

## **CANON THIRTY-FIVE**

### **OF THE STRUCTURE, FURNITURE AND MONUMENTS OF CHURCHES, AND THE DUE CARE THEREOF**

1. With the exception of minor works identified by the Provincial Buildings Committee, no change (whether by introduction, alteration or removal) shall be made in the structure, ecclesiastical furniture or ornaments, monuments, mural tablets or painted or stained windows of any Church used for public worship or within the curtilage thereof, nor shall any scheme of redecoration or any alteration of lighting or heating system be undertaken unless the Vestry of the same with the consent of the Rector shall have obtained the approval in writing of the Bishop and of the Diocesan Buildings Committee; provided always that such approval does not violate any restrictions contained in the Constitution or titles of the Church. Subject to the Constitution or titles of the Church, a Vestry or twenty per cent of the members of the Communicants' Roll, as defined in Canon 41, Section 2, of the charge concerned shall have a right of appeal against the decision of the Diocesan Buildings Committee or of the Bishop to the Provincial Buildings Committee. Notwithstanding the above, the Vestry with the consent of the Rector, may undertake re-ordering of the ecclesiastical furniture or ornaments of the Church for an experimental period.
2. None of the holy vessels or ecclesiastical furniture or ornaments of any church shall be sold, exchanged, or otherwise disposed of without the written consent of the Bishop, Dean, and Registrar of the Diocese.
3. The Vestry with the Rector shall cause all proper and reasonable care to be taken of the places of worship within its charge, including the curtilage thereof, and of the furniture and ornaments thereof, and shall use every endeavour to keep them decent, clean, and in good repair. The Vestry shall make provision for the adequate protection and insurance of all Church fabric and property.
4. No church that is consecrated or set apart for public worship shall be used for any purpose not religious or ecclesiastical without the consent of the Bishop.

#### **RESOLUTIONS UNDER CANON THIRTY-FIVE**

##### *Resolution 1*

The Vestry, unless the duty is placed under the constitution of the charge on Churchwardens or others, shall be responsible for seeing that a detailed inventory of all church goods and ornaments, registers and other property belonging to the charge in accordance with the print in use with the authority of the Bishops, which has been issued by the General Synod, subject to any adjustments thereof which may be approved from time to time by the Standing Committee of the General Synod, shall be prepared and kept up to date, and a copy of such inventory, amended from time to time as necessary, shall be sent by the Vestry to the Registrar of the diocese. 87

2. Experimental reordering of the ecclesiastical ornaments and furniture of a church may be carried out for a period of not less than three months nor longer than nine months, provided that all work is fully reversible and no structural alteration is involved. Notification of intention to undertake such reordering must be given in writing to the Bishop and the Diocesan Buildings Committee through the Diocesan Secretary, or such other person as may be designated by the diocese, at least two weeks before any work is undertaken. When the period of experimental reordering comes to an end the Vestry shall notify the Bishop and the Diocesan Buildings Committee through the Diocesan Secretary, or such other person as may be designated by the diocese.
3. In the case of a building included in the statutory List of Buildings of Special Architectural and Historic Interest the Vestry shall, before making a formal application to the Bishop and the Diocesan Buildings Committee for any change under this Canon, advertise the proposals to the congregation and Historic Environment Scotland, and in the case of exterior works the local planning authority, allowing members of the congregation and these bodies four weeks in which to make written representations on the proposals. Any representations received shall be considered by the Vestry before a formal application for consent is made. At the same time as the proposals are advertised they shall be notified to the Bishop and the Diocesan Buildings Committee through the Diocesan Secretary, or such other person as may be designated by the diocese. The Vestry shall also comply, where appropriate, with the Voluntary Scheme to Apply Listed Building Control to the Exterior of Churches in Ecclesiastical Use.
4. In the case of a building not included in the statutory List of Buildings of Special Architectural and Historic Interest the Vestry shall, before making a formal application to the Bishop and the Diocesan Buildings Committee for any change under this Canon, advertise the proposals to the congregation, allowing members of the congregation four weeks in which to make written representations on the proposals. Any representations received shall be considered by the Vestry before a formal application for consent is made. At the same time as the proposals are advertised they shall be notified to the Bishop and the Diocesan Buildings Committee through the Diocesan Secretary, or such other person as may be designated by the diocese.
5. After advertisement and notification as laid down in Resolutions 3 or 4 the Vestry may, within six months of the end of the period allowed for written representations, make a formal application for consent to carry out the alterations, either as originally proposed or as amended in response to representations received, to the Bishop and the Diocesan Buildings Committee through the Diocesan Secretary, or such other person as may be designated by the diocese, and shall send to the Diocesan Secretary, or such other person as may be designated by the diocese, copies of all written representations received following the advertisement of the proposals together with full extracts from the Minutes of the Meetings of the Vestry at which the application was discussed and a note of the date on which the proposals were advertised to the congregation. The Bishop and the Diocesan Buildings Committee may discuss the application but shall separately decide whether to grant consent, with or without conditions or refuse consent within six weeks of the formal application being received by the Diocesan Secretary, or such other person as may be designated by the diocese. In the event of one body deciding to grant and the other deciding to refuse consent the application shall be deemed to have been refused.