

**Item 1 – BUSINESS BOARD – Supplementary Report****Delegates to other Churches****The Church of Scotland General Assembly (2006)*****The Rt Rev Dr REH Uprichard reports:***

The General Assembly of the Church of Scotland met in Edinburgh from 20 to 26 May 2006. I was privileged to represent our Church along with my Chaplain, the Rev Joseph Andrews, and Mr George Ferguson, Executive Officer of the Belfast City Mission. We were accompanied by our wives, Maisie, Susan and Janie.

We were warmly welcomed by our friends in the Church of Scotland and greatly appreciated their generous hospitality. The various receptions, and events, organised by both Church and State, afforded opportunity to make useful contact with delegates from a wider representation of Churches.

This year a number of important issues were debated by the Assembly. Perhaps the most controversial was a proposed Declaratory Act regarding Civil Partnerships asking that the Assembly declare that: “A minister or deacon who conducts any service marking a civil partnership does not commit a disciplinary offence.” In the course of a lengthy, passionately argued, well conducted and informative debate, a counter motion stating that: “Whereas the Word of God contained in the Scriptures of the Old and New Testaments in all its parts teaches that all people are to engage in human sexual relations only within the relationship of marriage between one man and one woman...the General Assembly enact and ordain as follows: No minister or deacon shall conduct any service marking a civil partnership.” was defeated by 322 votes to 314. The original motion, having been accepted by the Assembly was referred to Presbyteries under the Barrier Act.

In response to a petition claiming that: “There is a perception amongst many members of the Church that the introduction of recent administrative changes...has led to the concentration of power into a more centralised structure than ever before” and that: “Whereas the major central committees and boards were once representative of the whole Church through Presbytery rights of representation in their membership...the case now is such that Presbytery representation is severely limited...thus curtailing the ability of Presbyteries to contribute to the forming of policy and priorities...” the Assembly agreed to appoint a Commission to identify and report on the effect of the changes, seek the comments of Presbyteries and report to the General Assembly of 2008.

In spite of expressions of concern regarding the possible over-provision of facilities for ministerial training, the General Assembly, by a large majority, agreed to recognise the Highland Theological College as a training facility for ministers of the Church of Scotland.

An informative presentation on Stem Cell Research, followed by a robust debate resulted in the Assembly recognising the differences of view which exist within the Church on the moral status of the embryo and the acceptability of embryo research on stem cells, serious genetic diseases and infertility. While the Assembly recognised that surplus human embryos arising from in vitro fertilisation or per-implantation genetic diagnosis may be used in medical research, it did express its opposition to the deliberate creation of human embryos for such research, except into serious diseases and under exceptional circumstances, and the creation and use of human embryos as a source of stem cells in the treatment of diseases.

The Assembly approved a Covenant between the Church of Scotland and the United Free Church of Scotland, which while recognising that: “Issues of principle...meant that not all of the United Free Church was able to enter the union with the Church of Scotland in 1929” recent developments have “Allowed us the opportunity of reassessing the way in which we relate to each other...and to resolve from here on to seek ever closer unity.” The two denominations affirm that: “As churches in the one family of Reformed Churches, linked by our Presbyterian heritage, the time has come for us to put the divisions of the past behind us and to seek to journey onwards as companions on the way to every closer unity” and make a number of commitments to what is described as “Ever closer unity.” If agreed by the United Free Church’s General Assembly the Covenant will be signed in Dunblane Cathedral on 16<sup>th</sup> September.

The Legal Questions Committee raised concerns about the Westminster Confession of Faith, arguing that: “It is not satisfactory that a document so hedged about with declarations and qualifications, and in language barely accessible to church members, should continue to be referred to as a “principal subordinate standard”, second only to the “supreme rule of faith and life” of “the Word of God contained in the Scriptures of the Old and New Testaments.” and seeking permission to consider the place of the Westminster Confession of Faith within the Church’s constitution and to report to the General Assembly of 2007. The Assembly rejected the Committee’s request by 188 votes to 116.

During the week, due to the kind arrangements of Professor Herbert Kerrigan, Q.C., I was able to meet with five of our Forces Chaplains who were present at the Assembly. It was good to hear from these men of the work which they have been doing and to have the opportunity to pray with them and assure them of the prayerful support and interest of the wider Church.

The new Moderator, the Rt Rev Alan McDonald, was installed at the opening meeting of the Assembly and conducted the business of the Court in a congenial and impressive manner, earning the respect and adulation of Commissioners for his efficiency and impartiality.

