

## **Disciplinary procedure**

HSS disciplinary procedures may be invoked by any two of the following members of the Board of Trustees; the Chief Executive, Treasurer, The National Ceremonies Officer, Depute NCO and Education Officer. The procedure may be invoked in relation to any member of HSS in relation to their conduct while working on HSS behalf.

If invoking the disciplinary procedure, the two members of the Board of Trustees should state which HSS rules and procedures, it is alleged, relate to the conduct in question. All allegations that cause the Disciplinary Procedure to be invoked must be notified in writing to the Chief Executive.

- Disciplinary action may involve unsatisfactory conduct, misconduct or gross misconduct.
- Unsatisfactory conduct is defined as any act or omission that could bring the HSS into disrepute.
- Misconduct is defined as behaviour or work that falls significantly below the standards required of an HSS member.
- Gross misconduct is defined as an act or omission that could have a serious or substantial effect on the operation of HSS, or a part of it.

An allegation of gross misconduct will normally result in immediate suspension from HSS activities of the HSS member concerned while the allegation is investigated. Suspension is not deemed to be disciplinary action.

### **Stage one: Investigation**

The Chief Executive of HSS (in consultation with other Office Bearers where necessary) will determine who will be responsible for the investigation of the allegation in the light of the circumstances surrounding the allegation. No investigation can be undertaken by someone involved in the allegation.

At any stage of an investigation the person against whom the allegation is made may be accompanied – this would normally be a member of HSS. In advance of any investigation meeting the person against whom the allegation is made will be furnished with a copy of the allegation and any evidence that is being presented to substantiate it.

Prior to the hearing, the person against whom the allegation is made will be provided with an opportunity to call witnesses to attend any meeting.

The purpose of the investigation is to:

- Establish the nature of the allegation;
- Establish the response of the person who is the subject of the allegation;

- Determine whether the allegation is justified;
- Provide an opportunity for the person against whom the allegation is made, to state their case, present witnesses or written statements in their favour and to have an opportunity to review the information leading to the allegation;
- Determine if there are any mitigating circumstances that should be taken into account in responding to the allegation.

The Investigating Officer will write to both parties indicating a conclusion and any action to be taken.

### **Stage two: Appeal Panel**

The person subject to disciplinary action is entitled to appeal against the decision of the Investigating Officer.

An appeal can be initiated, within ten working days, by writing to the Chief Executive, stating that they seek to appeal against the decision of the Investigating Officer and providing a full description of the reason for the appeal. The appeal cannot be a re-run of the investigation into the allegation and therefore the appeal must be based on a good reason as follows:

The evidence available was not fully considered in reaching a decision, or new evidence has emerged;

- The process was flawed or unfair and the reasons for this;
- The decision taken was too harsh in the circumstances;
- Extenuating circumstances were not fully considered in taking the decision or have subsequently come to light.

Any appeal will be heard by a body of 3 HSS members, one of whom (normally a member of the Board of Trustees) will chair the appeal. Those adjudicating the appeal should not include any person with a direct interest in relation to the appellant.

The Chief Executive will furnish the appeal panel with relevant papers, and will determine with the Chair, how the panel will proceed. The Chief Executive (or a person nominated by the Chief Executive) would be in attendance at the panel.

- Normally, the appeal will involve:
- Inviting the appellant to a hearing;
- Clarifying the findings of the Investigating Officer;
- Providing an opportunity for the appellant to question the Investigating Officer;
- Determining a conclusion after the hearing; and
- Communicating any decision in writing after the panel has finished its work.

An appeal would normally be completed within one month of the Chief Executive receiving a request.

The decision of the Appeal Panel is final.

Disciplinary action will normally be taken in accordance with the table below:

| Breach of Procedure    | First occasion   | Second occasion  | Third occasion   |
|------------------------|--|--|--|
| Unsatisfactory conduct | Verbal warning   | Written warning  | Removal from HSS membership; if a celebrant, removal from register |
| Misconduct             | Written warning  | Removal from HSS membership; if a celebrant, removal from register |  |
| Gross misconduct       | Removal from HSS membership; if a celebrant, removal from register |  |  |

Disciplinary action

Records of any verbal warning would be deleted after 6 months; a written warning would be deleted from any record after one year.

**THE COMPANIES ACT 2006  
COMPANY LIMITED BY GUARANTEE AND NOT  
HAVING A SHARE CAPITAL**

**ARTICLES OF ASSOCIATION  
OF  
HUMANIST SOCIETY SCOTLAND**

*Adopted by special resolution passed on 22 April 2012  
Amended by special resolution passed 21 April 2013  
Amended by special resolution passed on 26<sup>th</sup> April 2014*

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## NAME

1. The name of the Society is the Humanist Society Scotland (the "**Society**").

## OBJECTS, ACTIVITIES AND POWERS

### Objects of the Society

2. The object for which the Society is established is the advancement of philosophical beliefs, by:
  - promoting the Society's vision within Scotland, namely to achieve a Scotland in which the worth, dignity and autonomy of every person is respected and individual freedom is balanced with social responsibility and a duty of care for future generations;
  - influencing public policy in accordance with the Society's vision;
  - promoting Humanist values;
  - promoting democracy and the development and protection of human rights within Scottish civic institutions;
  - encouraging ethical and moral problems to be addressed with compassion, knowledge and reason; and
  - advancing the philosophy that no belief system, religious or otherwise, should have nor expect privilege in the democratic process, with a view to creating a secular Scotland,

together hereinafter referred to as the "**Objects**" of the Society.

### Activities of the Society

3. In furtherance of the Objects, the Society shall endeavour to:
  - (a) promote and establish a secular society;
  - (b) promote the provision of secular education;
  - (c) promote, provide and develop Humanist ceremonies;
  - (d) extend the contributions made by Humanists to a wide range of social, civic and health care provision;
  - (e) maintain, develop and empower membership of the Society to carry out these activities and any other activities which promote and support the Objects of the Society; and
  - (f) work with other Humanist associations (and like-minded organisations) in the UK, Europe and internationally,

together hereinafter referred to as the "**Activities**" of the Society.

## **Powers of the Society**

4. The Society in carrying out the above Objects shall have and may exercise all or any of the following powers:-
- (a) to undertake any activities that support the Objects of the Society;
  - (b) to encourage, provide, support and otherwise facilitate the work of others interested in the Objects of the Society;
  - (c) to establish, support or aid in the establishment and support of any charitable associations or institutions established for similar purposes and to subscribe monies for charitable purposes in any way connected with the purposes of the Society or calculated to further its Objects;
  - (d) to solicit, receive and accept financial assistance, donations, endowments, gifts and loans of money, rents and any other property whatsoever, heritable or moveable, subject or not to any specific charitable trusts or conditions;
  - (e) to issue appeals, hold public meetings and take such other steps as may be required for the purposes of procuring contributions to the funds of the Society in the form of donations, subscriptions or otherwise;
  - (f) to purchase, take on lease or in exchange or otherwise acquire and to hold, manage, develop, sell, dispose of lease or deal in any way with any heritable or moveable property and any interests therein;
  - (g) to borrow and raise money for the Objects of the Society and secure or discharge any debt or obligation of or binding on the Society in such manner and on such terms and conditions as may be thought fit, and in particular by mortgages of or charges upon the undertaking and all or any of the real and personal property (present and future) of the Society;
  - (h) to invest funds of the Society not immediately required in such investments, securities or property as may be considered appropriate (and to dispose of and vary such investments);
  - (i) to grant, continue and pay such remuneration and pensions to any person or persons who renders services to the Society supervising, organising, carrying on the work of and advising the Society as may from time to time be thought proper, and to establish pension funds and other trust funds or charitable arrangements of any kind whatsoever for persons employed at any time by the Society;
  - (j) to insure and arrange insurance cover for, and to indemnify its officers, employees and voluntary workers and those of its members from and against, all such risks incurred in the course of the performance of their duties as may be thought fit;
  - (k) to promote, arrange, organise and conduct seminars, conferences, lectures, meetings and discussions;

- (l) to prepare, edit, print, publish, issue, acquire, circulate and distribute books, pamphlets, papers, periodicals and other literary material, pictures, prints, photography, films, sound recordings and mechanical and other models and equipment, and to establish, form, promote, conduct and maintain public collection displays and exhibitions of literature, statistics, charts, information and other material;
- (m) to construct, erect, alter, improve, demolish and maintain any buildings which may from time to time be required for the purposes of the Society, and to manage, develop, sell, lease, let, mortgage, dispose of or otherwise deal with all or any part of the same;
- (n) to draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange and other negotiable or transferable instruments;
- (o) to promote and incorporate or to join in the promotion or incorporation of any charitable company with limited or unlimited liability, organisations, societies or associations for the purpose of carrying out any object which the Society itself could carry out and to subscribe for or otherwise acquire the shares, stock or other securities of such company or to lend money to such company on such terms as may be thought fit;
- (p) to promote companies whose activities may further one or more of the Society's Objects, or may generate income to support the activities of the Society, acquire and hold shares in such companies and carry out, in relation to any such company which is a subsidiary of the Society, all such functions as may be associated with a holding company;
- (q) to co-operate and enter into arrangements with any authorities, national, local or otherwise;
- (r) to amalgamate with any companies, organisations, societies or associations which are charitable at law and have Objects altogether or mainly similar to those of the Society and prohibit the payment of any dividend or profit to, and the distribution of any of their assets amongst their members at least to the same extent as such payments or distributions are prohibited in the case of members of the Society by these Articles; and
- (s) to do all such other things as are necessary for the attainment of the said Objects.

In this clause,

- (a) the expression "**charity**" shall mean a body on the Scottish Charity Register which is also regarded as a charity in relation to the application of the Taxes Acts; and
- (b) the expression "**charitable purpose**" shall mean a purpose which constitutes a charitable purpose under section 7 of the Charities and Trustee Investment (Scotland) Act 2005 (the "**2005 Act**") which is also regarded as a charitable purpose in relation to the application of the Taxes Act.

5. The income and property of the Society shall be applied solely towards the promotion of the Objects of the Society as set out in Article 3 above and subject to the following paragraphs no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to the members of the Society. Nothing herein shall prevent any payment in good faith by the Society:-
- (a) of out-of-pocket expenses incurred in carrying out duties by any member, Trustee, Director, officer or employee of the Society;
  - (b) of reasonable payment in return for services rendered to the Society;
  - (c) of Director/Trustee indemnity insurance; and
  - (d) of payment or benefits permitted in terms of the 2005 Act.

### **GENERAL STRUCTURE**

6. The structure of the company consists of:-
- (a) the MEMBERS – who have the right to attend the Annual General Meeting (and any general meeting) and have important powers under the Articles and the Companies Acts; in particular, the members take decisions in relation to changes to the Articles themselves.
  - (b) the TRUSTEES – who hold regular meetings during the period between Annual General Meetings, and generally control and supervise the activities of the Society; in particular, the Trustees are responsible for monitoring the financial position of the Society; the Trustees are Charity Trustees and are also company directors.
  - (c) the SUPPORTERS – who shall be approved by the Trustees from time to time and who may be invited to attend and speak at the Annual General Meeting and any general meeting but who shall not have any right to vote thereat. The Secretary shall maintain an accurate register of any such Supporter of the Society from time to time.

### **MEMBERS**

#### **Registers of members**

7. The Trustees shall maintain registers of members, setting out the full name and address of each member and the date on which any member ceased to be a member.

#### **Membership**

8. Members shall be entitled to receive the Society's newsletter and shall have access to the "Members" section of the Society's website and all documents and information contained therein. After the expiry of an initial period of six months' membership of the Society, members shall acquire the following additional rights:
- (a) to speak or vote at any Annual General Meeting or general meeting of the Society;

- (b) to stand for office as a Trustee or an Office Bearer of the Society; and
- (c) to apply to become an HSS Registered Celebrant (as defined in Article 99).

#### **Qualifications and Applications for membership**

- 9. Membership shall be open to individuals and organisations who support the Objects of the Society and who agree to abide by the terms of these Articles and any rules or codes of conduct relating to membership of the Society, as may be prescribed by the Trustees from time to time.
- 10. Any person or organisation who wishes to become a member must sign, and lodge with the Society, a written application for membership and the Trustees may, at their discretion, refuse to admit any person to membership.
- 11. Employees of the Society shall be eligible for membership.
- 12. Members shall require to pay an annual subscription, the amount of which shall be fixed from time to time by decision of the Trustees. If the membership subscription payable by any member remains outstanding for more than 13 weeks after the date on which it fell due, that member will automatically cease to be a member of the Society.

