

AMENDMENTS from the **2015**
New South Wales General Assembly

THE CODE

PART II

1. Insert the following new clause 2.19, and renumber all subsequent clauses:-

2.19. Electronic payments Each electronic payment duly authorised by the Committee of Management shall be processed by the treasurer, or in conjunction with another member so authorised by the committee for this purpose as may be required by the financial institution. These procedures shall be followed by all the organisations of a congregation.

2. Replace clause 5.27 with the following:-

5.27 Records examined and attested. The presbytery records shall be in the custody of the Clerk. Following the confirmation of the Minutes of each meeting the Clerk shall forward one signed copy by mail to the Clerk of Assembly and either two (2) signed copies by mail or one unsigned copy by email to the Convener of the Presbytery Records Committee for examination, the latter to be accompanied by the statement “these are a true record of the signed confirmed Minutes”. The Clerk shall bring to the General Assembly each year or delegate another member of the presbytery to do so, the Minutes of the previous calendar year for examination and attestation by the Moderator.

Upon interim authority granted by the General Assembly,

3. Replace clause 5.62 with the following:-

5.62. Celebrants of marriages. The following persons shall, subject to the Marriage Act 1961, be nominated by the Clerk of Assembly to the Registrar of Ministers of Religion in New South Wales as ministers of religion authorised to celebrate marriages for the purpose of the Marriage Act 1961:

- (a) ordained ministers who are members of a presbytery,
- (b) licentiates and ministers on the register of licentiates and ministers eligible for a call who have been nominated by the presbytery having jurisdiction,
- (c) home missionaries appointed by the committee on Ministry and Mission who have been nominated by the presbytery having jurisdiction,
- (d) elders who are serving as a special appointment, supply, or assistant, in their sphere of ministry, who are nominated by the presbytery having jurisdiction and approved by Ministry and Mission,

noting that such persons are authorised by the Church to solemnise marriages only between a man and a woman.

PART III

4. Replace the AUSTRALIAN PRESBYTERIAN WORLD MISSION COMMITTEE (NSW) regulation A1.04 (d) and (e) with the following:-

- (d) interview missionary candidates and make an appropriate determination regarding their application in accordance with the regulations of Australian Presbyterian World Mission.
- (e) ensure that NSW missionaries accepted by APWM receive appropriate care and support from their mission agency and sending church.

5. Replace the ASSEMBLY AUDIT COMMITTEE regulations with the following:-

ASSEMBLY AUDIT

D1.01 Name. There shall be a Committee named the Assembly Audit Committee (hereinafter called the AAC) responsible to recommend the rate of assessments for the Ministry Development Program (MDP), the Conduct Protocol Unit (CPU) and the Assembly Fund and, further, to review the operation of the Assembly's committees and recommend to the Assembly the allocation of MDP funds among its committees.

D1.02 Objects and Functions. The objects and functions of the AAC shall be to:

- (a) Review the operations of each Assembly committee that receives funding from Assembly assessments for the purpose of refining annual plans and budgets favourably for both income and expenditure.
- (b) Assess the efficiency and effectiveness with which each of the above Assembly committees both fulfils its constitutional purpose and cooperates with other Assembly committees in so doing.
- (c) Provide assistance to identify and implement committee savings where available.
- (d) Report to each meeting of the General Assembly those committees that have been reviewed and the results of those reviews.
- (e) Receive proposals for MDP funding from committees seeking to establish new programs or initiate new activities in order that the AAC might consider the impact that any such proposal might have on the MDP and report thereon to the Assembly, it being understood that new initiatives may only be financed within a triennium from accumulated surpluses in the MDP.
- (f) Recommend any variation in the rate of any of the assessments to be applied for the ensuing triennium.
- (g) Ensure that total allocations to committees shall not exceed MDP funds raised during each triennium.
- (h) Make triennial recommendations to the Assembly (commencing in 2013) on the apportionment of MDP funds among the Assembly's committees.

D1.03 Membership.

- (a) The Committee shall consist of all members of the Audit Committee of the Trustees from time to time, plus
- (b) Three members of the Assembly who have business management, accounting, audit or finance experience, each being elected for a three year term.

- (c) The convener of the Trustees Audit Committee shall be the convener of the AAC or, in his absence or at his request, the Chairman of Trustees shall fulfil this role.
- (d) Casual vacancies occurring in any of the three positions determined by the Assembly may be filled by the AAC subject to ratification at the next meeting of the Assembly.
- (e) No person shall be a member of the AAC who is also a convener or head managing or executive officer of an MDP-funded committee. While honorary treasurers of MDP-funded committees shall be eligible for membership of the AAC, they may not move or second a motion or vote on any matter concerning their own Assembly committee.