The Presence of the Lord High Commissioner, His Grace, Lord MacKay of Clashfern, added a state emphasis to proceedings and underscored the national nature of the Church of Scotland. In his opening Address Lord Clashfern spoke words which

encourage not merely the Church of Scotland, but the wider Christian Community in today's world:

“In a verse in Matthew's Gospel Jesus said, ‘I will build my church’. This momentous statement describes our Lord's programme for the future - to gather his people from all over the world and from every generation to himself. Through His Spirit Christ builds the kingdom often in ways that defy analysis and confound human expectations...There is a central question to which a wholly secular lifestyle does not provide the answer. What is the purpose of human life? When so much is in flux, when limitless amounts of information, much of it ephemeral, are instantly accessible on demand, there is a renewed hunger for that which endures and gives meaning. The Christian church can speak uniquely to that need, for at the heart of our faith stands the conviction that all people, irrespective of race, background or circumstances, can find lasting significance and purpose in the Gospel of Jesus Christ.”

### **The General Synod of the Church of Ireland (2006)**

#### ***The Very Rev Dr KNE Newell reports:***

The ancient ecclesiastical capital of Ireland was the historical setting for the Synod of the Church of Ireland. I was delighted to represent our Church along with Mr Billy Scott of the Mall, Armagh. I found Billy's knowledge of the history, culture and faith of the local area illuminating and informative.

The other Churches represented included the Methodist Church, the Lutheran Church, the Roman Catholic Church, the Moravian Church, the Salvation Army, the Romanian Orthodox Church, the Episcopal Church of Scotland and the Anglican Church of Kenya.

Throughout the duration of the Synod we were assigned a chaperone; ours was Dean John Bond of Broughshane. Like a skilled professional he guided us to the various venues where we had to eat as well as answered the dozens of questions we had about procedures and personalities. Hospitality for Church Guests was of a very high order.

The PowerPoint presentation relating to **the Bishops' Appeal Committee** unpacked the impressive extent of the Church of Ireland's involvement throughout the world in addressing the issues of Poverty, Aids, Development and Emergency Relief. Like our own Church, they work closely with the expertise of Christian Aid and Tearfund.

But issues overseas were balanced with issues nearer home. **The Hard Gospel Committee** zoomed in on Sectarianism, Racism and Materialism in Ireland north and south. They challenged us to face the sad truth that even in our churches, just underneath the thin layer of religiosity, raw emotions and attitudes still swirl around untamed by the prejudice-reducing Gospel of Jesus Christ. The relevance of this report cannot be over overstated.

There had been speculation in the corridors of the Synod that Archbishop Robin Eames would announce his retirement. In due course the Primate confirmed the speculation. A shocked and saddened audience listened to the reasons he gave but understood the pressures of the calling and the quality of the commitment he has shown.

Later I was given the opportunity to express to the Synod the appreciation of so many within our own Church of Archbishop Eames' twenty years of Christian leadership. I spoke of his ministry as one of '**practical compassion**' for those injured or bereaved during the Troubles, one of '**genuine friendship**' that reached across the ancient barriers of religion and politics, one of '**advocating justice**' in speaking up for those who felt forgotten in their silent suffering, and one of '**persistent hope**' in a society more used to political failure than constructive partnership.

When finally I left the excellent facilities of the Conference Centre at the City Hotel in Armagh and drove back to Belfast I pondered on the Christian significance of the City. Only once in the 164 years of the General Assembly have Presbyterians gathered there to celebrate their faith and discuss their business. The year was 1852! Wouldn't it be timely and challenging to make a return visit in the not too distant future?

## **Item 9 – BOARD OF FINANCE AND PERSONNEL – Supplementary Report**

### **Early Retirement**

The Pensions and Assessments Committee unanimously recommended that the application by Rev William Alastair Kennedy for permission to retire on or after his 64<sup>th</sup> birthday be granted. A resolution to this effect is appended.

### **Ministers' Prolonged Disability Fund**

The Board considered the situation whereby an approved applicant to the Fund who qualified for Family Grants under Par 315 (4) of the Code prior to application would cease to qualify for these as he/she would no longer fit the definition of 'qualified minister' set out in Par 316 (1).

The Board believes that provision should exist to provide some level of benefit where Family Grant would otherwise have been payable. To facilitate this, a resolution is appended proposing a change to the Rules of the Fund which would enable the Pensions and Assessments Committee, with the approval of the Board, to increase the benefits payable to recognise, to some extent, the loss of Family Grants due to prolonged sickness or disability.

Also appended, is a resolution to amend the Rules to reflect the changes in Board and Committee structures in 2004.

## Reports of Review of Property and Tyrone Memorial

Resolutions are appended.

### Additional Resolutions

11a. That, under the provisions of Code Par 223 (3), Rev William Alastair Kennedy (Trinity, Bangor) be given permission to retire on or after his 64<sup>th</sup> birthday and that his pension be in accordance with the Code and the Rules of the Ministers' Pension Scheme (1978).

11b. That Rule 7 of the Rules of the Ministers' Prolonged Disability Fund, approved by the General Assembly in June, 2003, be amended to read as follows:

7a. Incapacity Benefit

Incapacity Benefit will be paid to approved applicants. The rate(s) of benefit shall be fixed each year by the Board on the recommendation of the Committee, but will not be related to the applicants' previous PCI remuneration or other emoluments.