#### **Withdrawal from membership**

- 13. Any member who wishes to withdraw from membership shall sign, and lodge with the Society, a written notice to that effect; on receipt of the notice by the Society, they shall cease to be a member.

#### **Removal from membership**

- 14. Any member may be removed from membership by resolution of the Trustees, providing the following procedures have been observed:-
  - (a) at least 14 days' notice of the intention to propose the resolution must be given to the member concerned or sent to their last known address, specifying the grounds for the proposed removal; and
  - (b) the member concerned shall be entitled to be heard on the resolution by at least two Trustees at a mutually convenient time and place.

#### **Termination/Transfer of Membership**

- 15. Membership shall cease:
  - (a) on death;
  - (b) if a member resigns in accordance with Article 13 or if a member is removed in accordance with Article 14;
  - (c) in the case of a corporate body or other organisation, on receivership, liquidation, dissolution or striking-off of the body which constituted the member.
- 16. A member may not transfer his membership to any other person.

#### **General meetings (meetings of members)**

- 17. The Trustees:
  - (a) shall convene an Annual General Meeting in each year;
  - (b) shall ensure that not more than 15 months shall elapse between one Annual General Meeting and the next;
  - (c) may convene a general meeting at any time; and

- (d) must convene a general meeting if there is a valid requisition by either (a) 10% of the members from time to time; or (b) by 100 members, whichever is the lower.
18. The business of each Annual General Meeting shall include:-
- (a) a report by the Chairperson on the Activities of the Society;
  - (b) consideration and thereafter, approval, of the annual accounts of the Society;
  - (c) election/re-election of the Trustees and the Office Bearers of the Society as referred to in Articles 39 and 63.

#### **Notice of general meetings**

19. At least 14 clear days' notice must be given of an Annual General Meeting or general meeting. Where:-
- (a) the term "**clear days**" in this Article shall be taken to mean that, in calculating the period of notice, the day after the notice is posted, (or, in the case of a notice contained in an electronic communication, the day after the time when it was sent) and also the day of the meeting, should be excluded;
  - (b) any notice calling a meeting shall specify the time and place of the meeting; it shall:-
    - i. indicate the general nature of the business to be dealt with at the meeting; and
    - ii. if a special resolution (as defined in Article 32) or a resolution requiring special notice under the Act is to be proposed, shall also state that fact, giving the exact terms of the resolution.
  - (c) a notice convening an Annual General Meeting shall specify that the meeting is to be an Annual General Meeting; any other general meeting shall be called a general meeting; and
  - (d) notice of every general meeting shall be given either in writing or, (where the party to whom notice is given has notified the Society of an address to be used for the purpose of electronic communications), by way of an electronic communication to all the members and Trustees, and (if there are auditors in office at the time) to the auditors.

#### **Procedure at general meetings**

20. No business shall be dealt with at any general meeting unless a quorum is present and where:
- (a) the quorum for a general meeting shall be thirty-five members, each being a member or a proxy for a member; and
  - (b) if a quorum is not present within 15 minutes after the time at which a general meeting was due to commence - or if, during a meeting, a quorum ceases to be present - the meeting shall stand adjourned to such time and place as may be fixed by the Chairperson of the meeting.
21. The Chairperson of the Society shall (if present and willing to act as Chairperson) preside as Chairperson of each general meeting;
- (a) if the Chairperson is unable to attend the meeting or is not willing to act as Chairperson or is not present within 15 minutes after the time at which the meeting was due to commence, the Trustees present at the

meeting shall elect from among themselves the person who will act as Chairperson of that meeting; and

- (b) may, with the consent of the meeting, adjourn the meeting to such time and place as the Chairperson may determine.
- 22. Subject to the terms of Article 8 above, every Member shall have one vote, which (whether on a show of hands or on a secret ballot) must be given personally or by proxy. Any votes cast by proxy shall only be valid where the terms of Articles 27 to 31 below are complied with in full. Organisations or corporations who are members shall vote through their authorised representatives.
- 23. A resolution may be decided by postal ballot if so decided by the Board.
- 24. If there is an equal number of votes for and against any resolution, the Chairperson of the meeting shall be entitled to a casting vote.
- 25. A resolution put to the vote at a general meeting shall be decided on a show of hands unless a secret ballot is demanded by the Chairperson (or by at least two members present in person at the meeting); a secret ballot may be demanded either before the show of hands takes place, or immediately after the result of the show of hands is declared.
- 26. If a secret ballot is demanded, it shall be taken at the meeting and shall be conducted in such a manner as the Chairperson may direct; the result of the ballot shall be declared at the meeting at which the ballot was demanded.

#### **Proxies**

- 27. A proxy appointed to attend and vote at any meeting in place of a member shall have the same right as the member who appointed him/her to speak at the meeting.
- 28. An instrument appointing a proxy shall be in writing and shall be signed by the appointer or his attorney where applicable. The Trustees may, but shall not be required to, require evidence of the authority of any such attorney. The instrument appointing a proxy does not require to be witnessed.
- 29. An instrument appointing a proxy must be left at the Society's registered office or such other place (if any) specified for that purpose in the notice convening the meeting not less than forty-eight hours before the start time of the meeting or adjourned meeting (or in the case of a poll, before the time appointed for taking the poll) at which it is to be used, and in default it shall not be treated as valid.
- 30. An instrument appointing a proxy shall be deemed to confer authority to demand, or join in demanding, a poll. The instrument appointing a proxy is also valid for any adjournment of the meeting to which it relates.
- 31. A vote given by a proxy shall be valid notwithstanding the previous death or insanity of the principal or revocation of the proxy or of the authority under which the instrument of proxy was executed, provided that no intimation in writing of such death, insanity or revocation shall have been received by the Society at the registered office before the commencement of the meeting or the adjourned meeting or poll at which the vote is given.

#### **Special resolutions and ordinary resolutions**

- 32. For the purposes of these Articles, a "**special resolution**" means a resolution which can only be passed by 75% or more of the votes cast on the resolution at an Annual General Meeting or general meeting, providing proper notice of the meeting and of the intention to propose the resolution has been given in accordance with Article 19, for the avoidance of doubt, the reference to a 75%

majority relates only to the number of votes cast in favour of the resolution as compared with the number of votes cast against the resolution, and accordingly no account shall be taken of abstentions or members absent from the meeting.

33. In addition to the matters expressly referred to elsewhere in these Articles, the provisions of the Act allow the Society, by special resolution,
  - (a) to alter its name;
  - (b) to alter its Objects or Activities; and
  - (c) to alter any provision of these Articles or adopt new Articles of Association.
34. For the purposes of these Articles, an “**ordinary resolution**” means a resolution which can be passed by majority vote (taking account only of those votes cast in favour as compared with those votes against, and (as applicable) the Chairperson’s casting vote, at an Annual General Meeting or general meeting, providing proper notice of the meeting has been given in accordance with Article 19.

## **TRUSTEES**

### **Number of Trustees**

35. The maximum number of elected Trustees shall be ten.
36. There must be a majority of unpaid Trustees on the Board at all times.

### **Eligibility and Maximum period in office for Trustees**

37. A person shall not be eligible for election/appointment as a Trustee unless he/she is a member of the Society and has been a member for a period of at least six months prior to the date of election/appointment in accordance with the terms of Article 8(b) above. The founding Trustees shall be those persons occupying the office of Trustee at the date of incorporation of the Society.
38. HSS Registered Celebrants shall be entitled to elect one Trustee of the Society from amongst their number and the members shall be entitled to elect up to a further eight Trustees of the Society. The election of Trustees by the members shall take place at the Society’s Annual General Meeting. The election of a Trustee by the HSS Registered Celebrants shall take place at a meeting of HSS Registered Celebrants convened for that purpose and at a time and place to be determined by the Board.
39. Trustees shall be entitled to serve as Trustees for a term of three years, after which point they shall stand down. Every Trustee is eligible to serve a second three-year term subject to re-election at the Annual General Meeting. Trustees shall not be entitled to serve any more than two three-year terms (whether consecutive or otherwise) except with the prior consent of the Board, who, in its sole discretion, may disapply the maximum limit of two terms of office in exceptional circumstances.
40. In addition to the Trustees so elected and appointed in terms of Articles 37 and 38, the Board may co-opt up to four additional Trustees of the Society for such period as the Board shall determine, bringing the total number of Trustees to a maximum of 14. Co-opted Trustees may be, but are not required to be, members of the Society, providing that the period for which they are co-opted does not exceed 6 months. Thereafter, any such Co-opted

Trustee shall apply to become a member of the Society. In such cases, the Board shall have discretion to disapply the usual requirements in relation to membership of the Society and to grant such Co-opted Trustee(s) the right to vote notwithstanding that the Co-opted Trustee(s) concerned may not have served the requisite initial six month period of membership of the Society.

41. Any casual vacancy on the Board may be filled by the Board and any person appointed to fill such a casual vacancy shall hold office until the conclusion of the next Annual General Meeting of the Society and shall be eligible for election at that meeting.

#### **Remuneration of Trustees**

42. The Society may remunerate any Trustee in respect of work carried out by him for the Society, provided always that the Society complies with the conditions for remuneration set out in section 67 of the 2005 Act and the terms of any Remuneration Policies as may be prescribed from time to time by the Board.

#### **Termination of office**

43. A Trustee shall automatically vacate office if:-
  - (a) he ceases to be a Trustee through the operation of any provision of the Act or becomes prohibited by law from being a Trustee;
  - (b) he becomes debarred under any statutory provision from being involved in the management or control of a charity;
  - (c) he becomes incapable for medical reasons of fulfilling the duties of his office and such incapacity is expected to continue for a period of more than six months;
  - (d) he ceases to be a member of the Society;
  - (e) he resigns office by notice to the Society;
  - (f) he is absent (without permission of the Trustees) from more than three consecutive meetings of the Trustees, and the Trustees resolve to remove him from office; or
  - (g) he is removed from office by resolution of the Trustees.

#### **Register of Trustees/Trustees interests**

44. The Trustees shall maintain a register of Trustees, setting out full details of each Trustee, including the date on which he became a Trustee, and specifying the date on which any person ceased to hold office as a Trustee and containing details of Trustees' interests.

#### **Duties of Trustees**

45. The Trustees shall carry out their duties and exercise their powers always in the best interests of the Society in pursuance of the Society's Objects and, in particular, in accordance with the terms of the Act and the 2005 Act in relation to duties of company directors and charity trustees respectively.
46. The Trustees shall observe any Codes of Conduct or such other internal regulations as the Society may from time to time prescribe and, in particular, shall:
  - (a) promote the practice of good governance;
  - (b) provide leadership of the Society within a framework of prudent and effective controls which enable risk to be assessed and managed;

- (c) set the Society's strategic aims, ensure that the necessary financial and human resources are in place for the Society to meet its objectives, and review performance;
- (d) develop and promote a collective vision of the Society's purpose, culture, values and the behaviours it wishes to promote;
- (e) work effectively with other Trustees and be open and accountable to the Society's members; and
- (f) behave at all times with integrity and avoid any conflicts between personal interests and those of the Society.

### **Powers of Trustees**

- 47. Subject to the provisions of the Act, the Memorandum and these Articles, and subject to any directions given by special resolution, the Society and its assets and undertaking shall be managed by the Trustees, who may exercise all the powers of the Society.
- 48. A meeting of the Trustees at which a quorum is present may exercise all powers exercisable by the Trustees.

### **Trustees Declarations of Interests**

- 49. The Trustees may, in accordance with the requirements set out in Articles 50 to 55, authorise any matter proposed to them by any Trustee which would, if not authorised, involve or constitute a Trustee (an "**Interested Trustee**") breaching or infringing his duty under section 175 of the Act to avoid conflicts of interest (the "**Conflict**").
- 50. Any authorisation under Articles 50 to 55 will be effective only if:
  - (a) the matter in question, to the extent permitted by the Act, shall have been proposed by any Trustee for consideration at a meeting of the Board in the same way that any other matter may be proposed to the Trustees under the provisions of these Articles or in such other manner as the Trustees may determine;
  - (b) any requirement as to the quorum at the meeting of the Trustees at which the matter is considered is met without counting the Interested Trustee; and
  - (c) the matter was agreed to without the Interested Trustee voting or would have been agreed to if the Interested Trustee had not been counted in the vote.
- 51. Any authorisation of a matter under Articles 50 to 55 may (whether at the time of giving the authority or subsequently):
  - (a) extend to any actual or potential conflict of interest which may reasonably be expected to arise out of the matter so authorised;
  - (b) be subject to such terms and for such duration, or impose such limits or conditions as the Trustees may determine on the Interested Trustee; or
  - (c) be terminated or varied by the Trustees at any time.

