

THE CHURCH AND ITS OFFICERS INCORPORATION AND TRUSTEES

Incorporation and Trustees G-7.0401

Whenever permitted by civil law, each particular church shall cause a corporation to be formed and maintained. Only members of the active roll of the particular church shall be members of the corporation and eligible for election as trustees. The elders in active service in a church who are eligible under the civil law shall, by reason of their office, be the trustees of such corporation, unless the corporation shall determine another method for electing its trustees. Any such alternate method shall provide for a nominating committee elected by the corporation, and for terms for trustees the same as are provided for elders. Any particular church which is not incorporated may select trustees from the members on the active roll of the church. The power and duties of such trustees shall not infringe upon the powers and duties of the session or of the board of deacons. (G-10.0102, G-6.0402)

Powers G-7.0402

The corporation so formed, or the individual trustees, shall have the following powers: to receive, hold, encumber, manage, and transfer property, real or personal, for the church; to accept and execute deeds of title to such property; to hold and defend title to such property; to manage any permanent special funds for the furtherance of the purposes of the church, all subject to the authority of the session and under the provisions of the *Constitution of the Presbyterian Church (U.S.A.)*, provided further that in buying, selling, and mortgaging real property, the trustees shall act only after the approval of the congregation granted in a duly constituted meeting. (G-8.0500)

Separate Corporate Meetings G-7.0403

Where civil law requires that corporate business be conducted in a separate corporate meeting of the congregation, the provisions of G-7.0300 shall apply, except:

- a. Such a meeting shall be called by the trustees at their discretion, or when directed by the session or by the presbytery.
- b. Unless the civil law provides otherwise, the trustees shall designate from among members on the active roll of the particular church a presiding officer and a secretary for such meeting.
- c. The minutes of each such meeting shall be attested by the presiding officer and the secretary and shall be entered in the minute book of the trustees.

Vote by Proxy G-7.0404

Voting by proxy shall be permitted with respect to a corporate matter only where civil law specifically requires that voting by proxy shall be permitted as to that particular corporate matter.

Book of Order Part II

The Constitution of the Presbyterian Church (U.S.A.)
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