

What do we do now?

1. Determine whether section 429 applies to you and your organization.
 - Consider the questions under “Who is affected?”
 - Call your presbytery or Conference to ask for their opinion.
2. Review your current bylaws and letters patent.
 - Are there any references to the United Church with regard to property, membership, or approval?
 - Are there historical references to the United Church or its predecessors (Presbyterian, Congregational, Methodist, etc.)?
3. Consult with your presbytery and Conference about your relationship as it pertains to accountability and supervision.
4. Contact your local Conference and arrange a meeting to discuss your situation.
5. Have a discussion at the governing body level on how you will proceed.
6. You may wish to consult legal counsel for advice. If you determine that work does need to be done on revising your bylaws, it is best to have legal counsel.
7. If you are considering incorporation, check your provincial/territorial website for information on the government’s requirements for incorporation.

Need more information?

For more information on United Church requirements in your region, contact your local Conference office.

British Columbia Conference
604-431-0434 or 1-800-934-0434

Alberta and Northwest Conference
780-435-3995

Saskatchewan Conference
306-721-3311

Conference of Manitoba
and Northwestern Ontario
204-233-8911

Manitou Conference
705-474-3350

London Conference
519-672-1930

Hamilton Conference
905-659-3343

Toronto Conference
416-241-9698 or 1-800-446-4729

Bay of Quinte Conference
613-398-1051 or 1-888-759-2444

Synode Montreal and Ottawa Conference
514-634-7015, ext. 21

Maritime Conference
506-536-1334

Newfoundland and Labrador Conference
709-754-0386

All Native Circle Conference
204-582-5518

Section 429 Guidelines for Incorporated Ministries

**Requirements for
Incorporated Ministries
in The United Church
of Canada**



Duty of Care • Incorporated Ministries
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What is section 429?

Section 429 is the section of *The Manual* that identifies the conditions under which incorporation may occur. It does not replace the federal or provincial requirements, but it serves as the foundation by which corporations can continue to identify with The United Church of Canada.

What has changed?

As of July 2007, Appendix IV: Applications for Incorporation was removed from *The Manual* and the revised section 429 came into effect. As a result:

- Supervision of corporations and those seeking incorporation moves from the presbytery to the Conference.
- The requirements are policies set by General Council or its Executive; they are not defined in *The Manual*.
- The new guidelines allow for corporations that are not based solely in the United Church.
- The new guidelines allow for existing corporations to sever their relationship with The United Church of Canada.

Who is affected?

Any incorporated ministries that maintain a relationship with The United Church of Canada is affected, including ones that meet these criteria:

- The name of The United Church of Canada or of any local congregation is part of the identity of the corporation—for example, Drop-in Centre of First United Church.
- The corporation serves the church or a church-related ministry in providing programming for the ministry.
- Services are provided totally or substantially by the church—that is, by the ministry personnel or the congregation.
- Residual interest of property is held by The United Church of Canada and vests upon the corporation dissolving or ceasing operations as identified by letters patent or bylaws.
- A risk exists to the congregation or The United Church of Canada as a whole that can best be minimized by creating a separate structure through incorporation.
- There is a direct and ongoing United Church connection in terms of administration, governance, involvement (e.g., fundraising), and so on.

Existing corporations or organizations that may be considering incorporation need to be aware of the revisions and bring their bylaws into compliance with the Section 429 requirements.

The handbook *Section 429 Guidelines for Incorporated Ministries* outlines the official policy as approved by the General Council Executive for corporations. It also includes recommendations on how to achieve compliance under the new policy. Corporations or those considering incorporation are encouraged to read the handbook to fully understand the new policy.

See www.united-church.ca/handbooks to download a copy, or call UCRD to order one at a nominal cost.

Categories

Before the 2007 revisions to *The Manual*, corporations were assumed to have a relationship only with The United Church of Canada. In reality, many of our ministries also have relationships with other denominations or secular organizations. Section 429 recognizes the following categories of incorporation:

Category 1:

The United Church of Canada Incorporated Ministries

This category affirms the close and vital relationship of the church to the corporation.

Category 2:

Multi-party Incorporated Ministries with Multiple Participants

This category acknowledges The United Church of Canada as one of two or more participants in a corporation.

Legacy Relationships

This third designation includes those incorporated ministries that, by mutual decision with The United Church of Canada, acknowledge the origins or history of the ministry in the church but for practical or theological reasons seek their independence by severing formal relationships with the United Church.

Where can I find the new guidelines?