This will not affect anything done by the Trustee prior to such termination or variation in accordance with the terms of the authorisation.

52. Where the Trustees authorise a Conflict they may provide, without limitation (whether at the time of giving the authority or subsequently) that the Trustee:

- (a) is excluded from discussions (whether at meetings of the Board otherwise) related to the Conflict;
- (b) is not given any documents or other information relating to the Conflict; or
- (c) may or may not vote (or may or may not be counted in the quorum) at any future meeting of Trustees in relation to any resolution relating to the Conflict.

Notwithstanding the fact that the Trustees have made provisions (or otherwise) under this Article 53, the Interested Trustee whose Conflict has been authorised shall not be in breach of his duties to the Society where the Interested Trustee, of his own accord, does not attend any discussions, refuses to receive any documents or information relating to the Conflict or refuses to vote on any resolution relating to the Conflict (or refuses to do or does any similar action).

53. Where the Trustees authorise a Conflict:

- (a) the Interested Trustee will be obliged to conduct himself in accordance with any terms imposed by the Trustees in relation to the Conflict;
- (b) the Interested Trustee will not breach or infringe any duty he owes to the Society by virtue of sections 171 to 177 of the Act provided he acts in accordance with such terms, limits and conditions (if any) as the Trustees may impose in respect of its authorisation; and
- (c) the Trustees may decide (whether at the time of giving the authority or subsequently) that, if a Trustee has obtained any information through his involvement in the Conflict otherwise than as a Trustee of the Society and in respect of which he owes a duty of confidentiality to another person, the Trustees is under no obligation to:
  - i. disclose such information to the Trustees or to any Trustee or other officer or employee of the Society;
  - ii. use or apply any such information in performing his duties as a Trustee;

where to do so would amount to a breach of that confidence and, accordingly, by not disclosing, using or applying such information, the Trustee shall not be in breach or infringe his duties to the Society in terms of Sections 171 to 177 of the Act.

54. A Trustee is not required, by reason of being a Trustee (or because of the fiduciary relationship established by reason of being a Trustee), to account to the Society for any remuneration, profit or other benefit which he derives from or in connection with a relationship involving a Conflict which has been authorised by the Trustees or by the Society (subject in each case to any terms, limits or conditions attaching to that authorisation) and no contract,

agreement or arrangement relating to a Conflict that has been authorised by the Board shall be liable to be avoided on such grounds.

### **Personal interests**

55. A Trustee who is in any way, whether directly or indirectly interested in a proposed transaction or arrangement with the Society shall declare the nature and extent of his interest to the other Trustees before the Society enters into the transaction or arrangement in accordance with the Act. For the purposes of this Article, a Trustee shall be deemed to have a personal interest in an arrangement if any partner or other close relative of his or any firm of which he is a partner or any limited company of which he is a substantial shareholder or Trustee (or any other party who/which is deemed to be connected with him for the purposes of the Act), has a personal interest in that arrangement.
56. A Trustee who is in any way, whether directly or indirectly, interested in a transaction or arrangement that has been entered into by the Society shall declare the nature and extent of his interest to the other Trustees as soon as is reasonably practicable in accordance with the Act, unless the interest has already been declared under Article 56.
57. Subject, where applicable, to the disclosures required under Article 55 and Article 56, and to any terms and conditions imposed by the Trustees in accordance with these Articles 56 to 60, a Trustee shall be entitled to vote in respect of any proposed or existing transaction or arrangement with the Society in which he is interested and if he shall do so his vote shall be counted and he shall be taken into account in ascertaining whether a quorum is present.
58. A Trustee need not declare an interest under Article 56 and Article 57 as the case may be:
  - (a) if it cannot reasonably be regarded as likely to give rise to a conflict of interest;
  - (b) of which the Trustee is not aware, although for this purpose a Trustee is treated as being aware of matters of which he ought reasonably to be aware;
  - (c) if, or to the extent that, the other Trustees are already aware of it, and for this purpose the other Trustees are treated as aware of anything of which they ought reasonably to be aware; or
  - (d) if, or to the extent that, it concerns the terms of his service contract that have been, or are to be, considered at a meeting of the Board.
59. Provided he has declared his interest, a Trustee will not be debarred from entering into an arrangement with the Society in which he has a personal interest and may retain any personal benefit which he gains from his participation in that arrangement.

### **OFFICE BEARERS**

60. Following each Annual General Meeting, the Trustees shall appoint from among themselves a Chairperson who shall hold office as Chairperson until the end of the next Annual General Meeting. If, during his term of office, the Chairperson ceases to be a Trustee, or resigns from that office by written notice to that effect, or if he is removed from office by resolution of the Trustees, the Trustees shall appoint another from among their number to serve as Chairperson until the end of the next Annual General Meeting.
61. There shall be a Vice Chair and such other office bearers of the Society as the Board may from time to time determine.
62. Office bearers shall be elected by the Board annually following each Annual General Meeting and shall hold office until the end of the next Annual General Meeting. Office bearers shall be eligible for re-election without limit as to the number of terms of office they may serve.
63. Office bearers must be members of the Society.
64. A person elected to any office shall cease to hold that office if he ceases to be a member, or resigns from that office by written notice to that effect, or if he is removed from office by resolution of the Trustees. Any casual vacancy arising in the office of any office bearer shall be filled by decision of the Trustees.
65. The Trustees shall determine the role, responsibilities and duties of each office bearer and shall provide each office bearer with such information as is reasonably necessary to enable them to execute their duties effectively.

## **TRUSTEES' MEETINGS**

### **Procedure at Trustees' meetings**

66. Board meetings will be held on a regular basis. Any Trustee may call a meeting of the Trustees or request the Secretary (if any) to call a meeting of the Trustees.
67. The Trustees can agree to confirm decisions by telephone or by written resolution as alternatives to confirming decisions at Trustees' meetings.
68. A Trustee may participate in a meeting of the Trustees (or of a committee of Trustees) by means of electronic communication provided that throughout the meeting all persons participating in the meeting are able to communicate interactively with all other parties participating in the meeting. Participation in this manner is deemed to constitute presence in person at the meeting.
69. Questions arising at a meeting of the Trustees shall be decided by a majority of votes; if an equality of votes arises, the chairperson of the meeting shall have a casting vote.
70. No business shall be dealt with at a meeting of the Trustees unless a quorum is present; the quorum for meetings of the Trustees shall be one-third of the Trustees, from time to time. If at any time the number of Trustees in office falls below the number required to constitute a quorum, the remaining Trustees(s) may act only for the purpose of filling vacancies or of calling a general meeting.
71. Unless he is unwilling to do so, the Chairperson of the Society shall preside as Chairperson at every Trustees' meeting at which he is present; if the Chairperson is unable to attend a Trustees' meeting or is unwilling to act as Chairperson or is not present within 15 minutes after the time when the

meeting was due to commence, the Trustees present shall elect from among themselves the person who will act as Chairperson of the meeting.

72. The Trustees may, at their discretion, allow any person who they reasonably consider appropriate, to attend and speak at any meeting of the Trustees; for the avoidance of doubt, any such person who is invited to attend a Trustees' meeting shall not be entitled to vote.
73. A Trustee shall not vote at a Trustees' meeting (or at a meeting of a committee) on any resolution concerning a matter in which he has a personal interest which conflicts (or may conflict) with the interests of the Society unless authorised to do so by the other Trustees in accordance with procedures set out in these Articles.
74. A Trustee shall not be counted in the quorum present at a meeting in relation to a resolution on which he is not entitled to vote.
75. The Trustees may be paid all travelling and other expenses reasonably incurred by them in connection with their attendance at meetings of the Trustees, general meetings, or meetings of committees, or otherwise in connection with the carrying-out of their duties.
76. The Society may, by ordinary resolution, suspend or relax to any extent – either generally or in relation to any particular matter – the provisions of Articles 67 to 76.

### **Local Groups**

77. The Board may agree, by majority vote, to establish and support any local group it believes necessary in order to carry out activities, including, but not limited to:
  - (a) providing a local focus for the practice of Humanist activity and an outlet for members of the Society in the same local area to meet socially;
  - (b) promoting Humanist values at a local level and attracting new members to the Society; and
  - (c) promoting and supporting national campaigns;hereinafter referred to as “**Local Groups**”.
78. The Board shall have sole discretion to take all decisions relating to Local Groups, including, amongst others, establishment, management, activities, funding, investment and membership. The Board shall have the power to delegate any of its functions and powers in relation to Local Groups to such other person or persons as it may deem appropriate and any such person or persons shall be fully accountable to the Board in relation to thereto. Local Groups may put in place their own constitutions, which shall be subject to prior approval of the Board and to any terms of the Society's own Articles, in force from time to time.

### **Delegation to sub-committees**

79. The Trustees may delegate any of their powers to any sub-committee consisting of such persons (which may, but need not, include a Trustee of the Society) as the Trustees may determine; they may also delegate to the Chairperson of the Society (or the holder of any other post) such of their powers as they may consider appropriate. Any delegation of powers under this Article may be made subject to:-
  - (a) such conditions as the Trustees may impose and may be revoked or altered; and

- (b) such rules of procedure for any sub-committee shall be as prescribed by the Trustees.

### **Ceremonies Committee**

- 80. There shall be a sub-committee which shall be known as the Ceremonies Committee ("**CC**").
- 81. The CC shall consist of:
  - (a) the Chair of the CC, who shall be an HSS Registered Celebrant and the National Ceremonies Officer (NCO) from time to time; and
  - (b) if required by the CC, a Depute National Ceremonies Officer (DNCO), who shall be an HSS Registered Celebrant; and
  - (c) as many HSS Registered Celebrants as are reasonably required to represent the Areas into which the Celebrant body is from time to time organised, up to a maximum of two Celebrants for each Area. These will be called Area Ceremonies Officers (ACOs); and
  - (d) up to six further HSS Registered Celebrants may be co-opted by the CC to assist in its work; and
  - (e) any holders of relevant supporting posts may also be invited by the CC to participate in its meetings and work. They need not be HSS Registered Celebrants.
- 82. Elected members of the CC shall be eligible for re-election without limit as to the number of terms of office they may serve, and the methods of election shall be as follows:
  - (a) The NCO shall be elected by HSS Registered Celebrants at the annual gathering of celebrants.
  - (b) The DNCO shall be elected by HSS Registered Celebrants at the annual gathering of celebrants.
  - (c) Each ACO shall be elected by the HSS Registered Celebrants in the relevant Area.
- 83. The CC shall be responsible for overseeing all matters relating to Humanist ceremonies and any other matter as may be determined by the Board from time to time.

## **ADMINISTRATION**

### **Operation of bank accounts**

84. Only Trustees authorised to do so by the Society may carry out operations (other than lodgement of funds) on the bank, building society or other financial institution accounts held by the company. Any Trustees authorised for these purposes must carry out operations in accordance with any requirements prescribed from time to time by the Society's bankers or investment managers or such as persons as may be dealing with the Society's accounts or funds.

### **Secretary**

85. The Trustees may in their sole discretion decide to appoint a Secretary for such term, at such remuneration (if any), and upon such conditions, as they may think fit; the Secretary may be removed and replaced or not (at the Trustees' sole discretion) by the Trustees at any time.

### **Minutes**

86. The Trustees shall ensure that minutes are made of all proceedings at general meetings, Trustees' meetings and meetings of committees; a minute of any meeting shall include the names of those present, and (as far as possible) shall be agreed at the next meeting of the Trustees.

### **Accounting records and annual accounts**

87. The Trustees shall ensure that proper accounting records are maintained in accordance with all applicable statutory requirements for both companies and charities.
88. No member shall (unless he is a Trustee) have any right of inspecting any accounting or other records, or any document of the company, except as conferred by statute or as authorised by the Trustees or as authorised by ordinary resolution of the company.

### **Notices**

89. Any notice, document or other information shall be deemed served on or delivered to the intended recipient:-
- (a) if handed to them in person;
  - (b) if properly addressed and sent by pre-paid UK first class post to an address (last intimated by him/her/them) to the company in the UK 48 hours after it is posted;
  - (c) a member whose registered address is not within the United Kingdom shall be entitled to receive notices at such address and such notices shall be sent to the member by airmail. Notices sent overseas shall be deemed to be given at the expiry of a period of 5 days after the envelope containing it was posted. Sections 1143 to 1148 together with schedule 4 and 5 of the Act shall apply;
  - (d) if properly addressed and delivered by hand, when it was given or left at the appropriate address;
  - (e) if properly addressed and sent or supplied by electronic mail (e-mail) (in the case of a member who has notified the company of an address

to be used for the purpose of electronic communications) one hour after the e-mail was sent or supplied; and

- (f) if sent or supplied by means of a website, when the material is first made available on the website or (if later) when the recipient receives (or is so deemed to have received) notice of the fact that the material is on the website.

