

# The Manual 2013



The United Church of Canada/L'Église Unie du Canada

The Manual, 2013



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## 5. Records

### 5.1 Meaning of “Records”

A record is any kind of recorded information, including membership rolls, meeting minutes, baptismal and marriage registers, letters and other documents, plans, maps, drawings, graphic works, photographs, film, microfilm, sound recordings, videotapes, and any other kind of recorded information. It may be recorded in print form, on film, electronically, or in any other way.

### 5.2 Value of Records

Church records have historical and legal value.

### 5.3 Keeping Records

Congregations, pastoral charges, and courts are responsible for

- (a) creating their own records;
- (b) making sure the records are accurate and complete; and
- (c) keeping the records safe, secure, and under their control until the records are transferred to the appropriate archives.

***There are procedures for creating, keeping, transferring, and depositing records. These procedures must be followed by congregations, pastoral charges, and courts. See Guidelines for the Content of Presbytery Meeting Minutes, Guidelines for Minutes and Notes of Meetings, Privacy Issues: Recordkeeping and Archives, and What Do the Archives Want? A Basic Guide for Congregations. These resources are available from the General Council Office.***



### 5.4 Ownership of Records

All church records belong to the United Church. They may not be taken or kept by any member, minister, or other person except where allowed in these bylaws or under the archives policy.

***The archives policy for the General Council Archives is available on request from the General Council Office. The archives policy for a Conference Archives is available from the Conference office.***



### **5.5 Reviewing Records**

Presbyteries, Conferences, and the General Council are responsible for reviewing the records of the courts that they oversee. They must ensure that these courts are carrying out their responsibilities for records.

### **5.6 Archiving Records**

Congregations, pastoral charges, presbyteries, and Conferences are responsible for placing their records and other documents in the Conference Archives when they are no longer regularly needed.

The General Council is responsible for placing its records and other documents in the General Council Archives when they are no longer regularly needed.

### **5.7 Removing Documents from Archives**

A document may only be removed from the General Council Archives or Conference Archives if

- (a) its removal is required by a civil court order; or
- (b) permission is given under the archives policy.

## **6. Website Posting of Minutes and Decisions**

### **6.1 Application**

This section (A.6) applies to the General Council, and to Conferences and presbyteries if they have a website. It may also serve as a guide to congregations, pastoral charges, and other local ministry units.

### **6.2 Posting Draft Minutes**

The court is responsible for posting the draft minutes of meetings of the court, its executive, and its sub-executive on its website.

The draft minutes must clearly indicate any decisions that have been made. They must be posted at the same time that the court sends them to its members.

Decisions by commissions must be posted in the same way.

### **6.3 Posting Changes to Draft Minutes**

If the court approves any changes to the draft minutes, it must post the revised minutes on its website.

## 4.8 Committees of the General Council

### 4.8.1 General

The General Council may fulfill its responsibilities with the help of committees, task groups, steering groups, teams, commissions, and other bodies.

In this section (E.4.8), the term “committees” includes all of these bodies.



***There is a policy for recruiting and appointing the membership of committees. See the Governance Handbook available from the General Council Office.***

### 4.8.2 Mandatory Committees

The General Council must have committees to do the work listed in section E.4.8.3 below.



***There is a policy for the membership, detailed responsibilities, and procedures for each of the committees or other bodies that do the work listed in section E.4.8.3 below. See the Governance Handbook available from the General Council Office.***

### 4.8.3 Mandatory Committee Responsibilities

- a. **Archives and History Committee:** The Archives and History Committee is responsible for coordinating and promoting archival and historical activity for the United Church.
- b. **Audit Committee:** The Audit Committee is responsible for
  - (i) overseeing the United Church’s financial reporting, control, and audit functions; and
  - (ii) overseeing the United Church’s pension plan on behalf of the pension board.
- c. **Judicial Committee:** The Judicial Committee is responsible for dealing with all appeals of
  - (i) decisions of other courts to the General Council;
  - (ii) decisions of the Executive of the General Council; and
  - (iii) rulings of the General Secretary of the General Council.
- d. **Manual Committee:** The Manual Committee is responsible for assisting the General Secretary with
  - (i) preparing *The Manual*; and
  - (ii) conducting remits.
- e. **Theology and Inter-Church Inter-Faith Committee:** The Theology and Inter-Church Inter-Faith Committee is responsible for helping the church in expressing
  - (i) its longing for God;
  - (ii) its theological identity; and
  - (iii) its commitment to whole world ecumenism.

#### 1.4.6 Congregation Continues to Exist

A congregation's life does not end when it amalgamates with another congregation. Rather, the congregation continues to exist in ministry as the new amalgamated congregation.

#### 1.4.7 Gifts and Bequests

This section applies to gifts made to a congregation that has amalgamated, whether the gifts are made before or after the amalgamation. "Gifts" include bequests made in a person's will.

The gift automatically goes to the new amalgamated congregation, even if the gift document refers to the congregation by its former (pre-amalgamation) name.



*There are resources about amalgamations to assist congregations and presbyteries. See the Congregational Board of Trustees Handbook available from the General Council Office.*

### 1.5 Ending

A congregation ceases to exist when the presbytery makes a decision to disband the congregation.

The process for disbanding is set out below. The congregation, presbytery, and Conference are each responsible for the steps assigned to them.

#### 1.5.1 Decision by Congregation

The congregation decides to disband.

#### 1.5.2 Decision by Presbytery

The presbytery makes a decision on whether to approve the disbanding of the congregation.

The presbytery may also decide to disband the congregation on its own initiative, without a decision by the congregation.

#### 1.5.3 Effective Date of Disbanding

When the presbytery makes a decision to approve the disbanding, it may specify a future date that the disbanding will come into effect. If not, the disbanding comes into effect when the presbytery makes the decision.



*The presbytery makes the decision to disband when it passes a motion approving the disbanding.*

### 1.5.4 Property

***Section G.1.5.4 applies before the disbanding comes into effect. It applies if the presbytery has not yet made the decision to approve the disbanding or if the presbytery has made the decision and specified a future effective date for the disbanding.***



The congregation makes a proposal to the presbytery for dealing with the congregation's property, which must be used for the mission of the congregation or the wider United Church. The presbytery makes a decision on the proposal. Both must follow the requirements for dealing with congregational property.

*The presbytery may decide to approve the congregation's proposal as presented, or it may approve the proposal with changes, or it may decide to deal with the congregation's property in some other way than as set out in the proposal.*



***The requirements for dealing with congregational property are set out in section G.2 below.***



### 1.5.5 Transfer of Members

The congregation helps its members to transfer to other congregations as they choose.

*The faith life of the people in the congregation continues after the disbanding through other congregations or ministry units or in other ways.*



### 1.5.6 Records

The congregation gives its records to the presbytery to forward to the Conference Archives. The presbytery must ensure that the records are sent to the Conference Archives.

### 1.5.7 Remaining Property

***Section G.1.5.7 applies after the disbanding comes into effect. See section G.1.5.3 above.***



If there is any remaining congregational property after the disbanding is effective, the Conference is responsible for this remaining property. It is up to the Conference, after consulting with the presbytery, to decide how to use that property for the benefit of the United Church.

The General Council may not change the Conference's responsibility for remaining property without the Conference's approval.

*There are resources about disbanding to assist congregations and presbyteries. See the Congregational Board of Trustees Handbook available from the General Council Office.*

