

The United Reformed Church (North Western Province) Trust Limited

Short Guide to Functions and Responsibilities

Legal Status

The Trust is a Company Limited by Guarantee and a Charity registered with the Charity Commission. This means that it must follow both Charity and Company Law.

Governing Document

Memorandum and Articles of Association.

Trustees & Membership

The constitution of the Company provides for between 2 and 16 Trustees

Current Trustees comprise:

Synod Moderator, Synod Treasurer, Synod Clerk, Chair of the Trust (1 Vacancy) The Area Finance Officers (4), The Area Property Officers (4) (3 Vacancies)

All the Trustees are appointed as Members of the Company

Functions

1. To act as the corporate charity trustee of the property and funds of the Synod held in the various Synod charities and to apply them in furtherance of the objects of the Synod charities and in compliance with charity law.

In practice this means:

- ▶ Investment and management of Synod funds
- ▶ the management of Synod owned properties
- ▶ Setting and implementing the budget based on strategic direction set by Synod Meeting
- ▶ Preparation of accounts for the Synod Charities

2. To act as the corporate charity trustee of church buildings and manses held on the statutory trusts set out in Schedule 2 parts I and II of the United Reformed Church Acts 1972 & 1981 and other local church properties where the Trust has been appointed as such trustee.

In practice this means:

- ▶ The management of such properties including sale and purchase of churches, manses and investment properties and arranging leases
- ▶ Liaising with solicitors and property agents
- ▶ Complying with Charities Act 2011
- ▶ Managing delegation of local hire arrangements

3. To hold the legal title to certain local church properties where it has been appointed as the custodian Trustee only.

4. To invest local church funds on behalf of local churches.

In practice this means:

- ▶ Liaising with investment brokers
- ▶ Accounting to churches for investment income and sales receipts

5. To comply, as a registered company and registered charity, with all filing requirements of company and charity law including the preparation of a Directors Report and Accounts.

Potential risks and Liabilities

For the Trust acting as Trustee:

- ▶ Acting in breach of trust- liability to make financial restitution.
- ▶ Breaches of Charity law.
- ▶ Potential contractual claims.
- ▶ Reputational damage

For the directors:

- ▶ Breach of duty.
- ▶ Breaches of Company Law
- ▶ Personal liability
- ▶ Disqualification as director

Synod Role

Taking action which supports the spreading of the Gospel at home and abroad, the life and witness of the United Reformed Church, the interests of the Church of Christ as a whole and the well-being of the society in which the Church is placed;

- ▶ Developing ecumenical relations
- ▶ Overseeing matters affecting ordained ministry, including discipline
- ▶ Dealing with matters referred from the General Assembly and Mission Council
- ▶ Deciding upon all matters regarding the creation, grouping, amalgamation or dissolution of local churches
- ▶ Providing a forum where concerns of local churches can be received, considered and appropriate advice given
- ▶ Doing such other things as may be necessary in pursuance of its responsibility for the common life of the church.



For full details of the responsibilities of Synods, see
The Structure of the United Reformed Church
on the URC's central website

www.urchurch.org.uk