

# **The Presbytery of Lanark**

## **Standing Orders (amended September 2020)**

### **1. Meetings**

- a. Meetings for ordinary business shall be held at times and places agreed by Presbytery.
- b. A draft calendar of meetings for the following session (July – June) shall be agreed by Presbytery by the May meeting.
- c. In the event of business or an issue arising which in the opinion of the Support Committee requires to be considered by the Presbytery prior to the next statutory meeting for ordinary business, the Moderator shall be advised to call a meeting pro re nata.
- d. On the death of a minister in a charge, the Presbytery shall be called to meet for the appointment of an Interim Moderator on the day of the funeral or as soon as may otherwise be convenient. The Presbytery shall meet for the funeral of a Minister. Whatever notice is found possible shall be given and members shall regard attendance “as a first duty”. The Presbytery resolves that on the funeral of a ministerial member (whether active or retired) taking place within the bounds, all members of Presbytery be invited, by email or phone call, to attend, and that, with the consent of relatives, arrangements for the funeral service be made by the Presbytery.

### **2. Moderator**

- a. The Moderator for the following year shall be elected at the ordinary meeting in June, a nomination having been made by the Support Committee, and installed at the September meeting. Following the installation, The Moderator shall lead the Presbytery in the Sacrament of Holy Communion.
- b. In the absence of the Moderator the immediately preceding Moderator shall preside, whom failing, another ex-Moderator or other member of Presbytery appointed pro tempore.

### **3. Clerk and Depute-Clerk**

- a. The Presbytery shall appoint a Clerk and a Depute-Clerk from among its members, both of whom shall hold office during the pleasure of the Presbytery.
- b. In the absence of the Clerk and Depute-Clerk the Presbytery shall appoint one of its members to act pro tempore. The oath de fideli shall be administered and the appointment shall be recorded in the minutes.

### **4. Presbytery Officials**

- a. Treasurer - The Presbytery shall appoint a Treasurer to take charge of its funds. The Treasurer, who need not be a member of Presbytery, shall hold office during the pleasure of the Presbytery.
- b. Property Convener - The Presbytery shall appoint a Property Convener to provide support and assistance to Presbytery and its congregations in all property matters. The Property Convener who need not be a member of Presbytery, shall hold office during the pleasure of the Presbytery.
- c. Safeguarding Co-ordinator - The Presbytery shall appoint a Safeguarding Co-ordinator to provide support and assistance to Presbytery and its congregations in all safeguarding matters. The Safeguarding Co-ordinator who need not be a member of Presbytery, shall hold office during the pleasure of the Presbytery.

### **5. Business**

- a. The Presbytery having been constituted, the Roll shall be made up.
- b. The minutes of the last ordinary meeting and of any other meetings held thereafter, which shall normally have been circulated to members in draft form by the Clerk, shall be submitted for approval.
- c. The Order of Business, as prepared by the Support Committee and as circulated to members by the Clerk, shall be submitted for approval and shall be followed in the order approved.
- d. When the Order of Business is submitted, it shall be competent then, or, with permission of the Presbytery, later, to move that any item be taken in private. The mover of the motion and of any counter-motion may give reasons briefly; the seconding shall be formal, and any vote necessary shall be taken without debate.
- e. Notices of motion shall be handed in writing to the Clerk either at the Presbytery meeting at which notice is given or, at the latest, one week before the meeting of the Support Committee preceding the meeting of Presbytery at which they shall be considered, and, if not recorded in the Presbytery minutes, shall be printed in the mailing calling the meeting at which they are to be considered. Any material to be sent out in support of a Notice of Motion must be lodged with the Clerk one week before the appropriate meeting of Support Committee, and the Clerk shall inform the Convener of the Support Committee and the Moderator of its receipt.

### **6. Conduct of Business**

- a. The conduct of business and rules of debate shall as far as possible be those of the General Assembly (replacing “General Assembly” with “Presbytery” where required) unless herein otherwise stated.
- b. When Committee Reports are submitted, opportunity for questions shall be given. The Deliverance shall then be moved and seconded and shall be considered section by section, amendments and counter-motions being called for. Amendments shall be disposed of before counter-motions.