7b. Family Benefit

Where approved applicants would, if they had not become eligible under Rule 6 above to apply for benefits, have qualified for Family Grants under Par 315 (4) of the Code, the Committee, with the approval of the Board, may pay a Family Benefit to such approved applicants. The rate(s) of benefit shall be fixed each year by the Board on the recommendation of the Committee and shall take account of Total Family Income.

11c. That the Rules of the Ministers' Prolonged Disability Fund, approved by the General Assembly in June, 2003, be amended by substituting 'The Board of Finance and Personnel' for 'The Board of Ministry and Pensions' in the Preamble and in Rule 19(a) and 'The Pensions and Assessments Committee' for 'The Committee on Retirements and Pensions' in the Preamble and in Rule 20(b).

11d. That the recommendations outlined in the Report on Review of Property be approved.

11e. That the operation of the Tyrone Memorial should continue to be reviewed on a triennial basis.

JOHN MILLAR

## **Item 11 – BOARD OF MISSION IN IRELAND – Supplementary Report**

### **Licensed Amendment to Resolution 1**

That the report be received and that Appendices A-C, with resolutions 2-6, be sent down to Presbyteries for consideration and comment by 31 December, 2006.

H B WALLACE

### **Second Licensed Amendment to Resolution 1**

That the report be received, that Appendices A-C be referred to Presbyteries for comment by 15 December, 2006 and that the Board of Mission in Ireland be given permission to pilot the Appendices with up to two Presbyteries and ten congregations willing to participate.

G CONNOR

## **Item 15 – HYMNAL COMMITTEE**

### **Revised Resolution 2**

That the Hymnal Committee be re-appointed for one further year as follows:-

The Moderator and Clerk of Assembly; Committee Convener, Information Officer.

Revs Prof WP Addley, WTJ Richardson, WJ Murdock, WA Kennedy, RL Brown, JH McIntyre, WH Sanderson, RD McDowell, M Spratt, R Hill, JF Murdoch, IF Smith, JR Dickinson, Dr AWG Brown; H Morrow, Mrs O Marshall, Miss M Guy, O McAuley, C Blake, Ms J Cowle, Mrs M Braithwaite, Ms D Holt, Mrs M Crooks.

WTJ RICHARDSON

## **Item 16 – GENERAL BOARD – Supplementary Report**

*(Item 16 includes consideration of resolutions 1-8; 22-24)*

### **Synods**

The Judicial Commission has considered the Overtures re the abolition of Synods and chosen those anent Pars 19, 86-92, 94-96 of the Code as test cases to send down to Presbyteries under the Barrier Act. The necessary overtures relating to the Basic Code, with the exception of Chapter X, are submitted this year. If they are agreed under the Barrier Act, overtures to change the Rules will be prepared for next year.

In future it is proposed that to make appointments to the Judicial Commission, vacancies would be notified at a meeting of the General Board and suggestions sought but without any formal approach to the person concerned. An ad-hoc Committee of the

General Board would then consider the suggestions and recommend a list of fifteen. When the General Board has finalised its nominations, the Business Board, in consultation with the outgoing Judicial Commission would add five further names having regard for balance of gender, profession and other relevant factors.

DONALD J WATTS

### **Special Assembly Conference**

In response to the resolution of the General Assembly, 2006, the General Board have appointed the Revs DJ Montgomery and TC Morrison to Convene an ad-hoc Committee to consider a further Special Conference. It was reported that the cost to Congregation's should not exceed 0.5p in the £ of stipend. Resolutions to test the mind of the Assembly and, if appropriate, to appoint an ad-hoc Committee are appended.

DONALD J WATTS

### **Additional Resolutions**

24a. That the General Assembly approve the holding of a Special Assembly Conference in 2010.

24b. That an ad-hoc Committee to plan a special Assembly Conference be appointed as follows:- Revs D Montgomery, C Morrison, JA Beattie, TJ Conway, RL Craig, MN Davidson, C Ebbinghaus, RS Hetherington, Lorraine Kennedy-Ritchie, FP Sellar, SJ Hanna; S McDowell, Mrs K Campbell, S Lynas, Mrs M Patterson, Miss B McDade, David Thomson, Miss J P Gamble, A Carroll, R Thompson, C Kennedy, G McCracken.

DONALD J WATTS

### **Item 17 – GENERAL BOARD – Supplementary Report**

*(Item 17 includes consideration of resolutions 27-31)*

#### **CHURCH HOUSE PANEL**

1. At a special meeting of the General Board, held on 13 September, 2005 the Clerk reported and the General Board agreed as follows:

(1) The General Assembly, on 8 June, 2005, agreed the following resolution – *“That the General Assembly instruct the Church House Panel to proceed with the sale of Church House and Fisherwick Buildings to the Thornton Trust, as outlined.”* This followed a report presented and proposed by Mr. Hubert Martin and seconded by the Very Rev. Dr. John Dixon.

