

# GENERAL SYNOD

## APPOINTMENT OF GENERAL SYNOD TRUSTEES

As the General Synod papers were being finalised for printing, news was received of the death of former Bishop of Brechin and Primus, the Rt Rev Edward Luscombe. Up to the point of his passing, Bishop Ted served as a trustee of the General Synod. His death creates a vacancy in the position of trustee and reduces the total number of continuing trustees to just three. Those continuing trustees are: Mr Robert Gordon, Mr Martin Haldane and Prof Patricia Peattie.

The Standing Committee wishes to bring forward nominations for the appointment of three additional trustees to bring the total to six, as envisaged by the Digest of Resolutions.

The role of General Synod Trustees is largely to enable heritable property to be held on behalf of the General Synod. (Because the Synod is an unincorporated association, it does not have legal personality distinct from its members and, therefore, cannot hold heritable property in its own right. Traditionally, unincorporated associations hold such property via the mechanism of trustees.) The General Synod Trustees do not have a role in the active management and administration of the General Synod. The provincial Standing Committee fulfils that role, and its members are the "charity trustees" of the Synod within the meaning of the Charities Act.

A company limited by guarantee, Scottish Episcopal Church Nominees, is nowadays used as the most efficient vehicle for holding heritable property on behalf of the Synod (almost all such properties comprise clergy retirement housing) but a small number of properties remain in the name of the General Synod Trustees.

At present, there is a significant overlap between the identity of the directors of Scottish Episcopal Church Nominees and the General Synod Trustees. (The three continuing trustees are also directors of the company.) Since both bodies perform a largely similar function in practice, and in view of the small number of continuing General Synod Trustees, the Standing Committee has decided that it would be appropriate to augment the current trustees by inviting the Synod to appoint three new trustees, all of whom are already directors of Scottish Episcopal Church Nominees.

The three nominations are: the Rt Rev David Chillingworth, former Bishop of St Andrews, Dunkeld and Dunblane and Primus; Dr John Ferguson-Smith, lay reader in the Diocese of St Andrews, Dunkeld and Dunblane, former convener of the provincial Administration Board and former Standing Committee member; and Mr Gavin Gemmell, former Standing Committee member.

Standing Committee will therefore bring forward three additional motions on the Saturday morning of Synod to appoint those individuals as new Trustees. To avoid any confusion in relation to an existing property transaction which is currently ongoing, the appointments will be expressed to take effect at the end of August this year, by which time the transaction in question should be complete. The text of the motions is set out below (they are numbered consecutively with the motions on the Synod agenda).

**Motion 36:** *That the Rt Rev David Chillingworth be appointed as a General Synod Trustee with effect from 31 August 2022.*

**Motion 37:** *That Dr John Ferguson-Smith be appointed as a General Synod Trustee with effect from 31 August 2022.*

**Motion 38:** *That Mr Gavin Gemmell be appointed as a General Synod Trustee with effect from 31 August 2022.*

John F Stuart  
Secretary General

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