For the purposes of this Article, no account will be taken of any part of a day that is not a business day (where a “**business day**” means any day (other than a Saturday, Sunday or public holiday in Scotland) on which clearing banks in Edinburgh are generally open for business). In proving that any notice, document or other information was properly addressed, it shall be sufficient to show that the notice, document or other information was delivered to an address permitted for the purposes of the Act.

## **MISCELLANEOUS**

### **Winding-up**

90. If, upon dissolution or winding up of the company there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, then the property shall not be paid to or distributed among the members of the Society, but shall be paid, given, transferred or distributed to such body or bodies to be determined by the members of the Society at the time of the dissolution or winding up :

- (a) being a charitable body or bodies having objects similar to the Objects of the Society; and
- (b) being a charitable body or bodies which shall prohibit the distribution of its or their assets, income and property among its or their members to an extent at least as great as is imposed on the Society.

or failing which such other charitable body or bodies as are willing to take the property of the Society.

### **Indemnity**

91. Without prejudice to Articles 93 and 96 and subject to the provisions of and to the extent permitted by the Act, but without prejudice to any indemnity to which the person concerned may otherwise be entitled, every Trustee or other officer of the Society (other than any person (whether an officer or not) engaged by the Society as auditor) shall be indemnified out of the assets of the Society against any liability incurred by him for negligence, default, breach of duty or breach of trust in relation to the affairs of the Society, provided that this Article shall be deemed not to provide for, or entitle any such person to, indemnification to the extent that it would cause this Article, or any element of it, to be treated as void under the Act.

92. Subject to the Act and any agreement made between a Trustee and the Society in accordance with the Act, a Trustee shall be indemnified out of the Society's assets against any expenses which that Trustee incurs in connection with:

- (a) civil proceedings in relation to the Society (unless judgment is given against the Trustee and the judgment is final);

- (b) criminal proceedings in relation to the Society (unless the Trustee is convicted and the conviction is final); or
  - (c) any application for relief from liability for negligence, default, breach of duty or breach of trust in relation to the Society (unless the court refuses to grant the Trustee relief, and the refusal is final).
93. For the purposes of Article 93 judgment, conviction or refusal of relief becomes final if:
- (a) the period for bringing an appeal (or any further appeal) has ended; and
  - (b) any appeal brought is determined, abandoned or otherwise ceases to have effect.
94. Every Trustee or other officer or auditor of the Society shall be indemnified out of the assets of the Society against any loss or liability which he may sustain or incur in connection with the execution of the duties of his office; that may include, without prejudice to that generality, any liability incurred by him in defending any proceedings (whether civil or criminal) in which judgement is given in his favour or in which he is acquitted or any liability in connection with an application in which relief is granted to him by the court from liability for negligence, default or breach of trust in relation to the affairs of the company.
95. The indemnity contained in Article 95 shall be subject to the provisions of the Act and is without prejudice to any other indemnity to which a Trustee may otherwise be entitled.

### **Insurance**

96. Subject to the Act, the Trustees may decide to purchase and maintain insurance, at the expense of the company, for the benefit of any relevant officer in respect of any relevant loss.

In this Article:-

- (a) a “**relevant officer**” means any Trustee or former Trustee of the Society, any other officer or employee or former officer or employee of the Society or its associate (but not the auditors), or any trustee of a pension fund or employee benefits trust of the Society;
- (b) a “**relevant loss**” means any loss or expenditure which has been or may be incurred by a relevant officer in connection with that relevant officer’s duties, powers or responsibilities in relation to the Society or an associate or its pension fund or employee benefits trust; and
- (c) an “**associate**” means any subsidiary or subsidiary undertaking or holding company of such company and any other subsidiary or subsidiary undertaking of any holding company of such company (“holding company” and “subsidiary company” having the meanings set out in section 1159 and Schedule 6 of the Act).

### **Liability of Members**

97. The liability of the members is limited to ONE POUND (£1.00). Every member of the Society undertakes to contribute to the assets of the Society in the event of the same being wound up while he is a member, or within one year after he ceases to be a member, for payment of the:-

- (a) debts and liabilities of the Society contracted before he ceases to be a member;
- (b) costs, charges and expenses of winding up,

and for the adjustment of the rights of the contributories among themselves, such amount as may be required not exceeding ONE POUND.

## Interpretation

98. In these Articles

“**Act**” means the Companies Act 2006 and any reference in these Articles to a provision of the Act shall be taken to include any statutory modification or re-enactment of that provision which is in force at the time;

“**Articles**” means these Articles of Association and any reference to “**Article**” shall be a reference to a specific article therein;

“**Board**” means the Boards of Trustees of the Society from time to time;

“**electronic communication**” has the same meaning as is assigned to that expression in the Electronic Communications Act 2000;

“**HSS Registered Celebrant**” shall include Registered Humanist Celebrants, Authorised Humanist Celebrants and any members otherwise registered with the Society as Celebrants who are entitled to perform humanist ceremonies and activities for members of the public;

“**Memorandum**” means the Memorandum of Association of the Society; and

“**person**” means any individual, organisation or body including any authorised representative of any organisation or body.

99. Save as otherwise specifically provided in these Articles, words and expressions which have particular meanings in the Model Articles for private companies limited by guarantee (as set out in The Companies (Model Articles) Regulations 2008) shall have the same meanings in these Articles. Unless the context requires otherwise, words or expressions used in these articles bear the same meaning as in the Act (as said Act is in force at the date of adoption of these articles). For the avoidance of doubt:-

- (a) headings in these Articles are used for convenience only and shall not affect the construction or interpretation of these Articles.
- (b) unless expressly provided otherwise, a reference to a statute, statutory provision or subordinate legislation is a reference to it as it is in force from time to time, taking account of:
  - i. any subordinate legislation from time to time made under it; and
  - ii. any amendment or re-enactment and includes any statute, statutory provision or subordinate legislation which it amends or re-enacts.
- (c) words importing any gender shall include all other genders;

- (d) reference in these articles to the singular shall be deemed to include the plural; and
- (e) any phrase introduced by the terms "including", "include", "in particular" or any similar expression shall be construed as illustrative and shall not limit the sense of the words preceding those terms.

Lynsey

Hi. Yes, received your response. We have a further query, as outlined above.

Simon  
0131 244 3322

**From:** Lynsey Kidd [REDACTED]  
**Sent:** 14 September 2016 16:28  
**To:** Stockwell SW (Simon)  
**Subject:** Humanist Society Scotland

Hi Simon

I hope you are well. I just wanted to check you had received my response to your query and also see if you can give us an indication of timescales for our request being considered.

I know when we met previously there was a suggestion that the SSI might be laid in September?

Thanks  
Lynsey

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**From:** Gordon MacRae [REDACTED]  
**Sent:** 11 January 2016 14:44  
**To:** Stockwell SW (Simon)  
**Cc:** Lynsey Kidd  
**Subject:** HSS & Prescribed status

Dear Simon

Happy new year, I hope you had some time to enjoy a break.

Further to the letter from the Minister to HSS please see attached response and supporting information to assist you and your colleagues to consider our request for HSS and Humanism to be recognised equally for the purpose of solemnising weddings.

Please do not hesitate to contact either Lynsey or myself if we can be of any additional assistance.

kind regards

Gordon

Gordon MacRae  
Chief Executive

Humanist Society Scotland  
4th Floor, Hayweight House, 23 Lauriston Street, Edinburgh, EH3 9DQ

M: [REDACTED]

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## **The Fellowship of Professional Celebrants (FPC) – Scotland**

***This is a brief introduction to the basis for our request to be accepted both as a Belief Body and as meeting Qualifying Standards as The Fellowship of Professional Celebrants on behalf of its Scottish Fellows, with respect to the requirements of the Marriage and Civil Partnership Scotland Act 2014.***

***It is our contention that FPC is a Belief Body which will meet all reasonable Qualifying Requirements, in line with current Legislation, and that FPC is part of a Belief Body which requires and supports ongoing professional development.***

1. The FPC supports the need for greater equality of Legal Registration of marriages and Civil Partnerships across Scotland and the Islands, in line with current Equality Legislation and the Human Rights Act.
2. We request a meeting with any appropriate Scottish Government Official, in order to further clarify our meeting both the Qualifying Requirements and the Belief Body standards.

### **Introduction**

3. The FPC was founded in 2011 by Mrs Terri Shanks, to run as a Professional Development and Support Organisation for those who had undergone either Certificate or Diploma level Celebrancy Training.
4. Our pioneering and acclaimed training programs for Independent Celebrants have been running since 2007. Our Education programs run in close association with the International College of Celebrancy in Australia, the world's first and leading celebrancy education providers and whose celebrants have been able to legally marry couples throughout Australia since 1973.

5. The **Fellowship of Professional Celebrants (FPC)** – is interested in the proposals put forward in the most recent Scottish Governmental Discussion Paper relating to **The Marriage and Civil Partnership (Scotland) Act 2014**, which indicates that the Scottish Government is going to consider some **Qualifying Requirements** for **Belief Bodies**, applying for permission to be responsible for the Legal Registration of citizens being married or civilly partnered in Scotland.
6. The FPC respectfully requests to be recognised as meeting any Qualifying Requirements, and would like to clarify the ways in which we belong to a Belief Body.
7. The FPC welcomes the Scottish Government’s many progressive changes to the Marriage Legislation, in order to improve a sense of inclusion for Scottish couples. However we believe that there is currently a breach of **Equality Legislation 2010, and Human Rights Legislation**, which disqualifies or otherwise stigmatises or disadvantages couples who, within their relationships, hold different beliefs and values. They are deprived of equal access to a celebrant who can both solemnise and register their wedding or civil partnership, whilst also delivering a ceremony which respectfully recognises each party’s individual beliefs and values.
8. There are significant financial penalties experienced by couples who choose to use an FPC celebrant in order to have the ceremony which most closely represents their values and beliefs. They have to pay more because they have to pay for registration and subsequent venue related costs, and then for separate celebrant and subsequent venue related costs. Couples who require that two differing beliefs and values are respected and expressed within their wedding or civil partnership ceremony, subsequently always pay more than those accessing Civil Registrar, religious or Humanist celebrants have to pay, because those clients are able to have their ceremony both solemnised and registered at the same time and place and by the same organisation.

9. Couples who choose to have the different beliefs and values of each party acknowledged and included within their ceremony, also report a sense of stigmatisation and marginalisation; i.e. they feel that their differing heritage, beliefs, values and diversity have no properly respected representation within the current marriage and civil partnership registration options. Only if both parties were humanist, or are of the same religion, or are prepared not to have any aspect of their beliefs and values represented at all, can the registrations currently on offer be sufficient.

10. The FPC believes that; in line with Human Rights Legislation, the Scottish Government have a responsibility to facilitate and endorse equal status and access to dignified, respectful ceremonies, to enable all and each of its citizens to express, celebrate and move on through human milestones, significant life events and transitions in line with each individual's own authentic specific beliefs and values. The FPC contends that this is currently a fundamental human right not yet extended to all citizens in Scotland.

### **Evidence of FPC Meeting Belief Body Requirements**

***The FPC has at its core, and explicitly in its training, Professional Ethics and Values, and ongoing Professional Standards and Development requirements.***

***All Belief Systems offer an explanation of something. The FPC, believes that it is our vocation and duty to meet the personally expressed needs of each of the parties in a civil partnership or marriage, and to reflect their individual beliefs and values. Our Belief System also requires that we raise awareness on behalf of couples and individuals as to unmet need and gaps in equality of treatment.***

11. The FPC believes, in line with the 2010 Equality Act, and Human Rights Legislation, that religion and belief are to be treated as equal in worth.

