

XVIII. CONGREGATIONAL MEETINGS ACT (ACT XVIII 1932) (AS AMENDED BY ACT VIII 2003 AND ACT IV 2016)

Edinburgh, 1st June 1932, Session 12.

The General Assembly declare and enact as follows:-

1. Congregational Meetings shall be held from time to time, as may be found necessary, by order of the Kirk Session, the Presbytery of the bounds, or a superior Court, or, in the case of meetings specified in Section 4 of this Act, by authority of the Deacons' Court, Committee of Management, or Congregational Board, as the case may be.
2. The Interim Moderator in a vacancy shall have power, in virtue of his or her office, to summon meetings of the congregation in terms of the Regulations for the election, settlement, and translation of ministers.
3. When a Presbytery appoints a committee to confer with a congregation on any matter, the Convener of such committee shall have power to summon a meeting of the congregation in name of the Presbytery to deal with the remit received.
4. (a) In cases where the financial affairs of the congregation are administered by a Deacons' Court or a Congregational Board appointed according to the forms of the former United Free Church, the annual business meeting of the congregation shall be called by the Deacons' Court or by the Congregational Board, by the 30th day of June in each year following the close of the financial year.
(b) In cases where the financial affairs of the congregation are administered by a Committee of Management, ordinary meetings for financial purposes, or in connection with the Church property, as may be provided for in the Constitution of the Congregation, shall be called by the Committee of Management, by the 30th day of June in each year following the close of the financial year. Special meetings for similar purposes shall be called as may be found necessary, by the Committee of Management with the concurrence of the Kirk Session.
5. At all Congregational Meetings, with the exceptions specified hereafter in this section, the Moderator of Kirk Session shall preside, or a minister of the Church authorised by him or her in writing or appointed by the Presbytery or a superior Court. In Charges where the Deed of Constitution for *Quoad Sacra* Parishes has been adopted, in the absence of the Moderator of Kirk Session or his or her deputy, a chairman shall be appointed by the meeting. In cases where the meeting has been called by the Deacons' Court, any office-bearer may be called on to preside in the absence of the Moderator of Kirk Session. In the case of Charges where there is a Committee of Management, the Preses of the Managers shall preside at ordinary financial meetings of the congregation, and in his or her absence a chairman shall be appointed by the meeting; at special financial meetings, the meeting shall elect its own chairman.
6. All Congregational Meetings, with the exception of those specified in Section 7 of this Act, shall be intimated from the pulpit on the two Sundays immediately preceding the meeting, and the notice summoning the meeting shall be attested by the officiating minister or preacher as having been duly made by him or her.

7. In the following cases, intimation of a Congregational Meeting on one Sunday shall suffice:-
 - (a) The annual business meeting of Charges where the finances are under the control of a Deacons' Court, a Congregational Board constituted under the forms of the United Free Church, or a Committee of Management.
 - (b) Meetings held in connection with proposals for union and readjustment of agencies, unless a basis of union is to be submitted for approval, in which case the meeting shall be intimated on two Sundays.
8. It shall not be competent to raise any question in regard to the sufficiency of the notice of a Congregational Meeting, unless a petition specifying clearly the nature of the objection be sent to the Moderator of Kirk Session (or Moderator of Presbytery, if the meeting be held by order of the Presbytery or a higher Court) within eight days after the meeting has been held.
9. Except in the case of meetings specified below, the Session Clerk shall act as Clerk to Congregational Meetings. The Minutes shall be submitted in draft at the end of the meeting and shall thereafter be engrossed in the Records of the Kirk Session. In the absence of the Session Clerk a Clerk shall be appointed for the meeting. In Charges where the Deed of Constitution for *Quoad Sacra* Parishes has been adopted, the Clerk to the Congregational Board shall act as Clerk at the statutory annual meeting of the congregation, and the Minute shall be engrossed in the Minute-Book of the Congregational Board. Where there is a Deacons' Court, a Congregational Board constituted according to the forms of the United Free Church, or a Committee of Management, the Clerk of the Deacons' Court, Congregational Board, or Committee of Management shall act as Clerk at Congregational Meetings for financial purposes, and the Minute shall be engrossed in the records of the Deacons' Court, Congregational Board, or Committee of Management, as the case may be.
10. In Charges where provisions are made either in the title-deeds of the property, or in a constitution approved by the Presbytery, with regard to the holding of Congregational Meetings, which differ from what is set forth in Sections 1 to 9 of this Act, the provisions of such title-deeds or constitution shall remain in force to the exclusion of this Act in so far as it differs from these provisions, unless and until these provisions shall be competently altered.