

V PRESBYTERY MISSION INITIATIVES ACT (ACT V 2015)

Edinburgh, 20 May 2015, Session V

The General Assembly enact and ordain as follows;

1. In this Act:

- (1) “congregation” shall, when referring to a Church of Scotland congregation, have the meaning assigned to it in the Appraisal and Adjustment Act (Act VII 2003), section 1(b);
- (2) “Core Leadership Team” shall mean those persons appointed to lead the Presbytery Mission Initiative and who have the responsibilities outlined in the Schedule to this Act;
- (3) “Covenant” shall mean an agreement by which a Presbytery Mission Initiative is set up in terms of section 3 of this Act;
- (4) “Presbytery” shall mean the presbytery of the bounds of the Church of Scotland congregation or congregations who are sponsoring a Presbytery Mission Initiative;
- (5) ‘Presbytery Mission Initiative’ shall mean a Christian community whose purpose is to witness, serve and worship and which has been established in terms of section 3 of this Act;
- (6) “Sponsoring Congregation” shall mean a congregation which is party to a Covenant and may be a congregation or community from another Christian denomination; and,
- (7) “Supervising Congregation” shall mean a congregation of the Church of Scotland which is a Sponsoring Congregation which undertakes the responsibilities outlined in the Schedule to this Act.

2. (1) The Church of Scotland is committed to the principles enshrined in the third Article Declaratory and to be a national church with a distinctive evangelical and pastoral concern for the people and nation of Scotland.
- (2) In particular, the Church is committed to maintaining witnessing, serving and worshipping Christian congregations throughout Scotland.
- (3) In order that the Church may more effectively fulfil these commitments, new forms of witnessing, serving and worshipping Christian communities may be established by means of Presbytery Mission Initiatives. Without prejudice to this generality, a Presbytery Mission Initiative may witness, serve and worship as a network or other non-location specific form provided that its main purpose is to witness, serve and worship within the bounds of the Presbytery,
- (4) A Presbytery Mission Initiative may include or witness, serve and worship in partnership with or alongside a congregation or community from another Christian denomination.
- (5) This Act places no restriction on any other expression of Christian witness, service and worship which otherwise complies with the law of the Church.

3. (1) On the instructions, at the request or with the agreement of the Presbytery, one or more congregations within a Presbytery may agree to set up and sponsor a Presbytery Mission Initiative.
 - (2) For this purpose, the Sponsoring Congregation or Congregations and the Presbytery shall enter into a Covenant.
 - (3) A Covenant shall reflect and be consistent with the provisions of Schedule hereto and shall be in a form from time to time prescribed by the Ministries Council after consultation with the Legal Questions Committee.
 - (4) A Presbytery Mission Initiative shall be subject to the superintendence of the Presbytery. Without prejudice to the right and responsibility of the Presbytery to exercise such superintendence as it deems to be appropriate, the Presbytery shall conduct a review of a Presbytery Mission Initiative at least once every five years.
4. For the avoidance of doubt, the provisions of the Parish Ministry Act (Act II 2018), section 4 (which relate to the entry of a minister into another parish) do not to apply to anything done by a minister in furtherance of a Presbytery Mission Initiative.

Schedule

1. (1) One of the Sponsoring Congregations shall be the Supervising Congregation. Where there is only one Sponsoring Congregation, that congregation shall be the Supervising Congregation. The Supervising Congregation must be a congregation of the Church of Scotland.
 - (2) The Supervising Congregation shall:
 - (a) ensure that all requirements of the law of the Church of Scotland and civil law are fulfilled by the Presbytery Mission Initiative;
 - (b) hold any funds or other assets, whether heritable or moveable, accumulated by the Presbytery Mission Initiative;
 - (c) agree with the Core Leadership Team how any such funds or assets are administered on a day-to-day basis.
2. A Presbytery Mission Initiative shall have a Core Leadership Team which shall include one or more representatives of the Supervising Congregation and one or more representatives of one or more of the other Sponsoring Congregations. No less than two-thirds of the members of the Core Leadership Team shall be drawn from Church of Scotland congregations.
3. The life and witness of a Presbytery Mission Initiative shall be the responsibility of its Core Leadership Team. Without prejudice to this generality, the Core Leadership Team shall be responsible for
 - (1) developing appropriate expressions of worship, witness and service; and,
 - (2) ensuring that the Presbytery Mission Initiative is adequately resourced taking account of the commitments of the Sponsoring Congregations and others to support it.
4. (1) For the purposes of Church and civil law, the Supervising Congregation shall be deemed to be the owner of any funds or other assets, whether heritable or moveable, accumulated by the Presbytery Mission Initiative.

- (2) The Supervising Songregation shall apply such funds or other assets for the benefit of the Presbytery Mission Initiative for as long as it continues to function or to exist.
 - (3) If the Presbytery Mission Initiative, for whatever reason, ceases to function or to exist, such funds or other assets shall remain the absolute property of the Supervising Congregation. The Supervising and other Sponsoring Congregations may agree to divide such funds or other assets among them.
5.
 - (1) The Presbytery Mission Initiative shall not be liable for Ministries and Mission Contributions.
 - (2) Notwithstanding that they are owned by the Supervising Congregation, any funds or other assets held by the Supervising Congregation in terms of Schedule 4, shall be ignored in determining its Ministries and Mission Contributions for as long as the Presbytery Mission Initiative continues to function or to exist.
6.
 - (1) A Presbytery Mission Initiative is not and shall not be treated as a congregation of the Church of Scotland.
 - (2) A Presbytery Mission Initiative shall have such representation within the life of the Presbytery as is agreed in the Covenant.
7.
 - (1) A Presbytery Mission Initiative shall not have independent legal personality.
 - (2) Neither a Presbytery Mission Initiative nor a Core Leadership Team nor any person acting on behalf of a Presbytery Mission Initiative or a Core Leadership Team shall have any authority or power to enter into contracts or to incur liabilities in any capacity.
 - (3) Neither a Presbytery Mission Initiative nor a Core Leadership Team nor any member of either shall allow any holding out or other conduct (including silence) that might cause an inference contrary to Schedule 7(2) to be drawn by any person.