(2) In presenting the report, Mr. Martin indicated the nature of the Thornton Trust as outlined in its Memorandum and Articles of Association and a letter to DTZ McCombe Pierce dated 3 May, 2005. He explained that *“The Thornton Trust is a County Armagh based registered charity, created to realise the dream of the philanthropic Thornton family, who have long wanted to perpetuate the family’s contribution to the civic, commercial and cultural life of the province, support Christian work, medical research, architecture and heritage, education and the promotion of community relations.”*

(3) The letter also dealt with the experience of the Thornton Trust in redevelopment and refurbishment projects. It stated:- *“Many of the property assets are being refurbished and in some cases re-developed, their first Heritage Restoration Project is a former Church and Manse in Thomas Street, Portadown, which is being refurbished to accommodate a traditional style tea room and food store.”*

(4) This experience was important to the Panel in making its recommendation. While the General Assembly in 2004 had concurred with the Panel that to impose restrictive covenants on the sale would not be appropriate, the Panel had noted the concerns of the Assembly and made clear both to the Estate Agent and through the Agent to those interested in bidding, that the intended future use of the buildings was important to the Church and would be considered in assessing the tenders. The invitation to submit tenders included the following:- *“Interested parties are asked as part of the tender documentation to set out clearly the financial terms of their offer, to give full details of their proposals for the future use of the property, to set out their timescale in which if successful they would like to complete the purchase, to provide evidence of funding and to detail any other conditions that they wish to make in relation to the purchase. Interested parties should note that the Presbyterian Church in Ireland is not bound to accept the highest or any offer and reserve the right to enter into negotiation with one or more preferred bidders.”*

(5) In recommending the Thornton Trust bid to the General Assembly, the Panel were impressed by the proposed use of the buildings for a tea-room and possibly restaurant with a high-class food store. A significant art gallery was also being considered, while the Assembly Hall would remain as at present. As well as allowing the administration of the Church to continue on lease-back for three years, the Assembly Hall would be available to rent each June. These proposals influenced the Assembly in its decision.

(6) Since the Assembly, the Panel has become concerned by the lack of progress made by the Trust in advancing its development schemes. Contrary to the letter mentioned earlier, the Heritage Restoration Project at the former Methodist Church and Manse in Thomas Street, Portadown, does not seem to have begun. The Panel has not been satisfied with the reassurances proffered by the representatives of the Trust.



- (7) The Panel wish to emphasise that its concerns are not a reflection upon the good intentions or community contribution of Mr. R. D. Thornton and his sister the late Miss E.M. Thornton (who sadly died on 12 July 2005). The late Miss Thornton, in particular, was very excited about the possible renovation and restoration of Church House.
- (8) Having given this matter much thought and prayer over the summer, the Panel is now of the view that it cannot fulfil the General Assembly's instruction, as the situation is very significantly different from that portrayed to the General Assembly in June. It therefore recommends to the General Board that no further steps are taken at present with regard to the sale of Church House and Fisherwick Buildings.
2. Resolutions agreed were:
- (1) That the report be received.
- (2) That the General Board accepts the view of the Church House Panel that the instruction given by the General Assembly in June "*to proceed with the sale of Church House and Fisherwick Buildings to the Thornton Trust, as outlined,*" cannot now be fulfilled.
- (3) That the Church House Panel be asked to prepare a further report for discussion by the General Board at its March 2006 meeting on the future sale of Church House and Fisherwick Buildings and to then submit a report to the General Assembly in June 2006.
- (4) That all costs incurred with regard to the proposed sale, up to the meeting of the General Assembly in June, be a charge on the Incidental Fund.
3. The question of costs has naturally been a concern and the following costs (rounded figures) were outlined to the General Board:
- |                        |         |
|------------------------|---------|
| Marketing costs        | £5,500  |
| Marketing Report       | £5,500  |
| Estate Agents Fees     | £13,000 |
| Legal Fees etc.        | £44,000 |
| Consultation with Q.C. | £3,000  |
4. As agreed by the General Board, the Panel left time for a period of reflection and returned to the issue with a report to the General Board in April. This was outlined in the Annual Reports. The options were discussed by the General Board and it was clear that there was little enthusiasm for Option (iii). The consensus of the General Board was to remain with the original decision of the General Assembly in 2004 to sell both Church House and Fisherwick Buildings. The General Board also indicated that members did not

believe further information was necessary on which to base an informed decision. There were reservations expressed, however, about the possible move to May Street.

5. The Panel subsequently met to reflect on the discussion at the General Board. It also considered a report from Alastair Coey, Architects, on possible future use of the Church House complex. After discussion it was agreed to confirm that the Church House and Fisherwick Buildings complex should be sold, without conditions attached, and with authority for the General Board to issue.

