

Constitution of the German Speaking Congregation in Scotland

Scottish Charity No. SC009066

Edinburgh, 4th May 2024

1 - Name and Objective

The German Speaking Congregation in Scotland (German name: "Evangelische Gemeinde Deutscher Sprache in Schottland), hereinafter "The Congregation", is registered as a charity in Scotland and as such is subject to Scottish Charity Law.

Its purpose is the advancement of Christian religion. The Congregation offers pastoral services in German and, through its proclamation of the Gospel and in pastoral and social care, considers itself responsible to all German speaking persons who reside permanently or temporarily within its parish area.

2 - Confession of Faith

2.1 The Congregation proclaims its allegiance to Jesus Christ, Lord of the World, who is the one and only Head of the one holy universal Christian Church. It finds him attested to in the Scriptures of the Old and New Testaments, which it studies under the promised guidance of the Holy Spirit. It acknowledges that it is called to believe in salvation through this Our Lord alone, to whom the Holy Scriptures bear witness; to Service in the spirit of love that springs from His atonement for our sins; and to the hope of His coming at the end of time.

2.2 In common with the Church throughout the centuries, it recognises the creeds of the early Christian church as its historical basis, and, in common with the German-speaking Reformed Churches, it also recognises the profession of faith expressed in the writings of the 16th century. The Congregation accepts the doctrine outlined in the Theological Declaration of Barmen as a statement of its beliefs.

3 - Historical and Legal Background

The first German congregation in Edinburgh was founded in 1863 and existed until 1914. Services resumed in 1947, and a formal congregation was founded in 1952. The present building was consecrated in 1967.

In Aberdeen, services took place from 1948; the congregation became independent in 1964. The Edinburgh and Aberdeen congregations merged in 1996.

In Glasgow, German language services began in 1882. The first congregation was founded in 1898 and existed until 1914. German church life resumed in 1952. The congregation owned their own premises from 1961 until 2008.

In 2023 the congregations in Glasgow and Edinburgh/Aberdeen decided to merge, thereby forming the German Speaking Congregation in Scotland.

4 - Relationship to the Synod and to Other Churches

4.1 The Congregation is a member of the Synod of German Speaking Lutheran, Reformed, and United Congregations in Great Britain (hereinafter "The Synod"). This membership governs its

relationship with the Protestant Church in Germany (EKD, Evangelische Kirche in Deutschland), according to the agreement in force at any given time between the EKD and the Synod.

4.2 Fraternal co-operation with the churches of the ecumenical movement on their path towards unity of all Christians finds particular expression in solidarity with all German speaking churches and with the churches of this country.

5 - Parochial Region and Parish Area

5.1 Within the Synod, the Congregation together with its sister congregation in Newcastle upon Tyne, forms the Parochial Region "Scotland and Northeast England".

5.2 The Parochial Region is a co-operative association of legally autonomous congregations. In accordance with a decision by the Synod, the minister's official residence is in Edinburgh.

5.3 Representatives of the member congregations, together with the minister, shall meet at least annually to discuss upkeep of the parish and other questions of mutual concern.

5.4 The Parish Area of the Congregation is all of Scotland.

6 - Membership

6.1 All baptised Christians who speak or understand German, live within the Parish Area, and have attained the age of 14 (religious majority) are eligible for membership of the Congregation.

6.2 Membership is obtained by written declaration of intent and recognition of the Congregation's constitution, and requires approval by the Church Council.

6.3 Members have the right to vote at General Meetings of the Congregational Assembly. Minimum voting age for election of a minister is subject to regulations of the Synod.

6.4 Simultaneous membership in a different church of similar denomination is possible.

6.5 Termination of membership is effected by written declaration of intent or by ceasing to reside within the Parish Area. The member thereby surrenders all offices and rights in the Congregation.

6.6 Membership is realized by maintaining an active relationship to the Congregation. Members pay regular contributions towards its upkeep, the amounts of which are determined by the Church Council (see 11). In exceptional cases, such as hardship, exemption from payment of contributions is possible.

7 - Divine Worship

7.1 The congregation assembles for regular services of worship as circumstances permit. Holy Communion shall be celebrated regularly.

