**BASIS OF UNION** *[note 1]*

The congregation of \_\_\_\_\_\_\_\_\_\_\_\_ (SC0\_\_\_\_\_) and the congregation of \_\_\_\_\_\_\_\_\_\_\_\_ (SC0\_\_\_\_\_) *[note 2]* shall be united on \_\_\_\_\_\_\_\_\_\_\_\_, or from a date to be determined by Presbytery, and that on the following terms and conditions:

1. **Name:** The name of the united charge shall be \_\_\_\_\_\_\_\_\_ *[note 3]* and SC0\_\_\_\_\_ will be retained.
2. **Transference of Property and Funds:** The property and funds belonging to or held on behalf of each congregation shall belong to or be held on behalf of the united charge and any transference necessary shall be duly effected.
3. *[Where there is a Local Mission Church – see note 4]*

3. **Places of Worship:** [*Appropriate wording should be included, which is likely to be either:*]

 (a) The church at present used and occupied by the congregation of \_\_\_\_\_\_\_\_\_\_\_\_ shall be the place of worship of the united charge. The church at present used by the congregation of \_\_\_\_\_\_\_\_\_\_\_\_ shall be sold, let or otherwise disposed of subject to the titles on which it is held, subject to the approval of the Presbytery and, if necessary, the General Trustees or the General Assembly. The free proceeds of any such sale or let shall: (a) if falling within the scope of the General Trustees (Delegated Powers) Act (Act 7, 1995) be credited to the benefit of the congregation in the Consolidated Fabric Fund; or (b) if not falling within the scope of the said Act, be held and applied for fabric purposes in connection with the properties of the congregation.

 OR

 (b) The churches at present used by the congregations will reviewed by [*date*] in accordance with the Presbytery Mission Plan, [which designates both buildings as B]. The decision of Presbytery will be binding on all parties. Following that review, any building not being retained shall be sold, let or otherwise disposed of subject to the titles on which it is held, subject to the approval of the Presbytery and, if necessary, the General Trustees or the General Assembly. The free proceeds of any such sale or let shall: (a) if falling within the scope of the General Trustees (Delegated Powers) Act (Act 7, 1995) be credited to the benefit of the congregation in the Consolidated Fabric Fund; or (b) if not falling within the scope of the said Act, be held and applied for fabric purposes in connection with the properties of the congregation. In the interim, services shall be conducted in\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ each Sunday at times to be decided by the Minister and Kirk Session [optional - ,subject to the approval of Presbytery].

 OR

 (c) Both churches at present used and occupied by the congregations shall be the places of worship of the united charge. Services shall be conducted in \_\_\_\_\_\_\_\_\_\_\_\_ and in \_\_\_\_\_\_\_\_\_\_\_\_ each Sunday at times to be decided by the Minister and Kirk Session [optional - ,subject to the approval of Presbytery].

4. **Territorial Responsibility:** The bounds to be served by the united charge shall be designated as the bounds of the parishes of \_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_, or as the Presbytery shall determine.

5. **Kirk Session:** The elders of both Kirk Sessions shall form with the minister the Kirk Session of the united charge.

6**. Congregational Management:** The temporal affairs of the united congregation shall be administered by the Kirk Session in terms of the Unitary Constitution, the Delegation of Assembly being authorised to issue the appropriate Deed of Constitution to the said congregation.

7. **Minister:** [*Appropriate wording should be included, which is likely to be either:*]

(a) Both charges being vacant, the united charge shall proceed to the appointment of a minister in terms of the Vacancy Procedure Act (Act 8, 2003). [*Insert if applicable:* The minister shall be called on a Basis of Reviewable Charge in terms of section 9.1.1 of the Presbytery Mission Plan Act (Act 8, 2021).]

OR:

(b) The Rev \_\_\_\_\_\_\_\_\_\_\_\_\_, currently minister at \_\_\_\_\_\_\_\_\_\_\_\_, shall be the minister of the united charge in terms of section 8.2 of the Presbytery Mission Plan Act (Act 8, 2021). *[There could be a new Basis of Reviewable Charge if the existing minister was not called on an unrestricted basis].*

OR:

(c) The Rev \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, currently minister at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and the Rev \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, shall be the ministers of the united charge operating under a Basis of Team Ministry in terms of section 7(10) of the Presbytery Mission Plan Act (Act 8, 2021). *[Other ministry roles may also be mentioned here, for example MDS, OLMs or Readers].*

8. **Manse:** The manse of the congregation of \_\_\_\_\_\_\_\_\_\_\_\_

 (a) shall be the manse of the united charge

 OR

 (b) **shall** either serve as the manse of the united charge, or else shall be sold to enable another property to be purchased which will then serve as the said manse.

 The manse of the congregation of \_\_\_\_\_\_\_\_\_\_\_\_ shall be sold, let or otherwise disposed of, subject to the titles on which it is held, and subject to the approval of the Presbytery and, if necessary, of the General Trustees or the General Assembly. The free proceeds of any such sale or let shall: (a) if falling within the scope of the General Trustees (Delegated Powers) Act (Act 7, 1995), be credited to the benefit of the congregation in the Consolidated Fabric Fund; or (b) if not falling within the scope of the said Act, be held and applied for fabric purposes in connection with the properties of the congregation.

 *[There may be other situations, for example where it has not yet been determined which manse will be retained, or where both of the existing manses are to be sold and a new manse purchased].*

9. **Ministerial Support:** The stipend of the charge shall be paid in accordance with the terms of the National Stipend Scheme.

10. **Power to Readjust:** While the articles and terms shall form the Basis of Union for the two congregations now uniting, the united charge shall be free, like other congregations, to adjust arrangements under the authority of Presbytery as need may arise.

***Notes:***

*1. This Template is to be used for a union which can be implemented now. Please use the separate Basis of Deferred Union Template for a union which is to take place in the future upon the demission of a minister currently in post.*

*2. If more than two congregations are being united, please make appropriate amendments.*

*3. In 2008 the General Assembly agreed a ‘formula’ for the name of a congregation. The formula for the names of congregations of the Church of Scotland is that every congregation’s name should comprise:*

1. *A geographical name, i.e. a city, town or village;*
2. *An additional name identifying the congregation if there is more than one congregation at that geographical location, e.g. Anytown: St Mary’s, Anytown: St Margaret’s, etc;*
3. *The words ‘Church of Scotland’. The word ‘Parish’ or ‘Kirk’ are optional and, if preferred, the words ‘Church of Scotland’ may appear in brackets, e.g. Anytown St George’s (Church of Scotland).*

*4. Where there is a Local Mission Church, the Basis of Union should be amended to be named* ***Basis of Union When Establishing a Local Mission Church*** *and the following wording should be added:*

*Add a new section: (this new section 3 should precede* ***Places of Worship****)*

## 3. **Local Mission Church**: The Presbytery shall establish a Local Mission Church in the **XXX** area of parish **XXX**. This shall be in terms of Regulation II 2021 and the Basis For Local Mission Church attached to this Basis of Union.

*Then at the end of the section on* ***Places of Worship*** *add:*

The church located in the area of **XXX** in the parish of **XXX** shall be a Local Mission Church.