees, whom failing a member of that Committee, and the Secretary of the Trustees may give leave for the work to proceed without prejudice to subsequent consideration of the application by the Trustees.
4. Nothing in these or other regulations on the subject shall infer any pecuniary liability on the Church or on the General Trustees to any person undertaking work in connection with any Church, Manse or Hall.
5. The General Trustees reserve the right to decline any application in connection with which these regulations have not been observed.

III Grants

1. Grants voted are normally subject to the condition that the title to the ecclesiastical property concerned is vested in the General Trustees or alternatively is vested in a body of local trustees under the express stipulation that the property is subject to the regulation and direction of the General Assembly as regards the management and disposal thereof but the General Trustees are empowered to make grants in other cases in which they deem the circumstances to be appropriate.
2. In considering an application the General Trustees shall give attention to the following points: the Presbytery's opinion of the proposals, the need and urgency of the work, the financial resources and obligations of the Congregation, the efforts made locally to raise additional money for the work and the Congregation's past givings to the Mission and Aid Fund. The General Trustees are empowered to call for the production of the Congregation's Property Register.
3. Grants will be payable on completion of the work, and on presentation of a certified statement of the expenditure incurred and the income available to meet it. The General Trustees shall be at liberty to pay grants in instalments, should circumstances require, up to two thirds of the amount thereof while the work is proceeding, the last instalment being payable on completion of the scheme if the conditions laid down by the General Trustees have been fulfilled.

4. Grants are voted on condition that, if the property in respect of which they are given is subsequently sold, the General Trustees shall have the right of reclaiming the amount of the grant from the proceeds of the sale.
5. The offer of a grant will lapse unless claimed within three years of the date on which it is voted.

IV Loans

1. Loans may be made of such amount and on such terms as to interest (including non-liability to interest), repayment etc. as the General Trustees, in the particular case, will determine. If interest is charged, the rate in force at the date on which the loan is paid over shall be the maximum rate applicable to that loan until it is repaid, with the exception that interest at the rate fixed from time to time by the Commissioners on the Rate of Interest on Landed Securities in Scotland may be charged on all arrears of instalments or other payments due.
2. Loans will be repayable with interest, if required, in sums and at dates fixed by the General Trustees when the loans are granted. Congregations are encouraged to make complete repayment of capital and interest in shorter time than that determined.
3. The offer of a loan will lapse unless claimed within eighteen months of the date on which it is voted.
4. Loans shall be paid only on an Undertaking to repay signed on behalf of the Financial Board of the Congregation and supported by an extract minute of the Financial Board agreeing the terms proposed by the General Trustees.

- V** Notwithstanding what is said in Section II 1 the General Trustees are authorised to use monies from the Fund to meet any liabilities which may fall on them in respect of buildings in circumstances where, in the judgement of the Trustees, they cannot appropriately recover the same from a congregation.