The Presbytery shall vote "For" or "Against" an amendment. In the case of a counter-motion the Presbytery shall vote firstly "For" the motion and then "For" the counter-motion. The Deliverance, as finally amended, shall be put to the Presbytery for approval.

- c. No member may speak more than once on the same matter and, with the exception of the Convener of the Committee whose report is under consideration, no one shall have the right of reply.
- d. All motions, amendments, and counter-motions shall be given in writing to the Clerk immediately they have been seconded.
- e. On a Point of Order being raised (it is necessary for a specific standing order to be specified) the Moderator shall rule thereon, which ruling shall be accepted as the finding of the Court.
- f. Other than with the special permission of the Presbytery the maximum time-limit for speeches shall be as follows: –
- g. Convener presenting a Report, introducing an Overture, presenting a Petition - all 10 minutes;
- h. Mover of a Notice of Motion, moving or seconding amendments or counter-motions, seconding motions, making comments – all 5 minutes;
- i. Guest Speakers - 10 minutes;
- j. Speeches in connection with appointments, translations or demissions, tributes – all 3 minutes;
- k. Time limits do not apply when the Presbytery is (a) dealing with matters under the Barrier Act or (b) acting judicially.
- l. After the rejection of a motion, it shall not be competent to raise it again, or a motion substantially the same, until six months have elapsed.

## 7. Committees

- a. The following shall be the Standing Committees of the Presbytery:
  - i. Complaints
  - ii. Support
  - iii. Vacancy Procedure
- b. Additional Ad Hoc Committees shall be appointed as required by Presbytery.
- c. The appointment of Conveners and members of all Standing and Ad Hoc Committees shall be made by the Support Committee. In addition, at the request of a Standing Committee, the Support Committee may appoint to a Standing Committee members of the Church of Scotland who are not presbyters but who belong to congregations within the Presbytery's bounds. The number of such appointments to a Committee shall not exceed one third of the number of Committee members.
- d. Conveners and members of Standing Committees shall take office on 1 July.
- e. All members of Standing Committees, with the exception of annual appointees to the Support Committee taken from an agreed rota of charges, shall retire after four years. No member shall normally serve for more than two consecutive terms of office.
- f. all members of Presbytery with the exception of the Moderator, Clerk and Depute Clerk, are deemed to be appointed as being available to serve on a Vacancy Procedure Committee.
- g. Where a Committee remit does not specify a given number of ministers, elders or deacons the Support Committee shall make up the committee giving due consideration to the overall balance of the membership.
- h. The period of office for Conveners shall normally be 4 years.
- i. All casual vacancies shall be filled by the Support Committee and shall take immediate effect. Where the casual vacancy is in a Conventership, the person appointed shall take office from the date of appointment and shall serve until 30 June following and thereafter for a period of four years. Any appointments made shall be reported to the next Ordinary meeting of Presbytery.
- j. Committees are instructed to appoint a Vice-Convener from their own membership.
- k. All Committees shall keep a minute of their meetings including attendance.
- l. All members of Presbytery shall be appointed to, and be required to serve on and attend, a standing committee of Presbytery.
- m. Members of Presbytery may indicate to the Clerk by 1st June their preference for Committees on which they would like to serve.
- n. The Moderator, Clerk and Depute-Clerk, in addition to being members of the Support Committee shall be ex-officio members of all other standing committees and ad hoc committees.
- o. All committees will meet on each committee night unless the convener informs members otherwise.
- p. The Presbyterial Council of the Guild shall be invited to nominate two Corresponding Members, one to serve on the Relationships & Context Committee and one to serve on the Worship & Discipleship Committee.
- q. All matters to be considered by any Committee must be in the hands of the Convener of that committee one week before the appointed committee meeting
- r. Delegated powers may be granted by the Presbytery to Committees. A Committee has authority to act in name of the Presbytery in all matters falling within the powers delegated to it, provided that action shall not be taken unless it has the support of at least two-thirds of the Committee present and voting. Where powers of delegation have been used, Conveners shall report in writing to the Clerk all action taken for submission to the next ordinary meeting of the Presbytery.
- s. The remits and delegated powers of Committees and Teams are as follows: –
  - i. Complaints Committee – The remit of the Complaints Committee is to deal with matters that fall under the Complaints Procedure as agreed by the General Assembly.  
Delegated Powers:

1. to deal with matters that fall under the Complaints Procedure as agreed by the General Assembly; deal with matters that fall under the Complaints Procedure as agreed by the General Assembly;
- ii. Support Committee - The committee shall consist of the Moderator, Clerk, Depute Clerks and Convenor of the Presbytery Support Committee (as at 30 June 2020) and shall ensure the smooth running of Presbytery, present reports to Presbytery on matters requiring discussion and shall support congregations within the bounds. The Convenor shall be the Convenor of the Presbytery Support Committee (as at 30 June 2020)

Delegated Powers:

1. to dispose of all applications in respect of fabric and furnishings, unless in the opinion of the Committee the nature or cost of the work to be done, or considerations of forward planning, requires the judgement of Presbytery;
  2. to dispense with matters relating to the discernment and training for candidates for all ministries of the Church, other than in cases of difficulty, as allowed for in the relevant training Acts of the General Assembly;
  3. full powers to examine, and also attest, except where a Court may be held to be censurable in respect of any of its Records;
  4. to oversee Safeguarding Procedures within the Presbytery.
  5. to act in routine matters not the business of other Committees in accordance with the accepted practice and procedure of the Church and to advise the Moderator to call a meeting in the event of business arising which, in the opinion of the Committee, requires to be considered by the Presbytery and which cannot be held over until the next ordinary meeting.
- iii. Vacancy Procedure Committee - The remit of the Vacancy Procedure Committee is to act as the Vacancy Procedure Committee in terms of Act 8, 2003 (as amended) with all members of Presbytery with the exception of the Moderator, Clerk and Depute Clerk appointed as being available to serve on a Vacancy Procedure Committee.  
Delegated Powers:
    1. to act as the Vacancy Procedure Committee in terms of Act 8, 2003 (as amended)

## 8. Appointments, Translations and Demissions

- a. Congregations cited for their interest shall normally be represented at Presbytery. A Commissioner may be heard in the case of a Translation or Demission, but normally not in the case of an Appointment.
- b. Appointments by a congregation within the bounds shall normally be made through the Vacancy Procedure Committee process as laid out in Act VIII 2003 as amended.
- c. If the Call is to be dealt with at an ordinary meeting of Presbytery the Clerk shall, whenever possible, circulate to members with the papers calling the meeting the following information: –
  - i. Number of Names on the Electoral Register.
  - ii. Vote of Congregation at time of Election.
  - iii. Number of Signatories to the Call to date.
- d. A motion to sustain or not to sustain an appointment may be made by any member; seconding shall be formal.
- e. The Convener of the Vacancy Procedure Committee shall formally move, and the Clerk shall second, the sustaining of a Translation or the acceptance of a Demission.
- f. The Moderator shall suitably address a minister being translated or demitting and the minister shall be given the opportunity to reply.
- g. Speeches in connection with appointments, translations or demissions shall not exceed three minutes' duration.

## 9. Commissioners at General Assembly

- a. At the November meeting of the Support Committee, the Presbytery Clerk shall give notice of the number of commissions, which the Presbytery may make (subject to confirmation from the office of the Principal Clerk), and the charges from which the ministerial and elder commissions shall be sought.
- b. Every charge will be commissioned on a four year cycle on a rota basis agreed by the Presbytery. When a charge is commissioned the Minister of the charge and an elder from the Kirk Session (of the Kirk Session's choosing) will be commissioned by the Presbytery. Where a charge is a linked charge it is for the local Kirk Sessions to agree from which congregation the elder to be commissioned is selected.
- c. The Clerk and Depute-Clerk (if ministers in a charge) commissioned every two years. In other years the Clerk and Depute-Clerk, if attending as observers, will be entitled to expenses which shall be paid by the Presbytery, at the same level paid to commissioners to the General Assembly.
- d. In the event of illness or absence of a minister, or of a vacancy in the charge, the Ministerial place will be filled by another minister, together with an elder from the rota charge. Where a commissioned charge is vacant and has a retired Minister acting as Interim Moderator, that retired Minister will be given first refusal on the commission.
- e. Applications for spare ministerial commissions should be received by the Presbytery Clerk prior to the February Support Committee meeting. Support Committee shall agree on nominations to fill spare Ministerial commissions and present names for approval to the March meeting of Presbytery.