6. It was also recognised that at the time of meeting no planning application had been made for the May Street development. The Panel is actively looking at other possibilities in the central Belfast area. In the light of the General Board discussion, it is recognised that the new building must adequately meet the needs for office and staff accommodation, with some meeting rooms. The General Assembly and, if necessary, Committee and Board weeks will be held elsewhere.

DONALD J WATTS

#### **CENTRES REVIEW PANEL**

Discussions continue as to the future use of the Lucan site. A resolution to establish clearly that any disposal of funds will be at the discretion of the General Board is appended.

DONALD J WATTS

#### **Additional Resolutions**

29a. That the General Assembly confirm the 2004 decision to sell the Church House complex, without conditions attached.

DONALD J WATTS

29b. That the General Assembly accept notice of motion to rescind the decision of the 2004 General Assembly: "That the General Assembly agree that the Church House complex be sold and that a suitable alternative site and accommodation be acquired."

JOHN DUNLOP  
DAVID J McGAUGHEY

29c. That the General Assembly authorise the Church House Panel, while continuing in discussion with Barnabas Ventures on the May Street development, to consider other possible sites for Church House.

29d. That the General Assembly continue the authority to the General Board to take any further necessary decisions with regard to the sale of Church House and Fisherwick Buildings, the relocation and possible temporary accommodation for the Church House offices and any related matters.

29e. That the General Assembly authorise the General Board to distribute any proceeds from the sale or transfer of the Lucan Youth Centre.

DONALD J WATTS

## **Item 18 – GENERAL BOARD – Supplementary Report**

### **APPENDIX 4:**

#### **CHURCH AND SOCIETY SUBMISSION TO PARADES COMMISSION CONSULTATION MAY 2006**

We are grateful for the opportunity to respond to the invitation to participate in the Parades Commission's review of procedures under which it operates. The Presbyterian Church in Ireland's Church and Society represents Irish Presbyterians from across the Island of Ireland and includes ministers and elders. The Committee draws on the experience of past Moderators and senior figures within the denomination and takes representation from those who work at more local levels.

We have four main concerns:

#### **1. TRANSPARENCY**

In a modern democratic society it is simply not acceptable for a body such as the Parades Commission to hear formal evidence in private prior to a determination; for those presenting the evidence neither to know who else has presented evidence, nor what that evidence is. Thus there is no possibility for any public challenge to flawed evidence, nor any public understanding of the evidence presented. This culture of secrecy does great harm to the credibility of the Commission and its determinations.

It is our clear view that all evidence, (including that of the PSNI) should be given in public – and only in the most exceptional circumstances should evidence be given behind closed doors.

#### **2. COMMUNITY IMPACT ASSESSMENT**

There is no rationale at all for the community impact assessment to be the responsibility of the PSNI. They have expertise in public order, but no more than any other body in assessing the impact of a contested parade on community relations. This responsibility must be given to those with both the expertise and the credibility to do so – a new role potentially for the Community Relations Council. In addition, both the parade organiser and the protest organiser should be asked to include an assessment from their perspectives in their paperwork to the Commission.

#### **3. MEDIATION**

We remain very concerned that the Commission will not be able to credibly mediate between parties against one of whom it may well have to make a limiting determination. We are far from convinced that these two roles can be combined in the

one Commission, and there is little evidence that the Commission as a body has either the skills or the credibility to exercise a mediation role. Such work should be carried out for the Commission by those publicly qualified and trusted to do so.

#### 4. PROTEST

In practice there seems little sanction on those who break the terms of a determination on protest. The Commission needs to publicly clarify the consequences from its perspective of violations of such determinations.

We offer our comments in the hope that they will be helpful as you go through the process of review and we assure you that we are willing to enter into conversation with you at any time.

### APPENDIX 5

#### CHURCH AND SOCIETY SUBMISSION TO THE WORKING GROUP ON DOMESTIC PARTNERSHIP ESTABLISHED BY THE MINISTER FOR JUSTICE, EQUALITY AND LAW REFORM

1. The Presbyterian Church in Ireland welcomes the opportunity, through its Church and Society Committee, to make a submission to the Working Group set up by the Minister on “Domestic Partnership.”

2. We welcome the report on the Family of the All Party Oireachtas Committee on the Constitution, published in January 2006, which proposed leaving the constitutional status of the Family unchanged.

3. As we stated in our written submission, and at our oral presentation to the Committee, we recognise that there will be those “who choose to live in a way which does not follow the Christian teaching we espouse. There may be, therefore, issues surrounding tax, inheritance, welfare benefits etc that could be re-examined by the government in relation to those who live in such relationships” (10<sup>th</sup> Progress Report, Dublin, 2006, page A235). It appears to be in line with such an approach that the current Working Group has been established.

4. The experience of the Presbyterian Church as an “all-Ireland” body has included the recent introduction of Civil Partnership legislation in the United Kingdom, under which the first ceremony took place in Belfast in December 2005.