12. The FPC takes the professional expression of Equality Legislation to be its central tenet, for each trained Celebrant, and subsequently requires Equality and Diversity to be integral to its training and to the practice of all of its Celebrants.
13. FPC celebrants share many of the values and ethics expressed in humanism, except that the focus for FPC is that as a part of a pluralist democracy, we respect and, in our membership we reflect a great diversity of deeply and genuinely held religious, spiritual, non-religious, atheist, and humanist beliefs, values and ethics.
14. The FPC believes that, Scotland is a multi-faith, multi-cultural, pluralist democracy, which supports the right of every citizen to express their beliefs and values without prejudice.
15. Subsequently the FPC trains celebrants to understand and recognise that in Scotland we live in a culturally Pluralist Democracy, and that as Celebrants, this is the constituency we serve.
16. FPC Celebrants are trained, and sign up to, always delivering ceremonies that do not necessarily reflect our own personal beliefs, but rather respectfully reflect and express those of the couple or individuals.
17. In order to continue being able to offer ceremonies to couples who want their individual beliefs and values to be expressed within their marriage ceremonies, FPC Celebrants levy costs and donations.
18. FPC are not seeking to profit from completing legal registrations on behalf of couples who use our services, but rather to reduce the present financial and social disadvantages experienced by these couples.
19. Costs and donations received cover costs of our training, ongoing professional status and registration, professional development, ceremonial clothing, administrative costs, travelling costs, time spent writing, preparing and delivering ongoing support,

rehearsals, ceremonies, and written presentation copies of ceremonies, and are in line with any costs or donations received by religious and Humanist Celebrants.

20. FPC believes that freedom of spirituality and religion, as well as freedom from spirituality and religion, is a fundamental human right, and that all modern democratic, pluralistic Societies, by virtue of their Equality Legislation, ought to recognise and endorse trained, registered, professional Celebrants, such as the FPC, whose task is to mirror and reflect and meet the needs of people with differing beliefs and values equally within any couple.

21. Currently there are many authorised religions within Scotland, and subsequently many authorised religious marriage celebrants and civil registrars of Births, Deaths and Marriages, and there are a few organisations, such as the Humanist Society, and those who claim associate connections, who are currently authorised to solemnise weddings in Scotland for couples where both parties identify as Humanist for example.

22. FPC understands that most couples within any modern, culturally diverse society have their own separate, and usually very individual beliefs (whether religious, spiritual or nonreligious) and their own values.

23. Currently there are no authorised celebrants (such as FPC Celebrants) who will write and conduct, solemnise and register a marriage which reflects the different beliefs and values of each party within the ceremony, and then conduct the ceremony to reflect the covenant and joining together of two individuals, with equal, and differing beliefs and values, coming together with the support of their families and communities.

24. In the FPC our aim is to meet the ceremonial needs of the many couples across Scotland and the UK where each party wants their unique beliefs and values to be

reflected and expressed within the marriage or civil partnership ceremony equally respectfully.

25. It is the contention of FPC that this is both an unmet need, and a breach of human rights and dignity.
26. In recognition of this many people are now choosing to train and register with FPC as Independent Professional Celebrants, in order to meet this need.
27. This is also why we are now making representation to the Scottish Government on behalf of our constituency of couples, to be authorised as registrars for marriages and civil partnerships, under the auspices of the current Marriage and Civil Partnership 2014 Legislation in Scotland.
28. Most couples who specifically request a Fellowship Celebrant in Scotland, have differing beliefs, cultural backgrounds, and values, and that they want each partner's separate beliefs and values to be equally respectfully integrated into the marriage or civil partnership ceremony, which, after all, is one of the most important, significant, meaningful and personal to each of them, and their families and extended diverse communities.
29. The FPC believes that a significant proportion of couples who want to solemnise and register their civil partnership or marriage, in Scotland have separately held differing beliefs and values and that each party within that couple applying to the State to solemnise and register their marriage or civil partnership have the same right as others to non-stigmatising access to a Celebrant who can both solemnise and register their marriage or civil partnership.
30. Many couples want a ceremony that specifically identifies each party's values as important to the vows they make, one to the other, and want to express being two individuals with their own separate beliefs coming together, to their gathering of families and friends.

31. For instance; one of the parties may have nonreligious or Humanist beliefs and the other may follow their own spiritual path, or one of the parties may have come from a cultural heritage of Catholicism, the other from a cultural heritage of Protestantism, and they may want their cultural heritages to be respectfully represented within the Ceremony, but for the ceremony not to be based on any credos.
32. Or one of the couple may have some Buddhist beliefs and the other some Pagan beliefs, and both want their beliefs to be represented within the Ceremony, and also may want their parent's wishes to be respected with the incorporation of a Christian Hymn, for instance.
33. There may be one of the couple with a Jewish cultural heritage, whose partner is from an African Caribbean heritage, for instance, and each of the couple wants important aspects of their identity to be reflected within their marriage or civil partnership ceremony.
34. We also work with couples where one of the couple has a disability and wants their cultural heritage as a disabled person, perhaps with an able bodied partner to be reflected within the covenant of ceremony.
35. If in civil partnership, or marriage, for same sex ceremonies, one of the couple have been married to an opposite sex partner previously, our celebrants can work closely with couples to support them to bring elements of extended family together safely, to celebrate their marriage or civil partnership.
36. Couples where one or both parties in the couple are trans gender can also often feel stigmatised within marriage and civil partnership ceremonies where authorised registrar celebrants have not fully understood or accepted diversity training.

37. There are many couples with children, of all ages, who want their children, or other members of their extended family to be integral to their marriage or civil partnership ceremony.

38. There are as many variations as Scotland is diverse. Couples, such as those cited in the examples above, tell us that the FPC is the only organisation which truly represents their views and wishes in a genuinely, heartfelt, meaningful and sensitive way.

39. Where FPC celebrants are called upon to create and deliver such 'blended' belief, identity and values ceremonies, FPC believes that it can't be right, that these couples are financially and socially stigmatised and disadvantaged and discriminated against, over couples who meet the ideological requirements of religious or the Humanist Society registrars, or those who accept the limitations of civil registration, by not having the dignity of a celebrant who can both solemnise and register their marriage.

40. The FPC has a worldview which essentially explains and interprets the context of, and psychological or spiritual need (as defined by each person, themselves) within each citizen, for respectful, dignified, authentic, personalised, ceremonies, reflecting their beliefs and values, in marking their significant developmental milestones and transitions, such as marriage and civil partnership.

41. The FPC believes that professionally written and delivered ceremonies to mark each individual's transitions brings healing and integration to individuals, families, and communities, and is an essential psychological (and spiritual if this reflects the beliefs of the participating individuals) necessity for each individual citizen within a couple, irrespective of religion, spirituality, or none.

42. The FPC believes that attending to, respecting and expressing the beliefs and values of each individual within a couple, within a civil partnership or marriage, can enable the commitments and covenants made within the ceremony to be more meaningful, and therefor to be more enduring, and to have the effect also of bringing families from differing backgrounds together in closer understanding, and subsequently also can have an impact in better community understanding, tolerance and cohesion.

43. The FPC also believes that where the marriage or civil partnership covenant is made within a ceremony that does not accurately reflect and represent the beliefs and values of each of the individuals in the couple; that this ceremony risks being both inauthentic and can undermine the covenant being made.

### **Concluding Summary**

44. The FPC believes that the Celebrant should understand, create and deliver a uniquely respectful, ceremony, that reflects, integrates in a meaningful and dignified way, the differing beliefs, faiths, values, and ethics of each person in the couple.

45. Recognising that just as they are from different families and their communities and with differing cultural heritage, so they are two unique and different human beings within their covenant of marriage or civil partnership. As such they are both equally entitled to a ceremony which does not impose restrictions based on disapproval or dogma, bias or template.

46. However, it is the experience of FPC Celebrants that a significant section of the Scottish population, (where each party has differing beliefs or values), does not have access to the equality of respect and dignity afforded those couples where both parties fall neatly into one neat category, whether it be civil, religious or Humanist.

47. Couples with differing beliefs and values are therefor both stigmatised and financially disadvantaged, and are subsequently not currently treated equally to other Scottish citizens.

48. In FPC we don't believe that the Scottish Government intends that this should be the situation. Hence this communication and our application for authorization as registering celebrants under the auspices of the new Scottish Marriage Legislation.

### **Evidence of FPC-Scotland Meeting Qualifying Standards**

***All FPC members undergo professional standards training and are required to sign up to Ethics and Values requirements on successful completion of that training, if they want to be accepted for registration with the FPC.***

49. Scottish FPC Celebrants, have all signed up to implementing the highest of professional and ethical standards in line with FPC beliefs and requirements, along with a police recommended Criminal Records Self Disclosure form. All are regularly in contact with each other, and with the Fellowship, which monitors ethics compliance, in line with the Ethics and Values.

50. FPC Celebrants are responsible for their ongoing professional development, and there are regular newsletters, a closed peer support group, regular FPC network meetings in person, online, by skype, for consultation or support, further training, socials, in order to maintain active and participating links between trained celebrants and the FPC.

51. There are presently over 30 FPC trained and registered Celebrants across Scotland and by the end of the year there are likely to be around 40 trained and registered FPC celebrants serving diverse rural and city communities across Scotland.

52. The FPC will continue to base FPC training and support for ongoing professional development, towards maintaining National Occupational Standards for Celebrancy within Scotland and its Islands, and expect that we will eventually have equal numbers of trained and registered Secular FPC celebrants as the Humanist Society who currently hold temporary registration of marriage status.

53. Because of our aspirations to achieving the highest professional and ethical standards, and in line with Safer Employment Guidelines, FPC Celebrants return Self Disclosure forms, held in accordance with Data Protection, Rehabilitation of Offenders Act 1974, and more recent freedom from surveillance compliance. The FPC also uses a complaints process.

54. All registered FPC members are part of a network of FPC celebrants within their own local culturally diverse societies, and can step in for each other if, for some reason, a colleague is indisposed, thus ensuring that the marriage or civil partnership will take place.

55. Throughout the training FPC Celebrants are trained to recognise their responsibility to act ethically, in a non-discrimatory manner, and inclusively in the creation and delivery of ceremonies to act positively and to respectfully support diversity for citizens within their local communities, within the framework of equality and diversity Legislation in their locale.

### **FPC Standards of Service and Code of Ethics**

***All members of the Fellowship must sign their agreement to follow these Standards of Service and Code of Ethics at all times when engaged in Celebrancy work.***

Fellowship to Members and professional co-operation. The FPC intends to provide and market the best resources and products available to do this by means of: promoting on-going training and development through both internal and external training courses and workshops which are felt may benefit Celebrants' professional and personal

development; regular newsletters and email updates to Members; an online Membership forum for the exchange of news and resources between Members

The Fellowship of Professional Celebrants and all its Members agree:

- 1) To assist by every means available their fellow Celebrant Members, through the sharing of knowledge, skills, resources and information, to help one another to conduct the very best Ceremonies they can.
- 2) To acquire, publish or distribute information on subjects of professional interest to Celebrants.
- 3) To provide for the social interaction and friendship between Celebrant Members - with one another, with non-Member Celebrants and with other Celebrancy and related professional organisations - by promoting functions, seminars and the like.
- 4) To treat their fellow Celebrants with dignity and courtesy at all times, being aware that they too have differing beliefs, values and cultural backgrounds which should be respected always.
- 5) To promote the spirit of sharing, co-operation and mutual encouragement and assistance among Member Celebrants, indeed all Celebrants and professionals we work alongside.
- 6) To publish and promote this Standards of Service and Code of Ethics and to encourage all Member Celebrants to adhere to the principles herein.

Uniqueness of the Independent Celebrant

The Fellowship of Professional Celebrants and all its Members also agree:

- 7) To encourage and respect the uniqueness, beliefs and values of each individual Celebrant Member and the unique gifts, qualities and attributes they individually bring to their work.
- 8) To promote to the public and to professionals such as Funeral Directors, the unique concept of Independent Celebrancy and the qualities which that brings, such as obliging and co-operative service, cultural and religious awareness, flexible choice of ceremony, appropriateness, efficiency, planning, dignity and professionalism.

#### Publicity

- 9) Individual Celebrant Members agree to bring to the attention of the local and national community information about Independent Celebrancy: the importance of trained Celebrants in an unregulated profession, and the role and scope of the Celebrant in the community which they serve. And for Celebrant Members to promote cultural rights and choice to the public and the role that an Independent Celebrant can fulfil for them in marking life's milestones.
- 10) Members' details will only be listed on the FPC website under the ceremony headings for which they have completed training with the UK College of Celebrancy. The same ruling will apply should the College of Celebrancy and/or FPC at any time submit any editorials or adverts for publication.

#### Standards of Service

- 11) Members are expected to set and to maintain professional Standards of Service to the public, for which we will be distinguished, and which will bring recognition to the FPC and to its individual Members.

12) Members will give the very best of themselves at all times in their preparation and delivery of a ceremony and in their personal presentation and conduct, so that they will stand out as professionals in the industry.

