

BASIS OF DEFERRED UNION

The congregation of Dalkeith: St Nicholas Buccleuch Parish Church (Church of Scotland) (SC014158) and the congregation of Newbattle Parish Church (Church of Scotland) (SC035087) shall be united on a date to be appointed by Presbytery, and on the following terms and conditions:

1. **Name:** The name of the united charge shall be Newbattle: St Nicholas Buccleuch (Church of Scotland) and Scottish Charity Number SC035087 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. **Places of Worship:** The churches at present used and occupied by the congregation of Newbattle Parish Church (Church of Scotland) shall be the places of worship of the united charge. The church at present used by the congregation of Dalkeith: St Nicholas Buccleuch Parish Church (Church of Scotland) shall be used, 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.
4. **Territorial Responsibility:** The bounds to be served by the united charge shall be the bounds at present served by the congregations of Dalkeith: St Nicholas Buccleuch Parish Church (Church of Scotland) and Newbattle Parish Church (Church of Scotland) 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 charge 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:** The congregations to be united shall proceed to the appointment of a minister who shall be inducted in the first instance as minister of Newbattle Parish Church (Church of Scotland), provided that on the demission of the Rev Alexander Horsburgh as minister of Dalkeith: St Nicholas Buccleuch Parish Church (Church of Scotland), the union shall immediately be effective under the minister so appointed and inducted.
8. **Manse:** The manse of the congregation of Newbattle Parish Church (Church of Scotland) shall be sold to enable another property to be purchased which will then serve as the manse of the united charge 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.

The manse of the congregation of Dalkeith: St Nicholas Buccleuch Parish Church (Church of Scotland) 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.

9. **Ministerial Support:** The Stipend of the Minister shall be payable in terms of the National Stipend Scale.
10. **Power to Readjust:** While the articles and terms shall form the Basis of Union for the two congregations to be united, the united charge shall be free, like other congregations, to adjust arrangements under the authority of Presbytery as need may arise.