D1.04 Duties of committees receiving funding from an Assembly assessment. Each committee shall:

- (a) Appoint a treasurer to attend to the financial affairs of the committee, prepare annual budgets and regular forecasts, and report to the AAC at a time and in a manner determined by the AAC.
- (b) Liaise constructively with the AAC.
- (c) Utilise MDP funds only for purposes for which they have been allocated.
- (d) Prepare and submit to the AAC a proposal with business case for any new initiative or program prior to seeking approval from the General Assembly.
- (e) Report to the AAC, to the Trustees of the Property Trust and to the General Assembly in the event that it records a deficit in the revenue account and is not in possession of capital funds to meet that deficit.

D1.05 MDP Assessment. The MDP shall be administered by the Trustees on recommendations from the AAC in accordance with these regulations and any relevant resolutions of the General Assembly in order to finance, in whole or in part, those works of the Church which extend beyond the tasks and resources of individual congregations. The MDP shall derive income from assessments determined by the Assembly and levied annually upon the ordinary income of all pastoral charges and home mission stations as that income is reported on Form F for the immediately preceding year and from additional contributions from congregations.

D1.06 Assembly Fund Assessment. The Assembly Fund provided for in The Code II 8.26 shall consist of monies derived from assessments determined by the Assembly from time to time and levied upon all pastoral charges and those home mission stations that commission an elder to the Assembly pursuant to The Code II 8.02(f). Assembly Fund assessments shall be calculated on a pastoral charge's or home mission station's ordinary

income as reported in Form F for the immediately preceding year.

D1.07 CPU Assessment. The CPU Assessment, which will finance, in part, the operations of the CPU, shall consist of monies derived from assessments determined by the Assembly on a triennial basis and levied annually upon the ordinary income of all pastoral charges and home mission stations as that income is reported on Form F for the immediately preceding year.

D1.08 Payment of Assessments. All pastoral charges and home mission stations shall pay the combined value of all annual assessments in four equal quarterly instalments by 30 April, 30 June, 30 September and 30 November each year or as otherwise agreed by the Trustees. A fee of \$80 shall apply to any payment received after the due date, which fee shall be credited to the pool of available MDP funds. If a congregation fails to lodge a Financial Return, assessments shall be calculated on an assumed ordinary income 10% higher than the year preceding that for which the Financial Return was not lodged.

D1.09 Promotion of MDP. MDP shall be promoted by the Trustees after consultation with the various spending committees.

D1.10 Contributions to MDP from Congregations.

- (a) The committee of management shall, prior to the annual congregational meeting, consider the financial needs of the wider work of the Church and shall recommend to the congregation the amount which it will endeavour to contribute to MDP in addition to the Assembly assessment during the current year and a financial objective for attainment in the following year.
- (b) The congregation at the annual meeting in considering the wider work of the Church, having received a report and/or recommendation from the committee of management on the financial aspects, shall decide the amount which it shall endeavour to contribute to MDP during the current year in addition to the Assembly assessment; shall also decide a financial objective for contributions during the following year and shall inform the presbytery and the Trustees accordingly.
- (c) Presbyteries shall encourage congregations within their bounds to contribute significantly towards MDP and shall assist all committees in making known to congregations the nature, extent and needs of the wider work of the Church.

6. Replace the FRIENDS OF THE FERGUSON LIBRARY clauses E2.01, E2.04 and E2.08 with the following:-

E2.01 Name. The Society shall be called the "Friends of the Ferguson Library". The Ferguson Memorial Library is the official records repository and archives of the Presbyterian Church in the State of New South Wales and of the Presbyterian Church of Australia.

E2.04 Annual Meeting. The Annual Meeting for the election of officers shall be called by the Council with one month's notice given to members of date, time and place. Officers shall be President, Vice-President, Secretary, Treasurer and three members. The Convener of the Business Committee or another member of the Business Committee designated as his/her representative, the President of the PWA Heritage Committee or another member of the Heritage Committee designated as her representative and the Archivist, by virtue of their office shall be ex officio members.

7. Clause E2.08 Funds: Delete the third sentence viz: "The Society's funds shall be allocated only at General Meetings in accordance with the objectives in the Constitution" so that the clause will read:

E2.08 Funds. The funds of the Society shall be deposited in a bank in the name of the "Friends of the Ferguson Library". Signatories to the account to be appointed from the office bearers elected from time to time. No funds shall be distributed directly or indirectly to members of the organisation except as bona fide compensation for service rendered or expenses incurred on behalf of the Society. A copy of the Annual Financial Statement and Annual Report shall be sent to the Business Committee after their reception at the Annual General Meeting.