13) Members will at all times observe sensitivity in the assessment of each client and family, always respecting their cultural rights, and will encourage them in choosing and/or approving content of the service by ways of appropriate symbolism, readings, prose, music and personal tributes.

#### Objectives of Members

Fellowship Members should seek:

13) To avoid at all times attitudes of pretentiousness, authoritarianism and self-importance, or an overbearing style which could intimidate a client and may deter them from exercising their rights or wishes for a ceremony.

14) To inform clients of sources available to them for personalising a ceremony, which will make their choice, and therefore their ceremony, truly meaningful.

15) To avoid interposing their personal beliefs, prejudices or preconceived ideas into the ceremony, wherein the client wishes to express their beliefs and/or philosophies in their own way.

16) To always put the needs of the client first in order to create the right ceremony on every occasion.

17) To encourage and facilitate the participation of others in a ceremony wherever possible.

- 18) To be available to conduct a rehearsal prior to a Wedding/Civil Partnership ceremony so as to ensure everything goes smoothly on the day, and to direct the choreography of the Wedding Party so that the couple gain the very best photography and videography of their special day.
- 19) To dress appropriately for the occasion and in accordance with any special requests from the client (within reason).
- 20) To present oneself, given the style of dress required, in the best possible way - neat, clean and dignified - and to always maintain standards of personal hygiene.
- 21) To arrive punctually at an agreed time, and at a reasonable time prior to the commencement of the ceremony.
- 22) To organise and orchestrate the ceremony as skilfully as possible, speaking with clear diction and a sincere voice, always keeping in mind that the ceremony is a very special and memorable moment in somebody's lifetime.
- 23) To avoid rushing away from the ceremony venue in haste, but wait an appropriate time, so as to give the ceremony respect, importance and attention.

## Law & Procedures

- 25) In the case of marriage & civil partnership ceremonies, celebrants should be fully aware of legal registration procedures and should ensure that clients sign the appropriate documentation to confirm they are fully aware that the celebrant-led Ceremony is not currently recognised within the Marriage Laws of the United Kingdom\* (\* in accordance with the Marriage Laws of either England & Wales, or Scotland)
- 26) Any Celebrant involved in any additional arrangements of a Funeral service, outside of actually officiating at a Funeral, should ensure that they are fully familiar with law

and procedure relating to Funeral arrangements, having undertaken suitable required training, or be employed/self employed as a Funeral Director/arranger.

27) Celebrants will be encouraged to speak out honestly to the appropriate authority if they believe that the law, regulations and practices which exist within a Ceremony are outside of the law, or are deemed socially or morally wrong.

#### Education

28) All Member Celebrants are encouraged to seek continuing professional development, including further education, so as to do the task better and to ensure the highest standards of expertise are delivered in Ceremonies at all times.

29) All Member Celebrants are encouraged to support, mentor and share new resources and information with one another, and to give guidance and advice to one another if specific assistance is requested in creating a Ceremony.

Please note, if it is felt that a Celebrant is not working within these Standards of Service at any time, or that the actions of a Celebrant brings the Fellowship of Professional Celebrants or any of its Members into disrepute, then Membership of this Fellowship may either be suspended or terminated at any time.

Please sign here to confirm you agree to follow the Standards of Service and Code of Ethics at all times when engaged in Celebrancy work:

Signed.....

Print Name.....

Dated.....

Please sign both copies and return ONE copy (both pages), along with your completed Membership application form, to:

Fellowship of Professional Celebrants  
38 Upton Gardens  
Worthing  
West Sussex  
BN13 1DA



Simon Stockwell  
Head of Family and Property Law  
Scottish Government

By email

Your ref: A 15997524

24 November 2016

Dear Simon

**MARRIAGE (SCOTLAND) ACT 1977: SECTION 8  
CIVIL PARTNERSHIP ACT 2004: SECTION 94A  
PRESCRIBING RELIGIOUS OR BELIEF BODIES TO SOLEMNISE MARRIAGE  
AND REGISTER CIVIL PARTNERSHIP**

Thank you for your letter dated 18 November 2016. Please see below responses to required points; each numbered to correlate with your letter.

2.

**About Humanist Society Scotland**

Humanist Society Scotland (HSS) is Scotland's national charity for Humanists and non-religious people seeking to live an ethical life founded on rational, secular principles.

HSS was formally constituted in 1989 following the coming together over previous decades of Scotland's freethinking, humanist, agnostic and rationalists groups. Today, with over 15,000 members across Scotland and around the world, HSS has a clear vision for a better future. A future where:

- the worth, dignity and autonomy of every person is respected and individual freedom is balanced with social responsibility and a duty of care for future generations;
- Scottish civic institutions are democratic and human rights are developed, embedded and protected;
- Ethical and moral problems are addressed with compassion, knowledge and reason;
- No belief system (religious or not) should have, nor expect, privilege in the democratic process. In effect we seek a secular Scotland.

Humanist Society Scotland | Playfair House, 6 Broughton Street Lane, Edinburgh, EH1 3LY  
0300 302 0680 | [www.humanism.scot](http://www.humanism.scot)

Humanist Society Scotland is a registered Scottish Charity (SC026570) and a Scottish Company Limited by Guarantee, registered under Company Number 413697



As a registered charity in Scotland, HSS is governed by a Board of Trustees elected by members. The day-to-day work of the Society is undertaken by a team of staff and volunteers overseen by the Senior Management Team.

### **Our work in Scotland**

In pursuit of our vision for a better future, HSS undertakes work in three key areas:

1. Campaigns: advocating for a secular state and society with a particular focus on individual autonomy and education.
2. Community: supporting local HSS members' groups to meet, hold discussions and volunteer in their local area.
3. Ceremonies: supporting our members and non-religious people to acknowledge and celebrate key life moments in a manner fitting with their lifestance.

### **HSS Ceremonies**

Humanist celebrants in Scotland have been conducting ceremonies for decades. HSS has trained celebrants since the 1980s. Our work was recognised by BBC Scotland in their 1987 series "High Spirits" where they re-enact the first Humanist wedding for their cameras. However, Humanists at this time still had to undergo the additional step of arranging a civil ceremony to solemnise their union.

In 2005, following many years of asking and the advice of counsel the Registrar General of Scotland agreed to start granting temporary authorisation for HSS Registered Celebrants to solemnise weddings in their own right.

Over the ensuing eleven years, the opportunity for couples to mark their love in a manner that reflects their lifestance has proven increasingly popular. In Scotland last year there were more Humanist weddings than any single religious denomination.

### **Need for Humanist Society Scotland to be designated as a Prescribed Body**

The growth in Humanist ceremonies has tracked the growth in people in Scotland identifying with no religion. 2016 was the first year when a majority (52%) of people in Scotland in the Scottish Household Survey stated that they identify with no religion.

In our view there are three key reasons why HSS should become a body prescribed under the Marriage and Civil Partnership (Scotland) Act 2014 to solemnise opposite sex marriage and same sex marriage and register civil partnership.

1. Equity - No Humanist organisation is currently prescribed to solemnise opposite sex marriage, same sex marriage and to register civil partnership. We believe that position is no longer representative of Scottish society.



2. Competence & Legitimacy - HSS has a longstanding relationship with the Deputy Registrar General and his staff. We believe we have demonstrated our legitimacy and competence to solemnize opposite same sex and same sex marriage and register civil partnership.
3. Recognising the role of Humanism in Scottish public life – Humanism has become significantly more prominent in public life over recent years; this year, HSS was formally involved in the Kirking of the Fifth Session of the Scottish Parliament; more couples opt to have a Humanist marriage ceremony each year; thousands of humanist funerals are arranged annually; there are an increasing number of 'Humanist Chaplains' particularly in Scottish Higher and Further Education Institutes; we see increasing requests from Scottish schools for HSS School Visitors to contribute to Religious and Moral (and Philosophical) Education; and HSS membership continues to grow.
4. As a registered charity the object for which Humanist Society Scotland is established is the advancement of our philosophical beliefs. We meet this through a range of activities including meetings and events, such as:
  - At a national level we host an annual conference, with opportunities to explore Humanism both domestically and internationally
  - At a more local level we have a number of geographical groups across Scotland which meet regularly (i.e. monthly) to discuss issues linked to Humanism and the role of Humanism in the current age
  - We have groups such as HELL (Humanist Enjoying Longer Life) which are specific to certain groups and provide an opportunity for discussion and exploration of particular aspects of Humanism
  - At a Ceremonies level we host an annual Gathering and quarterly local meetings for Celebrants. The purpose of these events is to provide opportunities for peer support and development which include discussion around Humanism within the context of Ceremonies.Details of specific HSS meetings and events which take place to uphold or promote philosophical beliefs can be found on our website  
<https://www.humanism.scot/get-involved/local-groups/>,  
<https://www.humanism.scot/get-involved/events/?page=CiviCRM&q=civicrm/event/ical&reset=1&list=1&html=1>
5. HSS include a section on sham marriage and civil partnership, and forced marriage in their core wedding celebrant training. This ensures every wedding Celebrant receives this element of the training. The section considers what the



terms 'sham' and 'forced' mean, the risk factors, things Celebrants should be alert to and importantly what a Celebrant should do if they have any concerns.

We have ongoing CPD opportunities for Celebrants through their local Celebrant meetings. However, our key CPD opportunity is our annual Celebrant's gathering; a two-day event for Celebrants to engage in workshops, presentations and discussions. We intend to include a presentation on sham marriage and civil partnership and forced marriage at our next event in February 2017. We are currently arranging speakers for the full programme.



8. We would of course be keen to discuss transitional arrangements to ensure this process was smooth for all stakeholders.

I trust this address all queries raised but please do not hesitate to contact me should you require anything further.

Kind regards

Lynsey Kidd  
Head of Ceremonies & Chaplaincy

T: 0300 244 4000  
E: [scottish.ministers@gov.scot](mailto:scottish.ministers@gov.scot)

Gordon MacRae  
Chief Executive  
Humanist Society Scotland  
Hayweight House  
Lauriston Street  
Edinburgh  
EH3 9DQ

By email: [chiefexec@humanism.scot](mailto:chiefexec@humanism.scot)

Our ref: A 13129888  
14 January 2016

Dear Gordon

**MARRIAGE (SCOTLAND) ACT 1977 (“THE 1977 ACT”): SECTION 8  
CIVIL PARTNERSHIP ACT 2004 (“THE 2004 ACT”): SECTION 94A  
PRESCRIBING RELIGIOUS OR BELIEF BODIES TO SOLEMNISE MARRIAGE AND  
REGISTER CIVIL PARTNERSHIP**

I refer to previous correspondence and discussions on the possibility of the Scottish Ministers prescribing HSS to solemnise marriage and register civil partnership.

My official, Simon Stockwell, wrote to you on 14 December 2015 outlining what the Scottish Ministers need in order to consider prescribing HSS. Simon indicated then that the time available to make SSIs and lay them before the Scottish Parliament before Parliament is dissolved for the Scottish elections in May 2016 was very tight, especially as all SSIs need to be thoroughly checked before they are laid before the Parliament and also need to be scrutinised by the Parliament.

We are grateful to you for your response dated 11 January 2016. I am writing now to advise you that I consider there is no longer sufficient time left to make SSIs to prescribe HSS before the elections.

However, I can assure you that the Government will consider your application to be prescribed on its merits. Simon will be in touch with you again once we have considered your letter of 11 January. Should this reach a mutually satisfactory outcome the SSI would then be introduced early in the next parliamentary session.



**MARCO BIAGI**



T: 0131-244 3322

E: [REDACTED]

Lynsey Kidd  
Head of Ceremonies and Chaplaincy  
Humanist Society Scotland

By email

Our ref: A 15997524  
18 November 2016

Dear Lynsey

**MARRIAGE (SCOTLAND) ACT 1977: SECTION 8  
CIVIL PARTNERSHIP ACT 2004: SECTION 94A  
PRESCRIBING RELIGIOUS OR BELIEF BODIES TO SOLEMNISE MARRIAGE AND  
REGISTER CIVIL PARTNERSHIP**

1. As you know, we are currently considering the application by HSS to be prescribed. There are a few areas, outlined below, where we would be grateful for further information.
2. First of all, I would be grateful if you could provide the Scottish Government with a short statement on why HSS wish to be prescribed to solemnise opposite sex marriage and same sex marriage and to register civil partnership.
3. Secondly, you will be aware that the definition of “religious or belief body” in the 1977 and 2004 Acts is an “organised group of people –
  - (a) which meets regularly for religious worship, or
  - (b) the principal object (or one of the principal objects) of which is to uphold or promote philosophical beliefs and which meets regularly for that purpose.”
4. Could you please advise the Scottish Government what HSS meetings take place to uphold or promote philosophical beliefs.
5. Thirdly, in his letter of 11 January 2016, Gordon MacRae outlined the training and Continuing Professional Development (CPD) for HSS celebrants. As you know, the Scottish Government is particularly concerned about sham marriage and civil partnership and forced marriage: please see, for example, paragraphs 6.2 and 6.3 of the Scottish Government’s Discussion Paper on the Qualifying Requirements: <http://www.gov.scot/resource/0045/00459045.pdf> I would be grateful if you could outline

the training and CPD available for HSS celebrants on combatting sham marriage and civil partnership and forced marriage.

