

THE CHURCH OF SCOTLAND TRUST MAY 2021

Proposed Deliverance

The General Assembly:

1. Receive the Report.
2. Thank the members of the Trust for their diligence.
3. Re-appoint Mrs Morag Angus and Mr Leon Marshall as members of the Trust from 1 June 2021.

Report

The Church of Scotland Trust, which was established by Act of Parliament in 1932, submits its Eighty ninth Report to the General Assembly.

1. THE WORK OF THE TRUST

1.1 General

1.1.1 The function of the Church of Scotland Trust is to hold properties outwith Scotland and to act as a trustee in a number of third-party trusts. During the year it has dealt with various matters which have arisen regarding these properties and trusts. Following the death of Mrs Jennifer M Hamilton in October 2019 the Trust has appointed Mrs Madelaine Sproule as Secretary and Clerk. Matters of particular significance are noted hereafter.

1.2 Third Party Trusts

1.2.1 The Trust is currently trustee of 50 third party trusts which benefit different areas of the Church's work. In 2007 the Trust instigated a Rolling Review Programme for these trusts. The Trust's Secretary and Clerk undertakes a review of the trusts annually, producing reports on half the third party trust portfolio to each of the February and September/October Trust meetings.

1.3 Pakistan

1.3.1 The new Succession Trust which will accept title to the Church's property interests in Pakistan and which was signed on behalf of the Trust, Faith Impact Forum and local trustees in Pakistan is still in the process of being registered in Pakistan. The Covid-19 pandemic has resulted in delays to the registration of the deed.

1.3.2 The Trust regrets that Forman Christian College are no longer in a position to take over Murray Christian College in Sialkot. Representatives of the Trust will continue to seek an alternative option for the college which would ensure its future use as a Christian College.

1.3.3 Representatives of the Trust and the Faith Impact Forum continue to meet with their attorney for Pakistan, Dr Peter David regularly to monitor developments and agree future strategy. The Trust will continue to endeavour to achieve its objective of transferring all its property interests to an appropriate body in terms of the Church of Scotland Trust Order Confirmation Act 1958 with the help of Dr David and his many contacts in Pakistan.

1.3.4 As reported for a number of years, the Trust continues to be a party to a number of court cases involving its property interests in Pakistan. Some cases have been found in favour of the Trust but are now the subject of an appeal. The Trust is legally represented in all these cases but, due to the nature of the Pakistan legal system, it is anticipated that the cases will be ongoing for some time.

1.4 Israel

1.4.1 1.4.1 The Trust continues to be consulted by Faith Impact Forum regarding ongoing and future developments relating to property in Israel.

1.5 Act II – the International Presbytery Act

1.5.1 Since the General Assembly of 2016 all congregations in the International Presbytery require the approval of both Presbytery and the Church of Scotland Trust for (a) any extensive alternations to their building/s; (b) any property purchase and (c) the lease of any property in excess of one year. The Trust continues to work with the International Presbytery to fulfil these responsibilities. The Trust has given approval for a number of property related matters in the last year.

Every congregation in the International Presbytery is required to produce a Property Report to Presbytery each year with

details of the management, maintenance and insurance of congregational buildings which is copied to the Trust. The Trust is required to give consent to any extensive alterations to property in the International Presbytery and reviews the Property Reports on an annual basis.

2. ACCOUNTS FOR 2019 AND 2020

2.1 The Trust's Accounts for the years 2019 and 2020 have been audited and copies thereof are available on request from the Secretary and Clerk.

3. MEMBERSHIP

3.1 In accordance with the constitution of the Trust, the following two members retire by rotation on 31 May 2021 but are eligible for re-appointment: Mrs Morag Angus and Mr Leon Marshall. It is suggested to the General Assembly Mrs Morag Angus and Mr Leon Marshall be re-appointed as members of the Trust from 1 June 2021.

3.2 Mr Hugo Allan intimated his resignation from the Trust in February 2020 and members would like to record their appreciation for his contribution to the work of the Trust since 2017.

*In the name and by the authority of
The Church of Scotland Trust*

THOMAS C WATSON, *Chairman*
W F STUART LYNCH, *Vice Chairman*
MADELAINE SPROULE, *Secretary & Clerk*

Addendum

It is with great sadness that the Trust note the death of Mrs Jennifer Margaret Hamilton on 23 October 2019. Jennifer was appointed Secretary and Clerk of the Trust in 1995 and her knowledge of charity and trust law were second to none. Jennifer's encyclopaedic grasp of the Church of Scotland Trust helped steer a succession of Chairs through the numerous complex issues facing the Trust over the years. The Trust remember with gratitude Jennifer's dedicated service, and a full tribute to Jennifer can be found here:-

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THOMAS C WATSON, *Chairman*
MADELAINE SPROULE, *Secretary & Clerk*