5. Making a submission to those preparing the UK legislation, in March 2004, the Clerk of our General Assembly, Rev Dr Donald Watts wrote on behalf of our Church:

- a. The Presbyterian Church considers that marriage has been ordained by God to offer lifelong companionship in a committed relationship of a man and a woman. This is the purpose for which God created male and female. While the Church would wish to be supportive and welcoming to people of all sexual

orientations, it believes that the sexual act should be practised in a committed heterosexual relationship. That is what makes marriage unique. Offering civil partnership registration in a way, which clearly mirrors the present marriage regulations, is to challenge the uniqueness of marriage as a God-given ordinance.

- b. The Church recognises that there are issues to do with tenancy, inheritance, etc which affect any two people living in the same house. This also affects e.g. two unmarried sisters; a carer looking after a close friend. These issues could well be looked at, but creating the civil partnerships being suggested is not the answer.

6. Two years on, facing a similar question in this jurisdiction, the position of our Church remains the same. In fact the introduction of Civil Partnership legislation in the UK, in a way, which closely mirrors marriage, so that it appears as marriage in all but name deeply concerns us. It clearly challenges and undermines the uniqueness of marriage. It is not; we believe the model to adopt in Ireland when considering “domestic partnerships”.

7. We recognise that the adoption of this legislation in the UK, following that in a small number of other jurisdictions, does provide problems for our government in Ireland in terms of what legal recognition to afford such foreign partnerships.

8. However using the analogies of where (i) certain marriages contracted outside the state i.e. involving a minor, *would be regarded as illegal in Irish Law* or (ii) where in certain circumstances a divorce granted outside the State *may not be automatically recognised in Irish Law*, the State should not feel compelled to recognise a partnership arrangement entered into abroad where this is in conflict with our own Constitution.

9. The most pressing question therefore is that of which forms of domestic partnership may be given legal effect and recognition within our Constitutional provisions.

10. The Conclusions of the All Party Oireachtas Committee on the Constitution appear to point to a desire to create two forms of “domestic partnership”, one relating to cohabiting heterosexual couples and another for same-sex couples.

11. Such a distinction is probably not sustainable in the long term, and is likely also to bring pressure to bear on the distinct position of the Constitutional position of the Family grounded in marriage.

12. It is important to ask, “*What is the problem that needs to be addressed?*” Is it merely to deal with issues of tax, inheritance, welfare etc between unmarried people, or is the real intention to establish that all unions between consenting adults may be treated as of equal status.

13. If the latter course is taken it will inevitably lead to the degrading of marriage within our society, which we believe to be a God-given institution for the well ordering and well being of human relationships.

14. If, however, the former course is adopted then it may prove possible to give legal assurances to those who, because of their domestic relationships live in a dependant situation, but not a marital one.

15. Examples of this may be where elderly siblings live together, but are disadvantaged by current legal provisions in relation to tax, inheritance, welfare etc. This is an area completely ignored by UK Legislation. Concerns could also be raised about the situation of those who care for an elderly or sick person, but who may not have any of the above-mentioned rights in relation to them.

16. While the Church deals pastorally with individuals in many domestic relationships, and seeks to be compassionate whatever the circumstances, this does not mean that we believe that all can be regarded as helpful or right.

17. As a result we are not in favour of creating a further category or categories of relationships, which have had the effect in other jurisdictions of mirroring marriage.

18. However, recognising the responsibility of the government to legislate for all the circumstances existing within the State, we can foresee a situation whereby legal provisions in relation to tax, inheritance, welfare etc may be made, but would urge a modest approach, focusing simply on these small scale realities or else we believe that the long term result will be an erosion of the stability which Marriage brings within the life of the State, which will be in the interest of none of us.

LESLEY E CARROLL

### **Additional Resolutions**

13a. The General Assembly affirms the broad agreement of the Church, as expressed at the 1979 General Assembly, regarding homosexual relationships and directs that ministers and licentiates shall not conduct Services of Blessing in the context of a Civil Partnership.

LESLEY E CARROLL

13b. That the General Assembly requests the Church and Society Committee to examine the nature and scope of homophobia within our church and society, and report their findings to the next General Assembly, with a view to developing more sensitive and effective pastoral care.

SIMON HENNING

26a. That the General Assembly encourage every congregation to be aware of migrant workers and other immigrants in its area and to ensure a welcome to them.

RICHARD C KERR

26b. That the General Assembly appoint:

To the Irish Council of Churches:

Revs J Brackenridge, Dr SJ Campbell, AD Davidson, GAJ Farquhar, TWA Greer, Dr S Hutchinson, L Kennedy-Ritchie, RC Kerr, CD McClure, MJR Neilly, D Nesbitt, Dr DJ Watts; J Bell, L Conway, OBE, Mrs M Irwin, Mrs G McCormick, Ms R Mitchell, JA Patterson, Ms Valerie Steele, Ms Ruth Strong.