- 8. Under PRESBYTERIAN YOUTH regulations delete clauses E4.19 (a) to (c) regarding the Margaret Friend Fund and renumber subsequent clauses.**
- 9. Withdraw the Constitution of the PRESBYTERIAN MEN'S LEAGUE (E6.01 to E6.09).**
- 10. Withdraw the Constitution of the MINISTRY DEVELOPMENT PROGRAM (F4.01 to F4.13).**
- 11. Replace the regulations of the NORTHERN RIVERS CONFERENCE CENTRE (E3) with the following:-**

NORTHERN RIVERS CONFERENCE CENTRE

E3.01 Name. There shall be a committee known as the Northern Rivers Conference Centre committee.

E3.02 Property. The Committee shall have management and control of the property known as "Camp Drewe", being the Presbyterian conference centre at Lennox Head.

E3.03 Object. The object of the Committee shall be to provide, maintain and develop the Conference Centre and to promote Christian education at the Conference Centre through Church and community organisations.

E3.04 Members. The Committee shall consist of nine members, all of whom shall be active members of an evangelical church. Members shall be empowered to:

- (a) recruit and appoint the committee's members;
- (b) maintain a spread of interest from all groups of the Presbyterian Church in the Northern Rivers district; and
- (c) appoint up to three members (within the total of nine members) from local evangelical churches which are not part of the Presbyterian Church of NSW.

E3.05 Advisers. The Committee may associate consultants and/or advisers with the Committee but such persons shall have no voting rights.

E3.06 Annual Meeting. The Committee shall hold an annual meeting as soon as practicable after the commencement of each calendar year. The business of the annual meeting shall be to:

- (a) receive a report from the Secretary,
- (b) approve an annual report for submission to the General Assembly,
- (c) receive and confirm audited financial statements,
- (d) elect office bearers,
- (e) appoint an auditor(s) for the year, and
- (f) deal with all other business notified to members in the notice of meeting.

E3.07 Office-bearers. The office bearers of the Committee shall include Chairman, Vice-Chairman, Secretary and Treasurer, all of whom will be elected at the annual meeting. A vacant position may be filled by the Committee at any time.

E3.08 Chairman.

- (a) Meetings will be presided over by the Chairman or in his absence by the Vice-Chairman, or in the absence of both, by a member appointed by the Committee.
- (b) The Chairman shall have a casting vote but not a deliberative vote.

E3.09 Meetings. Meetings of the Committee shall normally be held monthly but may be held at such other frequency as may be decided by the Committee provided that not more than three months shall elapse between meetings. Notice of meeting shall be given to each member of the Committee at least three business days prior to the meeting.

E3.10 Special Meetings. A special meeting shall be convened by the Chairman (or in his absence or incapacity by the Vice-Chairman or Secretary) within seven days of receiving a request from any four members of the Committee that a special meeting be held.

E3.11 Quorum. A quorum for the Committee shall consist of four members of whom at least three shall be members of the Presbyterian Church.

E3.12 Bank Accounts

- (a) The Committee shall maintain a bank account styled "Northern Rivers Presbyterian Conference Centre Account".
- (b) The Committee may also establish a bank account styled "Northern Rivers Presbyterian Conference Centre Expense Account" the purpose of which shall be to provide funds to the manager of the Conference Centre for working expenses. This account shall be established and maintained in accordance with such rules as the Committee may determine from time to time.
- (c) The Committee may establish and maintain such other bank accounts as it may determine to be necessary or desirable from time to time. All such accounts shall be maintained in accordance with such rules as the Committee may determine from time to time.
- (d) Cheques shall be signed by two members of the committee duly authorised to do so. Operations on an account by electronic banking or debit card may be made by one person so authorised, provided that any such payment shall have been approved by the committee or any two members so authorised.

E3.13 Expenditure. Expenditure above \$50,000 on any single project, improvement, repair or alteration shall require the prior approval of the Ministry and Mission Committee and, if above \$100,000, the approval of the Trustees in addition.

E3.14 Accounts.

- (a) Copies of the audited financial statements together with a signed copy of the report of the Auditor shall be forwarded to the Ministry and Mission Committee and to the Trustees within 30 days after each annual meeting.
- (b) The Trustees may determine from time to time the form of the report to be made by auditors appointed under this condition.

E3.15 Staff. The Committee shall have power to employ, and terminate the employment of, staff upon such terms and conditions as may be determined by the Committee from time to time and in accordance with the relevant award conditions relating to such employment.

E3.16 Amendment of Constitution.

- (a) This constitution may be amended by a special resolution which is passed at any meeting of the Committee. Any such amendment shall not take effect unless and until it is approved by the General Assembly but the Trustees may upon request by the Committee give any amendment interim authority where there are special circumstances justifying such action.
- (b) A resolution of the Committee shall be a special resolution if;
 - (i) one month's written notice is given to all members of the Committee which specifies details of the meeting and the proposed resolution, and
 - (ii) at least six members of the Committee vote in favour of the resolution.

For the purpose of this clause, written notice shall include notification by email or fax.

E3.17 Report to Assembly. The Committee shall report to the Assembly through the Ministry and Mission Committee.