7.2 The language used in services is normally German. Co-operation with local churches is expressed in occasional joint services.

7.3 Worship is conducted in accordance with an order of service approved by the Congregational Assembly. Occasional deviations from the order (e.g. for themed and family services) are possible.

7.4 The Congregation strives to teach God's Word to the children entrusted to its care. They are invited to attend children's services and the Eucharist.

8 - Official Procedures

8.1 Baptism is administered with the words "I baptise you in the name of the Father, the Son, and the Holy Spirit", during which water is sprinkled three times on the head of the person being baptised.

Baptism of children requires that at least one parent be a member of the Congregation. Exceptions to this rule may be made by the minister in consultation with the Church Council.

8.2 Confirmation, is preceded by a thorough course of instruction by a person commissioned by the Congregation. The act of Confirmation takes place at a service in the Congregation.

8.3 Marriages may be performed if at least one of the parties is a member of the Congregation or a church of similar confession.

8.4 Funeral Services and burials may also be conducted for non-members.

9 - Congregational Activities and Charitable Work

As the good news of the Gospel is for the whole person, the Congregation will endeavour to alleviate suffering through financial offerings and practical help. Its attention is directed towards its own members, towards German speaking fellow humans in this country, and also towards other church communities, charitable and social organisations, and individuals.

10 - The Congregational Assembly

10.1 The Congregational Assembly (hereinafter "Assembly") is the supreme governing body of the Congregation. It is the general meeting of voting members of the Congregation, and takes place at least annually within the framework of a church service.

Its duties are:

- a. to elect the Church Council;
- b. to elect the pastor in accordance with the procedure laid down by the Synod;
- c. to elect two delegates to the Synod and their deputies;
- d. to approve the budget;
- e. to receive the annual financial report;
- f. to receive the Church Council's annual report;
- g. to discuss motions duly submitted by Church Council or a Congregation member;
- h. to discuss general matters relating to parish life;
- i. to amend the constitution.

10.2 Should Church Council so decide, Assembly meetings may also take place digitally (by telephone or video conferencing) or in hybrid form (partly digitally and partly in person).

10.3 Assembly meetings are chaired by the chairperson of the Church Council or by another member of the Church Council delegated by him or her.

10.4 The Assembly is quorate if, following a duly issued invitation to attend, at least 20% of voting members of the Congregation are present, be it in person or digitally.

10.5 Invitations to attend Assembly meetings shall be issued in writing, together with the agenda proposed by the Church Council, with at least two weeks' notice.

10.6 Should an Assembly meeting fail to achieve a quorum, then a second newly convened meeting shall be quorate irrespective of the number of members present. Paragraph 10.5 still applies.

10.7 Decisions are normally taken by show of hands unless a secret ballot is requested. Decisions concerning persons are always taken by secret ballot.

11 - The Church Council

The Church Council (hereinafter "Council") is the committee that leads and manages the Congregation and takes decisions concerning the congregation's work. Its members act as trustees in the sense of Scottish charity law.

11.1 - Membership

11.1.1 Council consists of a minimum of four elected members of the Congregation, who by law must be at least 18 years of age. The pastor is ex officio member of Council. Persons who have been given special duties within the congregation, or who are delegates to the Synod are members of Council, but have no voting rights unless they have been elected onto Council.

11.1.2 Members of Council are elected for a period of four years. At intervals of two years a new election is held for half the seats on the council. Re-election is possible. Candidates for election are proposed by voting members of the Congregation, and are intimated to the chairman of the council before or at an Assembly meeting.

11.1.3 The Council may co-opt new members. These will remain in office until the next election. They will be announced to the congregation at a service.

11.1.4 Persons who are a direct relative, sibling, spouse, or in-law of an existing member of Council are not eligible for Council membership.

11.1.5 Newly elected members of Council are inducted at a church service and are required to observe this constitution.

11.1.6 A person's Council membership is terminated

- should they fail to be re-elected,
- should they cease to be a member of the congregation (see art. 6.5),
- should they decide to resign.