[REDACTED]

[REDACTED]

8. Fifthly, if the Scottish Ministers should decide to prescribe HSS, we will have to consider transitional arrangements. We have given some consideration to this and our initial view is that these should not need to be complex. The Scottish Government would intend to discuss further with HSS, if the Scottish Ministers should decide to prescribe you.

9. Finally, should we require any further information I will be in touch again.

Yours sincerely

SIMON STOCKWELL  
Family and Property

T: 0131-244 [REDACTED]

E: s [REDACTED]

Gordon MacRae  
Chief Executive  
Humanist Society Scotland  
Hayweight House  
Lauriston Street  
Edinburgh EH3 9DQ



By email: [chiefexec@humanism.scot](mailto:chiefexec@humanism.scot)

Our reference: A 12895698

14 December 2015

Dear Gordon

**MARRIAGE (SCOTLAND) ACT 1977 (“THE 1977 ACT”): SECTION 8  
CIVIL PARTNERSHIP ACT 2004 (“THE 2004 ACT”): SECTION 94A  
PRESCRIBING RELIGIOUS OR BELIEF BODIES TO SOLEMNISE MARRIAGE AND  
REGISTER CIVIL PARTNERSHIP**

**Introduction**

1. The Minister for Local Government and Community Empowerment, Marco Biagi MSP, has asked me to write to you on the information which the Scottish Government needs to prescribe a religious or belief body so that their celebrants are authorised to solemnise marriage and to register civil partnership.

**Timings**

2. As you aware, religious or belief bodies are prescribed to solemnise marriage or register civil partnership by Scottish Statutory Instrument (SSI). The time now available to make SSIs and lay them before the Scottish Parliament before Parliament is dissolved for the Scottish elections in May 2016 is very tight, especially as all SSIs need to be thoroughly checked before they are laid before the Parliament and also need to be scrutinised by the Parliament.

3. As a consequence, we cannot guarantee, even if you provide the information below very quickly and the Scottish Ministers are satisfied with it, that it will be possible to prescribe Humanist Society Scotland (or any other body) this side of the Scottish elections.

**Current SSIs**

4. For convenience, the current SSIs prescribing bodies are:

<http://www.legislation.gov.uk/ssi/2014/304/contents/made> (different sex marriage)



<http://www.legislation.gov.uk/ssi/2014/305/contents/made> (same sex marriage)

<http://www.legislation.gov.uk/ssi/2014/303/contents/made> (civil partnership)

## Impact Assessments

5. In line with usual requirements, we would expect to carry out an Equality Impact Assessment (EQIA) in relation to any SSIs prescribing Humanist Society Scotland.

6. We would not plan to carry out a Business and Regulatory Impact Assessment (BRIA) as it is hard to see an impact on business or the voluntary sector (other than the impact on Humanist Society Scotland itself). However, when preparing the Policy Notes which accompany SSIs the Scottish Government will need to outline financial implications. Therefore, please outline, in broad terms, the costs/savings to Humanist Society Scotland which would occur through being prescribed. This information has to be enough to give Parliament an indication of any costs/savings: it does not have to be highly detailed.

7. We would not plan to carry out a Child Rights and Wellbeing Assessment (CRWIA), a Strategic Environmental Assessment (SEA) or a Privacy Impact Assessment (PIA) as these do not seem needed in this area.

## Detail of what information is required

### *Areas where Humanist Society Scotland is seeking prescribed status*

8. Under the 1977 and 2004 Acts, the Scottish Ministers can only prescribe bodies to solemnise marriage between persons of different sexes; marriage between persons of the same sex and to register civil partnership where the bodies have asked to be prescribed. As you know, the authorisations for the three categories are separate: it is possible to be authorised for all three or just two or just one. We are assuming that Humanist Society Scotland wish to be prescribed so its celebrants can solemnise marriage between persons of different sexes; marriage between persons of the same sex and can register civil partnerships. Please confirm this is the case.

### *Name*

9. We assume that if Humanist Society Scotland were to be prescribed, it would be referred to in the SSIs as "The Humanist Society Scotland". Please confirm this is your preference or advise if you would prefer to be described in SSIs in a different way.

### *Same sex marriage and civil partnership*

10. In relation to same sex marriage and civil partnership, the Scottish Government has indicated throughout that where a body opts in to solemnise same sex marriage or register civil partnership but has celebrants who choose not to take part, it might be better for that body to nominate persons to the Registrar General to solemnise same sex marriage or register civil partnership.

11. Given this, please confirm that Humanist Society Scotland celebrants would not refuse to solemnise a marriage or register civil partnership just because the couple are same sex.

### *The definition of a religious or belief body*

12. In line with the definition of “religious or belief body” in the 1977 and 2004 Acts, please provide evidence that Humanist Society Scotland has as its principal object (or one of its principal objects) the upholding or promotion of philosophical beliefs and that you meet regularly for that purpose.

13. Please also supply a copy of your constitution and provide information on how your office-bearers are appointed.

### *Self-policing*

14. Prescribed bodies are self-policing.

15. This means that the Scottish Ministers do not monitor closely the day to day activities of the prescribed bodies in relation to solemnising marriage or registering civil partnership. However, we may from time to time ask questions of our own volition or following any requests to do so from the Registrar General. In addition, the Registrar General may also ask questions of prescribed bodies.

16. It also means that prescribed bodies may have to deal themselves with any concerns about a particular celebrant and suspend or dismiss that celebrant if he or she:

- fails to comply with marriage or civil partnership law;
- has, for the purpose of profit or gain, been carrying on a business of solemnising marriages or registering civil partnerships;
- is not a fit and proper person to solemnise marriages or register civil partnerships; or
- for any other reason should not be solemnising marriages or registering civil partnership.

17. These areas are along the same lines as provisions in section 10 of the 1977 Act and section 94C of the 2004 Act on when the Registrar General may remove a nominated celebrant from the lists held by the Registrar General.

18. Please confirm that Humanist Society Scotland:

- Is content to be “self-policing”.
- Understands that both the Scottish Ministers and the Registrar General may ask questions of prescribed bodies.
- Would take action to suspend or dismiss a celebrant if action of this nature should be required.

19. On the latter point, please supply us with your disciplinary policy for celebrants and a copy of your guidance notes for celebrants.

### *Other information on the body*

20. The Scottish Ministers also need some other information on bodies seeking to be prescribed, to be satisfied the body has robust internal procedures in place. In the light of this:

- Please outline the number of celebrants which Humanist Society Scotland have.
- Please outline the training and continuous professional development undertaken by celebrants.
- Please confirm that Humanist Society Scotland celebrants do not for the purpose of profit or gain carry on a business of solemnising marriages or registering civil partnerships.

#### *Number of ceremonies*

21. The Scottish Ministers are already satisfied, from the statistics published by National Records of Scotland, that Humanist Society Scotland is carrying out enough ceremonies to make it reasonable to prescribe the body, subject to the other information requested in this letter being provided and proving satisfactory.

#### *Length of time*

22. The Scottish Ministers are aware that Humanist Society Scotland celebrants have been authorised by the Registrar General to solemnise marriages over 10 years and that the Registrar General has authorised Humanist Society Scotland celebrants to register civil partnerships ever since the religious and belief registration of civil partnerships was introduced.

23. Therefore, the Scottish Ministers are satisfied that Humanist Society Scotland celebrants have been authorised for long enough to make it reasonable to prescribe the body, subject to the other information requested in this letter being provided and proving satisfactory.

#### *Any other matters*

24. Finally, I would be grateful for confirmation that Humanist Society Scotland are not aware of any other reasons why it would be inappropriate for the Scottish Ministers to prescribe the body.

#### **Conclusion**

25. I am happy to meet/discuss, as required.

Yours sincerely

SIMON STOCKWELL  
Family and Property Law

T: 0131-244 [REDACTED]

E: [REDACTED]

[REDACTED]  
Fellowship of Professional Celebrants in Scotland

By email [REDACTED]



Our ref: A10943141  
23 April 2015

Dear [REDACTED]

**MARRIAGE (SCOTLAND) ACT 1977  
CIVIL PARTNERSHIP ACT 2004**

Introduction

1. Thank you for your email of 13 March. I apologise for my delay in replying.
2. It may be helpful if I outline how celebrants of religious or belief bodies can be authorised to solemnise marriages and to register civil partnerships in Scotland. The arrangements for opposite sex marriages, same sex marriages and civil partnerships are separate but are along very similar lines.
3. Authorisation for celebrants of religious and belief bodies may be obtained in the following ways:
  - Church of Scotland ministers and deacons are authorised to solemnise opposite sex marriages by virtue of section 8(1)(a)(i) of the Marriage (Scotland) Act 1977;
  - religious or belief bodies may request to be prescribed by Scottish Statutory Instruments made by the Scottish Ministers so that their celebrants may solemnise marriage or register civil partnerships. Separate Scottish Statutory Instruments prescribe bodies whose celebrants are entitled to (i) solemnise opposite sex marriage; (ii) solemnise same sex marriage ;and (iii) register civil partnerships.
  - religious or belief bodies who are not prescribed (and, in relation to opposite sex marriage, are not the Church of Scotland) may nominate to the Registrar General persons they wish to be registered as celebrants.
  - any member of a religious or belief body may be granted temporary authorisation by the Registrar General to solemnise marriages or register civil partnerships.

## Decisions on prescribing bodies

4. The legislation provides that bodies can be prescribed by the Scottish Ministers to solemnise opposite and/or same sex marriage and/or register civil partnerships at their request, providing that they meet “qualifying requirements” which may be laid down by the Scottish Ministers. No qualifying requirements are yet in place. As a result, the decision on whether to prescribe a body is entirely at the discretion of the Scottish Ministers.

5. In exercising that discretion, Ministers take into account a number of factors. One is that the Scottish Ministers would not normally prescribe a religious or belief body unless celebrants belonging to the body have previously been registered or temporarily authorised for some time by the Registrar General. The reason for this is that the Registrar General monitors the religious or belief bodies which nominate persons to be registered as celebrants or whose celebrants have temporary authorisation to ensure that they fulfil the requirements in relation to marriage or civil partnership ceremonies in Scotland.

6. The Scottish Ministers on the other hand do not monitor the religious or belief bodies which have been prescribed. These bodies are “self-policing”. On this basis, the Scottish Ministers, prior to prescribing a body, need to be satisfied that the body can demonstrate evidence of complying with the requirements in Scotland in relation to marriage or civil partnership ceremonies and, where necessary, of taking action against any celebrants who are not acting in compliance with those requirements. The Registrar General can, following a period of either registration or temporary authorisation, provide the Scottish Ministers with the necessary information on the record of the body in complying with requirements and in taking any action against celebrants who have not complied with the requirements.

7. In the circumstances of the Fellowship of Professional Celebrants, we have identified no reason to justify a departure from the usual practice followed by the Scottish Ministers. Therefore, Ministers would not consider it appropriate to prescribe the Fellowship of Professional Celebrants at this point. As indicated below, you may wish to contact staff in National Records of Scotland, who work for the Registrar General.

## Qualifying requirements

8. As you know, the Scottish Government has issued an initial discussion paper on the qualifying requirements.

9. This discussion paper expressed the initial view that the qualifying requirements should generally apply regardless of how the celebrant is authorised and regardless of what the celebrant is authorised to do.

10. The discussion paper also expressed the initial view that the qualifying requirements should not make provision on track records. This reflected that religious and belief bodies who have not previously solemnised marriages in Scotland or registered civil partnerships in Scotland should not be excluded from being considered for authorisation. However, as indicated above, the Scottish Ministers would not normally prescribe religious or belief bodies which have no experience of solemnising marriages or registering civil partnerships in Scotland.

11. Therefore, when considering what qualifying requirements should be laid down, the Government will consider if provision should be made so that before Ministers prescribe a new body, the body must have been have previously been registered or temporarily authorised by the Registrar General.

12. The Government intends to carry out a full public consultation before any qualifying requirements are laid down.

### Going forward

13. As mentioned above, the Registrar General has responsibility for considering nominations for the registration of celebrants and for granting temporary authorisations. Therefore, I would suggest that, in the first instance, you may wish to contact National Records of Scotland. The contact there is John McCafferty, Head of Registration Process Branch | National Records of Scotland | New Register House | 3 West Register Street | Tel: 0131 314 4456. John's email is: [John.McCafferty@nrscotland.gov.uk](mailto:John.McCafferty@nrscotland.gov.uk)

14. Finally, before prescribing a body, Ministers would also have to be satisfied that the body was a religious or belief body. For the avoidance of doubt, this letter is not an acknowledgement by the Scottish Government that the Fellowship of Professional Celebrants in Scotland falls within the definition of a "belief body" under marriage and civil partnership legislation. This is not something that Ministers have to consider at this stage given that, as outlined above, Ministers would not generally prescribe a body unless celebrants belonging to the body have previously been registered or temporarily authorised for some time by the Registrar General.

Yours sincerely

SIMON STOCKWELL

Family and Property Law

**From:** Stockwell SW (Simon) <[REDACTED]>  
**Sent:** 23 April 2015 11:29  
**To:** [REDACTED]  
**Subject:** RE: Re Marriage and CP Legislation - Belief Bodies and Qualifying Standards

[REDACTED]

Three page reply attached.

Simon Stockwell  
Scottish Government: Family and Property  
X [REDACTED]

**From:** [REDACTED]  
**Sent:** 10 April 2015 11:04  
**To:** Stockwell SW (Simon)  
**Subject:** Re: Re Marriage and CP Legislation - Belief Bodies and Qualifying Standards

Thankyou, Simon.

[REDACTED]

[REDACTED]  
[REDACTED]

On 10 Apr 2015, at 09:05, <[REDACTED]>  
<[REDACTED]> wrote:

[REDACTED]

Hi. Apologies for my delay – I've been on leave. I'm preparing a full reply and will try to send you this shortly.

Simon

**From:** [REDACTED]  
**Sent:** 09 April 2015 07:11  
**To:** Stockwell SW (Simon)  
**Subject:** Fwd: Re Marriage and CP Legislation - Belief Bodies and Qualifying Standards

Hi, Simon,  
Is there a possibility that I or we may meet with someone to discuss our recent communication? Is there anything else that we can do?

Kindest regards,

[REDACTED]

Sent from my iPad

Begin forwarded message:

**From:** [REDACTED] >  
**Date:** 17 March 2015 09:02:33 GMT  
**To:** "<[REDACTED]>" <[REDACTED]>  
**Subject:** Re: Re Marriage and CP Legislation - Belief Bodies and Qualifying Standards

Thanks, Simon.

We would like to meet with an appropriate representative, if you feel this is required.

Just to add that in our Professional Standards training, we are very careful to advise FPC celebrants on their requirement to understand the legal duties and responsibilities around registration, and their responsibility not to be drawn into any sham or forced marriage, and to immediately report any concerns of any nature.

My background is over 30 years of Childrens' Safeguarding Social worker, manager and trainer for the Voluntary and Statutory Sectors, and have been involved over many years, writing equality and compliance policy and procedures for those Sectors, and delivering training.

Now that I'm involved in training for Celebrancy, I'm keen to support the development of National Occupational Standards, alongside Celebrancy being a vehicle to support genuine respectful delivery of Equality Legislation.

Terri Shanks; the FPC founder, has a background in the Corporate Financial Sector, and now for several years, Celebrancy training.

The FPC, as a result, are very strong on compliance with legal requirements.

Hope that this clarification is useful.

[REDACTED]

Sent from my iPad

On 13 Mar 2015, at 13:58, <[REDACTED]>  
<[REDACTED]> wrote:

[REDACTED]

Many thanks. I'll read the letter and discuss with colleagues and revert.

Simon Stockwell  
0131 244 [REDACTED]

**From:** [REDACTED]  
**Sent:** 13 March 2015 13:51  
**To:** Stockwell SW (Simon)  
**Subject:** Re Marriage and CP Legislation - Belief Bodies and Qualifying Standards

Hello, Simon,

I'm [REDACTED]. I'm the Lead for FPC Northern Division. That's The Fellowship of Professional Celebrants in Scotland. I'm contacting you on behalf of the Scottish Fellows, of whom there are currently 30 in Scotland, and there will be at least 50 in Scotland by the close of this financial year. Our professional training creates celebrants who work across all areas in Scotland including the Shetlands, as well as the entire UK and NI, the Commonwealth and into Southern Ire and Europe. Only celebrants trained by the FPC can be registered as FPC celebrants.

Please see the letter that we have drafted asking to meet with someone in the Government to clarify our being a Belief Body, and demonstrating that we meet Qualifying Standards, and to request permission to be accepted as an Organisation who can become responsible for the Legal Registrations of marriages and civil partnerships.

Please do let me know what further evidence you, or any colleague would like us to provide.

[REDACTED]  
[REDACTED]  
Independent Professional Celebrant  
Ceremony NorthWest + FPC Northern Division

[REDACTED]

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Tha am post-d seo (agus faidhle neo ceanglan còmhla ris) dhan neach neo luchd-ainmichte a-mhàin. Chan eil e ceadaichte a chleachdadh ann an dòigh sam bith, a' toirt a-steach còraichean, foillseachadh neo sgaoileadh, gun chead. Ma 's e is gun d'fhuair sibh seo le gun fhiosd', bu choir cur às dhan phost-d agus lethbhreac sam bith air an t-siostam agaibh, leig fios chun neach a sgaoil am post-d gun dàil.

Dh'fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

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has been swept for the presence of computer viruses.

\*\*\*\*\*

Simon Stockwell  
Family and Property Law  
Scottish Government  
St Andrew's House  
Regent Road  
Edinburgh  
EH1 3DG

By email: [REDACTED]

Your Ref: A 12895698

11 January 2016

Dear Simon

**MARRIAGE (SCOTLAND) ACT 1977 ("THE 1977 ACT"): SECTION 8  
CIVIL PARTNERSHIP ACT 2004 ("THE 2004 ACT"): SECTION 94A  
PRESCRIBING RELIGIOUS OR BELIEF BODIES TO SOLEMNISE MARRIAGE AND  
REGISTER CIVIL PARTNERSHIP**

Thank you for your letter dated 14 December 2015. Please find our response to the required points detailed below.

6. Costs / Savings

As a nominating body with a large number of celebrants there is currently some pressure on our administrative function which equates to approximately one day every three years. This time is used to prepare and post the three nominating forms to each celebrant, co-ordinate their return and completion by Humanist Society Scotland and finally their submission to the Registrar General's Office. This cost of the existing process is approximately £450 / three years.

As a Prescribed body we would not have costs for the administration and co-ordination of the nomination forms however, we would maintain our own records and register and this would likely offset any saving.

We also recognise that as a Prescribed Body we would incur costs in self-policing. However, we believe that our current processes and commitment to regulating our organisation would mean that there would be no additional costs related to self-policing as a Prescribed Body.

In summary we calculate that the costs / savings would balance and therefore the change in status would be cost neutral to Humanist Society Scotland.

8. Authorisations for Categories

Humanist Society Scotland confirm that we wish to be prescribed so our celebrants can solemnise marriage between persons of different sexes; marriage between persons of the same sex; and can register civil partnerships.

9. Name

We would prefer to be described in the SSIs as 'Humanist Society Scotland'

#### 11. Same sex marriage and civil partnership

We confirm that Humanist Society Scotland celebrants would not refuse to solemnise a marriage or register a civil partnership just because the couple are same sex.

#### 12. Definition of a religious or belief body

As set out in item 2, page 2 of Humanist Society Scotland's Articles of Association (Encs.) the objects of our organisation are:

#### **'Objects of the Society**

2. The object for which the Society is established is the advancement of philosophical beliefs, by:

- promoting the Society's vision within Scotland, namely to achieve a Scotland in which the worth, dignity and autonomy of every person is respected and individual freedom is balanced with social responsibility and a duty of care for future generations;
- influencing public policy in accordance with the Society's vision;
- promoting Humanist values;
- promoting democracy and the development and protection of human rights within Scottish civic institutions;
- encouraging ethical and moral problems to be addressed with compassion, knowledge and reason; and
- advancing the philosophy that no belief system, religious or otherwise, should have nor expect privilege in the democratic process, with a view to creating a secular Scotland,'

#### 13. Definition of a religious or belief body

As set out in items 37 – 41, page 8/9 of Humanist Society Scotland's Articles of Association (Encs) the process of appointing office bearers is detailed as:

#### **'Eligibility and Maximum period in office for Trustees**

37. A person shall not be eligible for election/appointment as a Trustee unless he/she is a member of the Society and has been a member for a period of at least six months prior to the date of election/appointment in accordance with the terms of Article 8(b) above. The founding Trustees shall be those persons occupying the office of Trustee at the date of incorporation of the Society.
38. HSS Registered Celebrants shall be entitled to elect one Trustee of the Society from amongst their number and the members shall be entitled to elect up to a further eight Trustees of the Society. The election of Trustees by the members shall take place at the Society's Annual General Meeting. The election of a Trustee by the HSS Registered Celebrants shall take place at a meeting of HSS Registered Celebrants convened for that purpose and at a time and place to be determined by the Board.
39. Trustees shall be entitled to serve as Trustees for a term of three years, after which point they shall stand down. Every Trustee is eligible to serve a second three-year term subject to re-election at the Annual General Meeting. Trustees shall not be entitled to serve any more than two three-year terms (whether consecutive or otherwise) except with the prior consent of the Board, who, in its sole discretion, may disapply the maximum limit of two terms of office in exceptional circumstances.

40. In addition to the Trustees so elected and appointed in terms of Articles 37 and 38, the Board may co-opt up to four additional Trustees of the Society for such period as the Board shall determine, bringing the total number of Trustees to a maximum of 14. Co-opted Trustees may be, but are not required to be, members of the Society, providing that the period for which they are co-opted does not exceed 6 months. Thereafter, any such Co-opted Trustee shall apply to become a member of the Society. In such cases, the Board shall have discretion to disapply the usual requirements in relation to membership of the Society and to grant such Co-opted Trustee(s) the right to vote notwithstanding that the Co-opted Trustee(s) concerned may not have served the requisite initial six month period of membership of the Society.
41. Any casual vacancy on the Board may be filled by the Board and any person appointed to fill such a casual vacancy shall hold office until the conclusion of the next Annual General Meeting of the Society and shall be eligible for election at that meeting.

#### 18. Prescribed bodies are self-policing

- Humanist Society Scotland is content to be 'self-policing'.
- Humanist Society Scotland understands that both Scottish Ministers and the Registrar General may ask questions of prescribed bodies.
- Humanist Society Scotland would take action or suspend or dismiss a celebrant if action of this nature should be required.

#### 19. Prescribed bodies are self policing

Enclosed is a copy of our Disciplinary Procedure; there are no accompanying notes.

#### 20. Other information on the body

- Currently, Humanist Society Scotland have 104 celebrants; 88 of whom are authorised to solemnise marriage and register civil partnerships.
- Training for wedding celebrants is available to those who have successfully completed training as a funeral celebrant which currently involves 3 days training and then an extensive period of mentoring. Once the celebrant is experienced as a funeral celebrant they may be offered the opportunity to participate in wedding training. The wedding course currently involves one day direct training, a period of mentoring, an online assessment and a full day assessment. Our celebrants have access to quarterly local celebrants' meetings and a programme of CPD opportunities. CPD opportunities include mandatory modules developed in response to any legislative changes and also elective modules such as symbolic gestures, managing your paperwork and voice coaching. We have recently appointed a Training Consultant to further develop our training and expand our CPD programme.
- Humanist Society Scotland celebrants do not for the purpose of profit or gain carry on a business of solemnising marriages or registering civil partnerships. Our celebrants charge a fee that is fair and reasonable for the time spent to prepare and deliver a unique and personal ceremony but not for solemnising marriages or registering civil partnerships. Humanist Society Scotland advise celebrants that they believe the fee for a legal and non-legal ceremony should be equal, reflective of the fee being purely attributed to the preparation and delivery of the ceremony.



24. Any other matters

We confirm that Humanist Society Scotland are not aware of any other reasons why it would be inappropriate for the Scottish Ministers to prescribe the body.

Please do not hesitate to contact me if you require further information. I look forward to hearing how our request is progressing.

Yours sincerely,

Gordon MacRae  
Chief Executive