

THIS DECLARATION OF TRUST is made the

DATE

by A

by D

by B

by E

by C

by F

hereinafter called the trustees, which expression shall include any person for the time being holding office as a trustee under the provisions of this deed.

WHEREAS

1 certain members of the electoral roll of the benefice of **PARISH NAME** and other persons desirous for the advancement of the biblical, protestant and reformed Christian faith in the said parish (which was established for the maintenance and promulgation of sound Scriptural and evangelical truth, as set out in the 39 Articles of Religion of the Church of England) and beyond the said parish have contributed to a fund of money to be used in the realization of their said desire; and

2 further monies and other property real or personal may from time to time be donated to the trustees upon with and subject to the charitable trusts and powers and provisions following.

NOW THIS DEED WITNESSES

1 that a trust is hereby established to be known as **TRUST NAME**;

2 the objects of the Trust are as follows:

- [a] to advance the Christian faith and, in furtherance of this object, when appropriate,
- [b] to relieve poverty, sickness, and suffering, and

[c] to assist and promote the education and training of children, young people, and adults in **DISTRICT NAME** and elsewhere;

3 that the trustees hereby agree and declare that the trustees do and will henceforth stand possessed of the said fund of money and of any house investments or other real or personal property which may be acquired by the trustees upon with and subject to the charitable trusts and powers and provisions of this deed (hereinafter called the Endowment Fund) upon trust to apply the same and the income thereof as hereinafter provided;

4 that the trustees may at any time and as often as they see fit purchase one or more freehold or leasehold dwelling house and so often as they do purchase a freehold or leasehold dwelling house, the same shall be conveyed or assigned to the trustees upon trust to sell the same with the consent of each and every trustee for the time being of this deed with power to postpone the sale thereof and to hold the net proceeds of such sale upon the trusts of this deed and to hold any such dwelling house upon the following trusts, that is to say:

[1] upon trust to permit any minister appointed to work in the benefice of **BENEFICE NAME** to occupy the same together with any family of such minister,

[2] upon trust in the absence of any such minister being desirous of occupying the same to let the same provided always that notice is first given to the prospective tenant that possession may be recovered under the Rent Act 1968 Schedule 3 Case 11 or any other relevant provision statutory or otherwise, and to hold the net proceeds of such letting after payment of all rates taxes insurance premiums and other out goings of whatsoever nature including but without prejudice to the generality of the foregoing repairs and improvements thereto, upon trust to apply the said net proceeds in provision of

(a) other accommodation for any such minister, and

(b) the expense of the office or calling of any such minister,

[3] subject as aforesaid upon trust with the consent of all the trustees for the time being and of the incumbent for the time being if there be one to permit the same to be occupied by any person

directly engaged in the advancement of the biblical, protestant and reformed Christian faith in the said parish or other parishes in the Diocese **DIOCESE NAME**, provided always that notice is first given to the prospective occupant as if he were a tenant that possession may be recovered under the Rent Act 1968 Schedule 3 Case 11 or any other relevant provision statutory or otherwise and the trustees shall be empowered in their discretion to charge a reasonable rent in respect of any such occupation and to apply the rent in the same manner as under sub clause [4] of this clause,

[4] subject as aforesaid to let the same provided that notice is first given to the prospective tenant that possession may be recovered under the Rent Act 1968 Schedule 3 Case 11 or any other relevant provision statutory or otherwise, and to hold the net proceeds of such letting after payment of all rates taxes insurance premiums and other out goings of whatsoever nature including but without prejudice to the generality of the foregoing repairs and improvements thereto, upon trust to apply the said net proceeds for the purposes of the endowment fund, and

[5] the trustees may pay from the endowment fund in respect of any such freehold or leasehold dwelling house all rates taxes insurances premiums and other out goings of whatsoever nature including but without prejudice to the generality of the foregoing improvements thereto;

5 that in addition to the powers hereinafter contained and without prejudice to the generality thereof the trustees may apply the endowment fund or any part thereof or any income from the endowment fund or any part thereof for charitable religious purposes concerned with the advancement of the biblical protestant reformed Christian faith;

6 that it is provided always that the endowment fund and income thereof shall be used or paid or applied exclusively for charitable purposes;

7 that the trustees shall have power exercisable from time to time as the trustees may in their absolute discretion see fit:

[1] to collect donations (whether periodical or otherwise),

- [2] to issue appeals for donations and periodical reports on the work of the trustees,
- [3] to accept donations on any special trusts in connection with the trusts declared herein so that every donation so accepted shall be held subject to the terms and conditions of the gift,
- [4] to borrow or raise money for the purposes of the Trust whether or not on the security of the Trust Fund or any part of it with power to charge any part of the capital or income with the repayment of the money so borrowed, subject to such consents as may be required by law;