11.2 - Duties and Code of Conduct

11.2.1 The Church Council

a. ensures that the Word of God is duly preached and the Sacraments are duly administered in the congregation;

- b. takes decisions regarding order of service, times and places of services, and regulations relating to life in the congregation, and ensures that they are observed;
- c. formally represents the congregation vis-a-vis external persons or bodies;
- d. supports the pastor in their work;
- e. supervises the administration of the congregation's assets and ensures that membership subscriptions are paid regularly;
- f. takes care that those in need are supported by the congregation;
- g. issues an annual report giving an account of parish life (see 10.1.f);
- h. invites members to, proposes an agenda for, and prepares resolutions to be decided on at Assembly meetings.

11.2.2 Code of Conduct

The conduct of church council members is subject to the Trustees Code of Conduct and the Conflict of Interest Policy. These policies are decided annually by the parish council and are made accessible on the website.

11.3 - Management and Responsibilities

11.3.1 Council elects from within its elected membership (see 11.1.1) a chairman and deputy chairman. It appoints a treasurer and a secretary.

11.3.2 Council meets regularly or, if the need for special meetings arises, at the request of three of its members. It is quorate when four or more than half of its members are present, whichever is larger. They may be present in person or digitally (see 11.3.4). Members are invited in writing a few days in advance by the chairman or deputy or the pastor, together with a proposed agenda. Meetings are opened and closed with a scripture reading or prayer. The chairman of the meeting ensures that the agenda is adhered to, and arranges for minutes to be taken.

11.3.3 Council may invite guests to its meetings. They can participate in discussions but have no vote.

11.3.4 Council may decide to hold its meetings digitally (such as by telephone or video conference).

11.4 - Congregational Property

11.4.1 The right to own land, buildings, and other assets, including money, on behalf of the Congregation lies with its trustees. They are responsible for the administration of these, and all contracts and documents relating to such ownership are signed and executed by them.

11.4.2 Council is empowered to open bank accounts and invest money. Such accounts are administered by the treasurer.

11.4.3 Subject to approval by Assembly, Council may

- a - acquire, dispose of, and raise loans on immovable property;
- b - build, alter, and demolish buildings;
- c - enter into contracts or agreement relating to these procedures.

12 - Administration of Finances

12.1 Records are to be kept of all items of income and expenditure. The treasurer administers the finances of the Congregation under the direction of Council, and reporting to them regularly. Council determines who may authorize bank transactions. (See Financial Control Policy)

12.2 The treasurer appends a financial report to the Council's annual report. The Congregation's resources are administered within the framework of a budget drawn up by Council and approved by Assembly. Deviations from the current year budget are to be approved by Council.

12.3 Every voting member of the Congregation is entitled to inspect the administration of finances and the use to which they are put.

13 - The pastor

13.1 Election of the pastor takes place in accordance with the procedures laid down by the Synod (see 4.1).

13.2 The pastor is required to teach and preach the pure and unadulterated Gospel of

Jesus Christ on the sole basis of Holy Scripture in accordance with article 2 of this constitution; to administer the Sacraments according to Scripture; and to bear witness to the joyful message of the Gospel by living their life according to God's commandments and to carry out their duties faithfully and conscientiously.

13.3 Other matters are regulated by the contract of service between the pastor and the congregations of the Parochial Region (see 5), the Synod and the EKD (see 4.1).

14 - Dissolution

14.1 The Congregation is dissolved when two separate Assembly meetings so decide with a 2/3 majority of votes cast, or when the number of members falls below 20.

14.2 When the Congregation dissolves, its assets pass to the Synod unless there are legal regulations to the contrary.

15 - Amendments to the Constitution

15.1 Amendments to the constitution are prepared by Council and submitted to the vote at Assembly. Approval requires a 2/3 majority of the votes cast. Proposed amendments must be sent to members two weeks prior to the relevant Assembly meeting.

15.2 Article 2 of this constitution cannot be changed.

15.3 Amendments to the constitution must be endorsed by the Synod.

16 - Closing Provision

This constitution was duly passed at the AGMs of Edinburgh/Aberdeen congregation on 5th March 2023 and Glasgow congregation on 11th March 2023, and shall come into force upon being signed by the chair and two other committee members of each of these congregations.

Previous constitutions of these congregations shall lose their validity at that time.