- f. Applications for spare Ministerial commissions will be considered in the following order of preference:
  - i. Serving Parish Ministers and Ministers in non-Parochial appointments
  - ii. Retired Ministers.
- g. In the event of a Kirk Session (or Kirk Sessions in the case of a linked charge) not being able to provide a commissioned elder from their number, the Session Clerk should inform the Presbytery Clerk no later than January meeting of Support Committee. The Support Committee shall seek to fill the spare elder commission from the additional elders of Presbytery. In the event of no additional elder being able to accept the commission the Support Committee shall
  - i. Determine that if a charge had previously not been able to commission an elder whether they are able to commission an elder for nomination, and if not,
  - ii. At the February meeting of Presbytery invite Kirk Sessions to inform the Presbytery Clerk individual elders who would be willing, and able, to accept a commission prior to the February Support Committee. Support Committee shall agree on nominations to fill spare Elder commissions and present names for approval to the March meeting of Presbytery.
- h. Ministers, Deacons and Additional Presbytery Elders who have not attended at least four ordinary meetings of Presbytery in the previous calendar year shall be ineligible to receive a commission, but may write to the Support Committee asking to be allowed to attend, giving reasons.
- i. The Roll of Commissioners shall be made up at the February meeting of the Support Committee and presented for approval to the March meeting of Presbytery.
- j. Any vacancy occurring subsequently in the Roll of Commissioners shall be filled by the Support Committee who shall have a discretionary power to take steps appropriate in the circumstances to fill the vacancies.

#### **10. Services**

- a. Holy Communion shall be celebrated at the September meeting, which shall take place in the incoming Moderator's church, or in the case of a linked charge, in the church chosen by the incoming Moderator.
- b. A service of recognition of a Graduate Candidate will be held with the service normally being held in the church of the student to be received and the minister of that church shall normally be responsible for the conduct of devotions and the preaching. The Moderator shall preside.
- c. The Presbytery shall meet for all Ordinations and Inductions. The Presbytery shall appoint a Minister, Deacon or Reader to conduct devotions and preach. The Moderator shall preside and give the charges. Ministers on their induction shall receive notification of their parish boundaries.
- d. At all services, other than Holy Communion, ministers present shall be robed.

#### **11. Complaints and Discipline**

- a. The Presbytery Clerk, Depute Presbytery Clerk, Moderator and Convener of Support Committee have delegated powers to act for Presbytery in respect of referral to the complaints process and in matters relating to the Discipline Act, as laid out in sections 17 and 20 of Act 1, 2019 of the General Assembly.

#### **12. Amendment of Standing Orders**

- a. Any proposal for the alteration of Standing Orders shall be either (a) on the report of the Support Committee and intimated to Presbytery or (b) by notice of motion handed in writing to the Clerk in time to be circulated in advance to all members of Presbytery.
- b. Standing Orders may be amended on such a proposal or motion receiving a simple majority of those present and voting at the meeting at which it is considered.
- c. This Standing Order shall not apply to Standing Orders 1 – 5, which may be amended by the Clerk in accordance with the decisions of the Presbytery.

#### **13. Suspension of Standing Orders**

- a. It shall be competent to suspend Standing Orders, or any one of them, in any particular case, but a motion to this effect shall not be carried unless it receives the support of at least two-thirds of the members present and voting on the question being put by the Moderator.

*Adopted by the Presbytery of Lanark, 7th October 2014  
Amended 6th February 2018, 18th June 2019  
Temporarily Amended 1st September 2020*