8 that the trustees may invest trust monies from time to time in their hands in the purchase of or at interest upon the security of such stocks, funds, shares, securities or other investments or property of whatsoever nature and wheresoever as they may in their absolute discretion determine;

9 that the Trustees declare their adherence to the doctrines set forth in the First Schedule hereto;

10 that any Trustee who shall cease to adhere to any of the said doctrines shall forthwith give notice to the other Trustees and shall cease to be a trustee (for the purpose of this clause any notice shall be sufficiently given in writing to the Trustees' Secretary);

11 that the trustees of the deed shall not be less than four nor more than six in number, each trustee at the date of his appointment be a clerk in holy orders of the Church of England or a person on the electoral role of the benefice of **BENEFICE NAME** or a person desirous for the advancement of the biblical, protestant and reformed Christian faith in the said parish (which was established for the maintenance and promulgation of sound Scriptural and evangelical truth) and such trustees shall so far as is possible (but without imposing any legal obligation in this respect) include at all times the incumbent and at least one church warden of the benefice of **BENEFICE NAME**, and at least two persons who are neither incumbent nor church warden of any church of the Church of England;

12 that the power of appointing new trustees hereof to replace A, B and C and their successors shall be vested in the Parochial Church Council of the benefice of **BENEFICE NAME** for the time being (including any of the trustees for the time being or any retiring trustees who may for the time being be a member of the said Parochial Church Council) and if and whenever the number of trustees being A,

B and C and their successors shall be less than two then one or more new trustees shall forthwith be appointed to bring the number of such trustees up to two, and whenever a trustee is so appointed a memorandum of his appointment shall be prepared and signed and sealed by the person presiding at such a meeting and attested by two other persons present thereat;

13 that the power of appointing new trustees to replace D, E and F and their successors shall be vested in the surviving or continuing trustees for the time being (excluding any retiring trustee but including A, B and C and their successors provided that at the time of such appointment they are in office as trustees) and if and whenever the number of trustees being D, E and F and their successors shall be less than two then one or more new trustees shall forthwith be appointed to bring the number of such trustees up to two, and whenever a trustee is so appointed a memorandum of his appointment shall be prepared and signed and sealed by the person presiding at such a meeting and attested by two other persons present thereat;

14 that every new trustee shall before acting in the trusts of this deed sign in the minute book for which provision is hereinafter made a declaration of acceptance and of willingness to act in the trusts hereof;

15 that the following regulations shall govern the procedure of the trustees:

[1] the trustees shall hold meetings at least once in every calendar year and at such other times and in such places as they shall from time to time decide and any trustee may at any time convene a special meeting of the trustees upon at least four days notice being given to the other trustees of the matter to be discussed,

[2] there shall be a quorum when three trustees are present at any meeting,

[3] the Trustees shall annually of their number appoint

[a] a Chairman

[b] a Secretary, and

[c] a Treasurer;

- [4] every matter save as herein set out shall be determined by the majority of votes of the trustees present and voting on the question,
- [5] any resolution of the trustees may be rescinded or varied from time to time by the trustees,
- [6] the trustees shall provide and keep a minute book in which shall be entered the proceedings of the trustees and which shall be signed by the chairman at the conclusion of the meeting or at some future meeting if the minutes shall have been duly confirmed,
- [7] the trustees shall provide books of accounts in which shall be kept proper accounts of all monies received and paid respectively by or on behalf of the trustees for the purposes of this deed,
- [8] the trustees shall arrange for the accounts to be independently examined yearly, or audited yearly by a chartered accountant, and
- [9] the appropriation of benefits shall be made by the trustees at their meetings provided that they may authorise any two of their number to make any payment required to be made in pursuance of such appropriation;

16 that the trustees may from time to time open and maintain in their names a bank account or bank accounts at such bank or banks as they shall from time to time decide and may at any time pay monies forming part of the endowment fund to the credit of such account or accounts or place the same on deposit with any bank or banks and all cheques and orders for payment shall be signed by at least two of the trustees;

17 that the trustees shall not be bound in any case to act personally but shall be at full liberty to employ any agent or servant to transact all or any of business of whatsoever nature required to be done in pursuance of the trusts herein before declared and contained including receipt and payment of money and shall be entitled to be allowed and paid all charges and expenses so incurred and shall not be responsible for the defaults of any such agent or servant or any loss occasioned by his employment;