To the Irish Council of Churches Executive:

Revs AD Davidson, Dr DJ Watts, L Kennedy-Ritchie, J Brackenridge.

To the Irish Inter Church Committee:

Revs AD Davidson, Dr DJ Watts

To the WARC European Area Council:

Rev Dr DJ Watts.

To the Community of Protestant Churches in Europe:

Revs Dr Cecil McCullough, Dr WG Campbell.

26c. That the following grants be made from the Incidental Fund:

Irish Council of Churches	£16,400
Irish Inter-Church Meeting	£8,000
Conference of European Churches	£5,000
'The Community of Protestant Churches in Europe'	£2,000
World Alliance of Reformed Churches	£10,500
	AD DAVIDSON

## **Item 20 – GENERAL BOARD**

### **Amended Overture Transmitted**

#### **Anent Par 85(1) of the Code**

It is hereby overtured to the General Assembly to enact that in Par 85(1) of the Code after the words “minister without charge” there be inserted the words “or licentiate”.

DONALD J WATTS

### **Additional Overtures Transmitted**

#### **Anent the following Paragraphs of the Code**

It is hereby overtured to the General Assembly to enact as follows:-

**Par 19(1)**

That the words “Presbyteries, Synods and” be deleted and the words “Presbyteries and” substituted.

**Par 19(2)**

That the words “under the jurisdiction of the Synod and each Synod is similarly” be deleted.

**Par 65 (1)**

That the words “immediately preceding the annual meeting of Synod” be deleted and the words “in March” substituted.

**Par 66(1)**

That the words “the Clerks of Synod and Assembly” be deleted and the words “the Clerk of Assembly” substituted.

**Par 66(2)**

That the words “Synod or” be deleted.

**Par 67(1)**

That the words “Synod or Assembly” be deleted and the words “the Assembly” substituted.

**Par 67(4)**

That the words “or Synod” be deleted.

**Par 79(b)**

That the words “the Synod or” be deleted.

**Par 79(c)**

That Par 79(c) be deleted and the words “report annually to the Assembly and furnish returns on such matters as may be specified by the Assembly;” substituted.

**Par 79(d)**

That the words “nominations for the offices of Moderator of Synod and” be deleted and the words “a nomination for the office of Moderator of Assembly”.

**Pars 86-92 and 94-96.**

That Pars 86-92 and 94-96 be deleted.

**Par 93 (1)**

That the words “In addition to the regular Synods of the Church, every” be deleted and the word “Every” substituted.

**Par 106(a)**

That the words “Synods and” be deleted.



**Par 106(b)**

That the words “Presbyteries from one Synod to another, and” be deleted.

**Par 109**

That Par 109 (a) be deleted and (b) to (f) be re-numbered as (a) to (e).

**Par 127(1)**

That the words “three to be nominated by each Synod” be deleted and the words “fifteen to be nominated by the General Board” substituted.

**Par 127(2)(b)**

That Par 127(2)(b) be deleted and the following substituted “Any vacancy which may occur in the Commission membership through death or other cause shall be filled by the Assembly on the nomination of the appropriate Board at the meeting immediately following the vacancy.”

**Par 134(1)**

That in Par 134(1) the sentence be deleted: “The Synod’s only power of discipline is over its own officers and members when acting as such.”

DONALD J WATTS

**Resolutions**

1. That the above-mentioned overtures be received and placed on the books.
2. That the overtures anent Par 19 and the overtures anent Pars 86-92 and 94-96 be sent down to Presbyteries under the Barrier Act.

DONALD J WATTS

**Item 24 – UNION COMMISSION****Amended Overtures Transmitted****Anent Par 193(4) of the Code**

It is hereby overtured to the General Assembly to enact that Par 193(4) of the Code be deleted and that the following be substituted in its place:

“The following conditions shall apply to a Minister being called and inducted as an Associate Minister in a Congregation. The appointment shall be for a term of 3 years. This period of service may be extended by the Union Commission for up to 7 years, after consultation with the Minister, the Associate Minister, the Kirk Session and the Presbytery. In very exceptional circumstances, the period of service may be extended beyond 7 years, in terms of up to 3 years each, following a full review by the Union Commission in consultation with the above parties.

An appointment as Associate Minister may, after twelve months service, be terminated by mutual agreement, or by two months notice given by the Presbytery or by the Minister of the Congregation, the Kirk Session or the Associate Minister, subject to the approval of the Presbytery.”

**Anent Par 237 of the Code**

It is hereby overtured to the General Assembly to enact that Par 237(b) of the Code be deleted and that the following be substituted in its place:

237(b) “Payments for travel, telecommunications expenses, towards the lighting, heating and cleaning of the manse or towards the upkeep of manse grounds are among recognised ministerial expenses, along with other items as authorised by the Union Commission”;

and that Par 237(c) of the Code be deleted and that Par 237(d) of the Code be renumbered as Par 237(c).

TJ STOTHERS

**Item 28 – JUDICIAL COMMISSION – Supplementary Report**

**LARGY REFERENCE**

At 31 May, 2006 the outstanding monies had not been paid as directed by the Judicial Commission. To ensure that the Judicial Commission has all necessary powers in dealing with the matter a resolution is appended.

**SECOND REFERENCE FROM A PRESBYTERY REGARDING COMPLAINTS AGAINST A MINISTER**

The Judicial Commission plans very shortly to conclude its preliminary investigation under Code Par 161.

DONALD J WATTS

**Additional Resolution**

1a. That in consideration and determination of the Largy reference, the General Assembly delegate to the Judicial Commission, as appropriate, any of the powers referred to in Code Par 106.

DONALD J WATTS

**Item 29a – Memorial of Mr Richard Williams**

To the Venerable the General Assembly of the Presbyterian Church in Ireland to meet at Belfast on the 5th June 2006

**The Memorial of Richard Williams Respectfully Showeth:**

That he represents over half of the original congregation of Howth and Malahide Presbyterian Church as at 2002

That he has been a member of the Presbyterian Church for over 60 years and has served the Church faithfully during this time, having assisted in the spiritual care of our children in Sunday School for over 30 years

That he believes the Dublin and Munster Presbytery has failed to provide pastoral care and support, and a place for worship, to those members of Howth and Malahide Presbyterian Church who have been alienated and/or disenfranchised from our Church over the last five years by the actions of the incumbent minister.

That it is the wish of these members to continue to worship in the Church of their upbringing, and which was created by their forefathers.

Further, they believe that the members of the proposed special visitation commission do not represent a theological balance and request the General Assembly to appoint an independent and impartial visitation Commission without participation of members of Dublin and Munster Presbytery.

Memorialist therefore prays your venerable Assembly to appoint a pastoral carer and provide the alienated members with a place in which they may continue to worship Our Lord in Christian harmony, and also appoint an independent and impartial Commission to carry out the special visitation.

And Memorialist, as in duty bound, will ever pray.

RICHARD WILLIAMS

Dated this day 25th May 2006

Licensed by the Presbytery of Dublin and Munster at a meeting of its Standing Commission on 26 May 2006 and transmitted to the Synod of Dublin with the strong recommendation that its prayer be not granted.

ALAN J BOAL, Moderator  
COLIN J GAMBLE, Clerk

Transmitted simpliciter by the Synod of Dublin at a meeting of its Standing Commission on 30th May 2006.

WILLIAM A McCULLY, Moderator  
G ALAN MITCHELL, Clerk

### **Item 30 – TRUSTEES – Supplementary Report**

#### **REV WDF MARSHALL**

At the May meeting, the Chairman of the Executive Committee of the Trustees, the Rev WDF Marshall, indicated that he wished to resign from the Executive and the Trustees. His resignation was accepted with great regret.

The Rev Fergie Marshall has been a Trustee since 1982 and member of the Executive since 1987. His wide experience of many aspects of church and community life, his wise counsel and good humour made him an ideal choice as Chairman of the Trustees. In the role, he had the respect of his colleagues and the Church at large.

DONALD J WATTS

### **Item 34 – BOARD OF STUDIES AND CHRISTIAN TRAINING**

#### **Amended Overture Transmitted**

##### **Anent Par 285(4) of the Code**

It is hereby overtured to the General Assembly to enact that in Par 285(4) of the Code all sentences following the word “thereon” be deleted and replaced by:

“(4) The Board, directly or through a Committee on Reception, shall investigate all such applications and shall act thereon as follows:-

(a) Ministers and licentiates of other branches of the Christian Church shall apply to the Convener of the Committee on the Reception of Ministers and Licentiates by 15 December in any year.

(b) Each applicant shall be interviewed and a report brought to the spring meeting of the Committee which shall make a recommendation to the spring meeting of the Board which shall have power to issue and may approve or reject any application.

(c) The names of those ministers and licentiates who have been approved by the Board and received as ministers or licentiates eligible for call subject to paragraph (d) below shall be reported to the General Assembly.

(d) A minister or licentiate who has been received in this way shall not be eligible for call until he/she has completed any studies and/or assistantship required by the Board of Studies and Christian Training.

(e) A successful applicant who has not begun his/her required course of study and/or assistantship by 1 October in the year following his/her reception by the General Assembly shall cease to be eligible.

(f) In cases where the reception of a minister is being sought to facilitate the work of a Board of the General Assembly or where a vacancy commission seeks to approve the placing of a minister of another denomination on a list for hearing, the Committee on the Reception of Ministers and Licentiates may make special interview arrangements and the Board of Studies and Christian Training shall have power to issue or to refer the matter to the General Assembly.

(g) Ministers and licentiates whose applications are rejected by the Board of Studies and Christian Training may appeal by memorial to the General Assembly.”

R BRIAN SAVAGE