18 that is shall be within the powers of the trustees from time to time to alter administrative regulations contained herein on resolution evidenced by a signed declaration in writing but there shall be no power to alter the objects of the trust as set out in this deed without the consent or order of the Charity Commissioners provided always that no amendment shall be made which would allow the trust property to be applied for purposes which are not exclusively charitable at law;

19 that if at any time the trustees and the incumbent for the time being if there be one and the Parochial Church Council of the benefice of **BENEFICE NAME** shall decide that the purposes of the endowment fund cannot be carried out the trustees may apply the entire endowment fund to such charitable purposes for the advancement of the Christian faith as they may in their absolute discretion determine; and,

20 that any references in the deed to the Parochial Church Council of the benefice of **BENEFICE NAME** shall include any body which on the dissolution of that Council shall succeed to its functions, provided that any such body shall engage itself in the advancement of the biblical, protestant and reformed Christian faith.

IN WITNESS whereof the persons parties hereto have hereunto set their hands and seals the day and year herein before written.

THE FIRST SCHEDULE referred to:

[1] That the Holy Scriptures, as originally given, are divinely and verbally inspired and therefore inerrant and infallible and of supreme authority in all matters of faith and practice; that all Scripture is breathed out by God (*2 Timothy 3.16*); and that in committing it to writing its human authors “spoke from God as they were carried along by the Holy Spirit” (*2 Peter 1.21*).

[2] That there is only one true and living God, “the blessed and only Sovereign, the King of kings and Lord of lords” (*1 Timothy 6.15*) eternally subsisting in three Persons, the Father, the Son, and the Holy Spirit, who are the same in substance and equal in power and glory.

- [3] That God is free, independent and sovereign, and “works all things according to the counsel of his will” (*Ephesians 1.11*).
- [4] That Satan is a living being in evil and active opposition to God and his purpose who has “blinded the minds of the unbelievers, to keep them from seeing the light of the gospel of the glory of Christ, who is the image of God” (*2 Corinthians 4.4*).
- [5] That man (male and female) was created “in the image of God” (*Genesis 1.27*); by his own wilful disobedience fell into sin and became guilty, corrupt and subject to death; and, as a result, is by nature totally depraved, being “dead in ... trespasses” (*Ephesians 2.5*) and subject to the wrath of God which “is revealed from heaven against all ungodliness and unrighteousness of men” (*Romans 1.18*).
- [6] That the Lord Jesus Christ, without relinquishing his eternal deity, assumed human nature by being “born of woman” (*Galatians 4.4*); he was conceived by the power of the Holy Spirit in the womb of Mary, a virgin; he was “without sin” (*Hebrews 4.15*); his death was a voluntary, substitutionary and propitiatory sacrifice for sin, by which he infallibly secured salvation for the elect “according to the foreknowledge of God the Father” (*1 Peter 1.2*); he “was declared to be the Son of God in power according to the Spirit of holiness by his resurrection from the dead” (*Romans 1.4*); he was “taken up into heaven” (*Mark 16.19*); “he sat down at the right hand of the Majesty on high” (*Hebrews 1.3*) where he is “crowned with glory and honour” (*Hebrews 2.9*) and is “interceding for us” (*Romans 8.34*); and will personally return to the earth “with power and great glory” (*Matthew 24.30*).
- [7] That unless a person “is born again he cannot see the kingdom of God” (*John 3.3*); this miracle of regeneration being the sovereign work of the Holy Spirit, who enables a sinner to have “repentance toward God” and to have “faith in our Lord Jesus Christ” (*Acts 20.21*) as the sole means of salvation.
- [8] That all those who are spiritually united to Christ through regeneration are eternally secure in him, there being “now no condemnation for those who are in Christ Jesus” (*Romans 8.1*).
- [9] That all true believers in the Lord Jesus Christ are united as members of “the church, which is his body” (*Ephesians 1.22f*).

[10] That there will a bodily resurrection on the day of judgment, when the Lord Jesus Christ will “judge the living and the dead” (2 Timothy 4.1); all true believers “will always be with the Lord” (1 Thessalonians 4.17); and all unbelievers “will suffer the punishment of eternal destruction, away from the presence of the Lord and from the glory of his might” (2 Thessalonians 1.9).

Signed sealed and delivered by the said A

in the presence of:

Signed sealed and delivered by the said B

in the presence of:

Signed sealed and delivered by the said C

in the presence of:

Signed sealed and delivered by the said D

in the presence of:

Signed sealed and delivered by the said E

in the presence of:

Signed sealed and delivered by the said F

in the presence of: